

Uncertainty and the use of force among Venezuelan police officers

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Abstract Literature often emphasizes the use of force as a distinctive feature of police work, while risky encounters and uncertainty are conditions under which such work is carried out daily. Conditions leading to the use of force by the police have been associated with the presence of menacing minorities, losing verbal control, the youth and lack of experience of officers, and critical physical proximity between officers and suspects. Additionally, defiance towards the police has often been linked to increased force used by the police. It is here proposed that uncertainty also fosters police officers' dispositions to use force. In this study, four focus groups were conducted with officers from two Venezuelan municipal police departments in October 2003, presenting a hypothetical scenario progressing from contact with suspects towards an open confrontation involving a shooting. Officers perceived, through different phases of the scenario, an encounter of no easily predictable outcome with suspects, involving potential harm to the police and bystanders. A pattern seemed to appear among officers in which overcoming real or assumed resistance became the central issue. When physical confrontation with suspects became evident, self defence was the clearest justification for the use of force, though the use of force was also defended by officers without further elaboration on the requirements and conditions for effectively thwarting aggression. It appears that uncertainty about the outcome of a situation fosters both the disposition and the justification for using force.

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The police and the use of force

In a classic essay, Bittner [4: 44] proposed a definition of the police that, instead of describing what they do, focuses on the way in which they achieve the multiple tasks assigned to them by society. He thus defined the police as “a mechanism for the distribution of situationally justified force in society,” considering that this concept would be consistent with social expectations, demands on and resources available for the police, giving unity to any activity carried out by them. The use of force by the police has become, in the last four decades, an issue for persistent reflection, analysis, explanation, regulation and public policy across countries and cultures [14, 17, 18, 31, 33]. As Bittner himself argued, what underlies every police intervention, despite the specific content, is the capacity of the police for overcoming resistance, projecting “the message that force may and may have to be, used to achieve a desired objective” [4: 45]. Thus, the use of force is the distinctive feature of the police and it is a matter worthy of study and review in order to better understand police performance and its relation with social expectations.

In the United States there has been considerable research dealing with organizational, personal and situational factors associated with the use of force. In a comprehensive essay, Geller and Scott [16: 453] summarized the conditions favoring shooting at citizens by the police: White male officers on duty against black male young civilians in high crime areas, in relation to reports of robberies or otherwise armed offenders. Racial imbalance in shootings seems to be related to other situational variables, such as the presence of armed suspects and the threat perceived by officers, although the shooting of unarmed citizens is not unusual [16: 455, 457]. On the other hand, alcohol and domestic violence related situations (known as “disturbance calls”) and officers on undercover assignments or involved in the operations of tactical units seem to increase the likelihood of shooting by the police [16: 459, 461]. In a more recent evaluation of the use of force, Worden [32: 32] distinguished between excessive force (where the force used was more than reasonably necessary) and unnecessary force (where force was simply not needed). He proposed that training could be used to control for the former and disincentives to reduce the latter. Commenting on several studies, Worden summarized the best predictors for the use of the force by the police as: antagonism from the suspect, his/her agitated state or intoxication, suspects belonging to the lower class, and situational factors such as the presence of other citizens and/or officers and the felonious nature of the offence. Personal characteristics of officers, with the exception of age and length of service (which seem to be positively correlated with a lower use of force), apparently bear no relationship with the disposition to use force [32: 34–35]. Approaches involving a broader conception of force, which include physical interference beyond the use of firearms, contribute to a better strategy for analyzing and predicting the use of force by the police.

In Latin America, research on the use of force by the police is not sustained by reliable data bases or records kept by the police and, therefore, has mainly focused on the analysis of press reports or on attitudinal studies. Zaffaroni [33] found, in a comparative review of the press in different countries, that there was a broad disproportion between civilians (most of them from the underclass) and officers killed in violent confrontations, suggesting that the police could be understood as a

state apparatus charged with the maintenance of an oppressive order. Chevigny [9], finding a similar imbalance in Buenos Aires, Argentina, and Rio de Janeiro, Brazil, elaborated on this explanation, suggesting that the threat from insubordinate lower classes, experiencing high social mobilization but low opportunities, fuelled violent social control of the poor by the ruling class, who would master the police in their own interests while fostering acceptance of violence by the lower class.

Other studies suggest that variables associated with the use of force by the police go beyond social class imbalances. In a study involving 50 interviews with supervisory police officers in a medium-sized city in Southern Venezuela, we were able to identify “tactical rules” for the use of force, suggesting that the perceived ability of citizens to lodge a successful complaint against officers is a significant predictor of the decision to use less force against them [6: 124–125]. In a further study of the disposition to use force among 830 police officers in three cities of Western Venezuela, we found that, in twelve hypothetical situations where citizens were described as aggressive, resistant or offensive towards the police, the best predictor for the use of force was citizens’ aggressive behaviour. However, a perceived lack of respectability and influence were also associated with the disposition to use more force [5]. The dimensions of respectability and influence, which involve some kind of moral judgement about the citizen, are not necessarily related to social status measured by occupational prestige. Another study of police dispositions to use force in the United States, Mexico and Venezuela, found no differences between the amount of force that officers said they would use in encounters with either professional or blue collar workers, whose behaviour and attitude towards the police were described in identical terms [23].

As this summary review shows, research and results on the police use of force are varied in scope and results. There is still no theoretical approach which could unify different explanations, considering, beyond the particularities of the police work across cultures, the common traits and findings in comparative perspective.

Police and uncertainty

Police work can be considered as uncertain in the sense that anticipated results of encounters and behaviors are not easily foreseeable. This is because there is a variety of environments, subjects and situations involved in police interventions. Manning states that the police are suspicious of people and adjust their behaviour and routines according to a balanced level of trust, without which police work, since it implies relations with other people, would be inconceivable. Technology itself, while providing standards for risky situations, can reduce the role of trust, though it will never eliminate it as a prerequisite for the suitable operation of the police [21: 208–209]. Because trust is a condition for carrying out police work smoothly, one can assume that a lack of trust constitutes a hindrance to police work, encouraging more force for either mastering a situation, asserting authority, or attaining the goal behind any action in the most expedient way.

Risk is nowadays considered a crucial feature for social control. Risks are related to a projection into the future of the consequences of actual damages, its amplification and the ensuing lowering of trust fostered by unpredictability [3: 39]. Managing risks,

thus, implies reducing uncertainty. In police work this can be achieved through technology, which by increasing surveillance and available knowledge, constrains suspects while lowering the levels of force employed [11: 34]. Ericson and Haggerty have argued that the availability of new means for gathering and analysing information can even make the use of violence by the State (then, by the police) obsolete [11: 4]. Technology presumably reduces uncertainty by increasing the capabilities of the police to anticipate events and to cope more effectively with them, which should have an effect on the reduction of force. This means that proper assessment and management of risks can have an influence on lowering the levels of force applied by the police. Current developments of intermediate levels and progressive scales for the use of force imply using technology for controlling risks related to physical confrontation and for reducing and/or de-escalating, even if not completely avoiding, the use of force. Thus, as uncertainty is mastered and transformed into predictable outcomes, the narrower the range of events in which force would be needed to subdue or to control citizens. Indeed, training and supervision in the use of force in order to minimize killings or serious bodily harm are nowadays assumed to be indicators of increased technical and professional police performance.[13, 16, 32]

One of the dimensions of uncertainty in police work involves confrontation with citizens, which can lead to the use of force by either side. Although confrontation with citizens can be considered as a hazard in police work, such a hazard seems to be enhanced by situational, cultural and personal factors relating to unanticipated results for the police. For example, in an analysis of cases involving 713 police officers killed between 1983 and 1992 in the United States, Fridell and Pate found that 40% of the cases involved the first contact with the assailant and 56% of the officers' deaths happened at a short distance from the attacker [12: 586, 588]. This suggests a situation of dangerous exposure which could have not been properly mastered by the officers. Comparative data, when available, would indicate that risk levels can vary across cultures and environments. For example, the ratio of civilian deaths to officers' deaths has been estimated to be approximately 7 to 1 in the United States [9:192]. Data for Latin American countries show an estimated ratio of 12 to 1 for Buenos Aires, Argentina, between 1983 and 1985, and 10 to 1 for the state of Sao Paulo, in Brazil, between 1982 and 1987 [9: 206, 209]. In Venezuela newspaper reports published between 1982 and 1986 indicated a ratio of civilian to police deaths of about 3.45 to 1[10: 224], but a more recent estimate (2005) based on police records indicates 11 civilians killed per police officer [2: 108].

On the other hand, it was estimated that 8% of all officers' deaths the United States between 1983 and 1992 resulted from ambushes [12: 586]. By contrast, based on newspaper reports it was estimated that up to 87% of Venezuelan police officers killed between 1982 and 1986 could have died in ambushes [10: 235]. Although these data questionably assume that, because they were alone at the time of death, the officers were ambushed, there is no doubt that surprise attacks are indicators of increased risk in police work. Interestingly, Puerto Rico shows the highest rate of felonious killings of the police among the jurisdictions of the United States [12: 603]. Overall, these results suggest that, compared to the United States, there are higher levels of confrontation between police officers and citizens in Latin America and higher levels of aggression or retaliation from citizens, thus increasing

antagonism, unpredictability, and consequently uncertainty, in police officers' encounters with the public.

Other research in Latin America shows that the perception of antagonism and alienation between citizens and the police is quite widespread. These characteristics can be related to increased levels of uncertainty in dealing with different situations, created by either legal or illegal police behaviour. For example, after interviewing 25 police officers in Guadalajara, México, between 1999 and 2000, Suárez de Garay [30: 201, 220, 290] found considerable frustration among officers because of insufficient preparation to face armed confrontations and the fear sparked by assignment to operational activities without being given enough contextual information. Officers were willing to use excessive force because of the stress and risks related to citizens' resistance to arrest. Paes Machado and Vilar Noronha [24] found that "the people [were] against the police" as revealed—in interviews with poor residents in a Brazilian city—by expectations about police use of force against "marginals" and citizens' lack confidence in police performance when dealing with "well off" citizens. Similarly, analysis of a survey of 829 people carried out in Maracaibo, Venezuela, in 1988 revealed that, despite broad sectors of the population supporting civil rights violations by the police as they go about controlling crime, citizens have "a hostile relationship [with the police] which assumes that officers victimize the common citizen in an atmosphere of mistrust and suspicion" [29: 138, 144].

Linking uncertainty with the use of force

Uncertainty in police work can be understood as a property of any situation which, due to its ambiguity or the difficulty in anticipating an outcome, constitutes a hindrance to the police for expediently and safely concluding or resolving the issue that they have defined as the matter for intervention. Because the use of force can be considered as an available means for the police, it can be hypothesized that force will be used to overcome uncertainty and thus carry forward the police intervention. Availability of means has been proposed as a variable related to actions for social control at the level of agencies [15: 41], and police intervention is an action for social control. On the other hand, opposition by citizens (thereby increasing uncertainty) has been proposed as a predictor of police violence, since under such circumstances the police find themselves in a situation where effective resolution of the matter is delayed, impaired or frustrated [14: 50]. This proposed hypothesis is valid for the police's performance as an agency, and thus applies to different levels of force employed (reasonable or excessive), different kinds of encounters (preventing or fighting crime, providing a service, arbitrating disputes), and different ways of approaching the situation (reactively or proactively). The proposition is not intended to apply to single officers' motivations (as in grievances, feuds or revenge) or to structured deliberate acts of murder or torture as a consequence of extreme political or ethnic confrontation.

Many variables usually described in the literature as being associated with the use of force by the police can be related to uncertainty. In this sense, the prevalence of shootings of civilians who are at short distances from the officers, together with

threats perceived by officers [7, 1], suggest that the police employ force in uncertain conditions in order to control a situation. Robberies and domestic violence calls, as well as the prevalence of plainclothes and undercover officers involved in shootings [16: 459, 451], may also indicate unpredictable situations in which the reactions by the people involved were not easily anticipated by the police or where the hidden identity of the officer precluded quick control of the suspects. In addition, the higher level of force found in more bureaucratized departments [32: 45; 23] could indicate more rigid protocols for approaching situations and a preference for quicker solutions with less negotiation in cases of resistance or opposition. Even the threat hypothesis proposed for explaining the increase of police homicides in relation to the proportion of minority population is compatible with the idea that the perception of the dangerousness and unpredictability of the behaviour of the citizen and the short time for calculating alternative courses of action could lead to the use of force [19: 56, 68]. Interestingly enough, proposals for reducing police violence made by scholars from police backgrounds, advocating familiarity with the norms and sentiments of groups otherwise hostile or not well known to the police [13: 172–173], suggest that increasing the predictability of everyday contacts is a way of controlling the use of force.

In Latin America, scholars have also related, to some extent, the use of force with uncertainty. Unpredictability and fear have been proposed as contributing factors to the motivation towards destructive tendencies and aggressiveness among Mexican police [30: 219]. In a poor neighbourhood of Bahía, Brazil, broad agreement was found among officers and citizens on the need for police violence as a response to criminal violence: because officers are potentially threatened by informers or otherwise marginal people who have been subjected to abusive practices, they could use “physical elimination” as a quick method for “burning the files” [24: 68, 71]. In the aforementioned survey in Venezuela, it was found that 60% of citizens who were interviewed agreed that more violence should be used to fight crime and 47% thought it justifiable for the police to kill criminals [29: 139]. This shows that citizens can condone highly forceful police behavior in order to resolve crime-related situations expediently. It has been argued that police violence is closely associated to the public’s support for extralegal measures for controlling crime [8: 21]. A recent study involving 13 interviews with police officers from two municipal departments in Caracas, Venezuela, found broad justifications for physical punishments of wrongdoers by the police when the judicial procedure was perceived as ineffective for dealing with crimes [22: 19–26]. This suggests that physical force can be applied by the police to punish behaviours that otherwise would go unpunished. These behaviours are far removed from any imminent threat or danger to the officers, but are endowed with uncertainty in the context of the encounter, both in terms of the factual and the legal outcome.

Reconstructing reasons for the use of force: scope, method and results

Although research on the use of force is quite extensive—at least in North America—in terms of the recording of incidents, the identification of static and situational variables associated with the use of force, and the public’s and police officers’ perceptions of the

topic, seldom have the *reasons* given by police officers for using force been studied. These reasons relate to what Lyman and Scott [20] called “accounts,” which are important for understanding the situational dimension of actions and their incorporation into an acceptable frame for presentation to different audiences. In addition, discourse on the reasons for using force can provide relevant information about the perceived circumstances that surround situations faced by the police, facilitating the contextual analysis of the use of force. This is the reason for studying justifications for the use of force by police officers.

The empirical content of this article is based on comments and explanations provided by Venezuelan municipal police officers who participated in focus groups that discussed a sequentially developing scenario describing an encounter with two young men. Use of force is here defined as any type of physical interference¹ with citizens which is used or threatened by police officers to make the latter do something or stop doing something. A justification is defined as any reason given by police officers for using, or not using, physical interference. It is assumed that through reasons given by officers for engaging in acts of force it is possible to reconstruct the foundations for this use and to connect such a decision with the nature and circumstances of each encounter. Reiterated independent comments by several officers indicate consistency in the response toward each situation, thus allowing generalisations about perceptions, interpretations and decisions about the use of force.

A hypothetical scenario was used to guide focus group discussion (see Appendix A). As in other countries participating in the international project (see Stenning et al., this issue), the scenario began with an encounter between two police officers and two suspects, and evolved towards a flight and pursuit followed by a final armed confrontation. At each stage of the scenario, actions taken by the hypothetical officers were mentioned and officers in the focus group were asked to comment on those actions and whether or not they were justified. Graphic, cartoon-style, illustrations were used as a visual aid for each stage of the scenario.

After testing the scenario with focus groups comprising police officers and residents of a middle size south-western city in Venezuela, two municipal police forces in the capital city of Caracas were chosen. The first was “Polioriente,”² a department that serves the wealthiest municipality in the country, with much high-end commerce and housing, and most of the foreign embassies. The second was “Polioccidente,” which covers the much poorer and more populous central and western areas of Caracas, including many hillside *barrios* (spontaneous settlements) that are largely inaccessible, except by foot. Four focus groups were conducted, two with a total of 15 officers from Polioriente, on October 27 and 28, 2003, and two with a total of 19 officers from Polioccidente on October 30 and 31, 2003. The conversations were recorded by a professional sound technician and transcribed in their entirety by a specially trained research assistant who was familiar with the project.

¹ Physical interference means corporal restraint, immobilization or incapacitation. It can be achieved by a wide variety of methods.

² To preserve confidentiality, the names of the police departments are fictitious.

In the following analysis, perceptions of the scenario, actions and specific reasons for doing or not doing something will be presented according to the three main phases of the scenario, from the encounter, through the pursuit of the suspects to the armed confrontation.

Using force in an encounter where suspects refuse to submit to police officers' requests and commands

In this phase of the scenario, two officers spot two rather poorly dressed young adult males in a car which the officers have reason to believe is stolen. These youngsters are familiar to the police because of their probable criminal records and they appear to be smoking a joint. On being approached and asked to get out of the car, the young men refuse and react in a verbally abusive way toward the police. Following this, one of the officers opens the door of the car, orders the driver to get out and tries to pull him out of the car.

The main issues emerging from the officers' perceptions of the scenario were related to the risk and dangerousness implied by the situation leading to the encounter. Perceptions of risk and danger were associated mainly with the suspects, whose likely behaviour was perceived as unpredictable. One possibility was harm or death because of a hidden firearm, mentioned explicitly, as "while approaching the car they [the officers] could be shot at;" or implicitly as "you don't know what they have in the car," or "the car can move and run over the officer." These respondents stressed the importance of the officers approaching the car separately, in order to prevent a simultaneous attack, and at this stage some mentioned the importance of having backup. The need to be "suspicious" or "wary" about the risk of the youths using a firearm was also mentioned, but only a few comments involved the explicit claim that the youths were probably in possession of a handgun. This suggests that the focus group participants had diffuse perceptions of risk and danger in the encounter, rather than concrete perceptions of specific threats. The latter interpretation is supported by a number of participants who commented that members of the public-suspects, bystanders or neighbours—tend to stick together and to be uncooperative with the police. Drug consumption also appeared to signify an unpredictable outcome and even a dangerous situation. Nevertheless, some participants stressed that this was a routine police procedure which should not bring major problems or developments.

The most common action suggested by participants was ordering the young men to get out of the car, while arrest was indicated a few times and coercion and intimidation twice. Overall, physical interference with suspects was recommended for forcing them to do something (like getting out of the car), or to stop doing something (such as consuming drugs), in about a quarter of all actions mentioned. "Approaching" the suspects, which does not mean physical interference, was also suggested, but less frequently. While approaching the citizens and asking for papers is viewed as a way of verifying whether the car is stolen or the suspects have a criminal record, ordering them to get out of the car is seen as a way of mastering a risky situation. Thus, some officers emphasized the need of approaching with caution, to cover a perimeter and to request that the suspects raise their hands. The physically coercive approach was defended as a

means of emphasising both the control of the situation and the authority and presence of the police, as the following comment shows:

I would stop them, search them; make them get out of the car in order to find out as much as possible: where the car comes from and the kind of stuff they've got with them. [25: 6, R.]

Physical restraint, in the form of arrest, was suggested as a strategy for carrying out a full body search, even if the legal basis for such an arrest could be challenged. In this case, controlling the situation, even if the arrest could not be sustained afterwards, was the main issue in using this kind of force:

Arrest the guy as soon as possible... they say that with such a small amount they will get a free ride out of jail, mocking the officer as they please; so you have to be as fast and as decisive as you can when carrying out your task. [27: 12, R]

The most frequent justification mentioned for using force was to prevent or to avoid an ongoing crime, even if not always in precise terms. Thus, one officer commented that a search would "at least avoid those people being there," and another officer commented that "the person will stop committing a crime," although it was not clear what kind of crime would be avoided (presumably one associated with drug use). Search and physical restraint seemed to work as a way for charging the young men with drug possession, and even drug use, although it was not clear how criminal proceedings could be subsequently sustained. Approaching the car and conducting a search was defended as a means for preventing an unspecified crime that might have occurred because of the characteristics attributed to the suspects. In these cases, the suspects' character was inferred from drug use or sitting in a stolen car, either of which would have been an indicator of another crime, instead of looking for specific clues or evidence of an actual criminal event.

The second most frequent justification for using force was to overcome resistance from the young men and it was often combined with the perception of an imminent threat of aggression against the officer. It seems that officers, at least in this phase of the scenario where there is no open attack on the police, combined aggression and its threat in a line of argument that stressed a broader perception of "active resistance" (rather than strictly "aggression"). Overcoming this kind of resistance seemed to be sufficient reason in some police officers' explanations for the use of force. In most opinions, the mere fact of resistance justified the force, while it appears that in other cases the resistance was linked to a prior negative behaviour attributed to the citizen. In other cases, resistance was a symptom of wrongdoing or of hidden behaviour; thus, the use of force was presented as a way of controlling further illegal behaviour that was not yet evident in the situation. But the suspicion of hiding illegal goods or products, by itself, was also mentioned as sufficient grounds for pursuing the search.

Insults proffered by the young men were also mentioned as a justification for the use of force, twice in a strictly retributive way and once as a possible substitute punishment by the police, because "here you know that if a guy insults you he will not be arrested for that" [28: 20, E]. The fact that a search was also perceived as an inconclusive procedure due to the small amount of drugs that might be found [27: 5, R], suggests that such searches are carried out as routines that display police

behaviour and are aimed at showing authority on the ground rather than building a case for prosecution.

A general sense of balance between an overt display of force by the police and a safeguard against confrontation seemed to be the typical pattern of preferred action among police officers, as is clearly shown in the following statement:

We stop them, they are suspects, we verify for whatever. You have to follow your “nose”, as they say; everyone is armed and could hurt you, because it has happened many times: you stop them for running a red light, you don’t suspect anything, the guy has just committed a robbery and he is armed, and when you approach him... well there have been a lot of officers killed that way. [26: 8, D]

Using force for chasing fleeing suspects

The second phase of the scenario describes the driver starting the car and driving off through the neighbourhood, after which the officers begin pursuit with the siren turned on, while informing headquarters. Shortly afterwards, the car crashes and the officers get out of their vehicle with guns in hand, shouting at the young men to get out of the car with their hands up.

For focus group participants, a new issue emerging at this phase of the scenario was “poor procedure,” which meant that the hypothetical police officers should not have allowed the young men to drive off in the first place. One participant mentioned “police malpractice.” Another argued that if the people in the car were reluctant to get out, or became violent, backup should have been requested and waited for [28: 23, Jua].

Even if participants made fewer comments regarding situational uncertainty at this stage of the scenario as compared to the previous one, they did not dismiss the possibility that an armed attack could take place soon after the chase, after the collision, or at the point when the police physically confront the young men. Taking flight was perceived as resistance that should have been neutralised in some way, although the chase itself was perceived as a relatively unimportant matter compared to other more serious features of the situation.

The most frequently mentioned actions were to unholster the gun at the start of the vehicle chase or as a precautionary action once the officers approach the car after the collision. Several officers also emphasised the need to notify headquarters about the chase. All of these actions were generally approved on the assumption that fleeing is a sign that the young men are hiding something, because otherwise someone would not run. Although there were not many comments about unholstering the gun, two officers related this step to the need to neutralize resistance or to be on the defensive in case an attack came, and in both cases uncertainty was an issue, once because of the “guys” attitude” [26: 16, J] the other because “we don’t know if they’re armed or not” [25: 24, T].

Although shooting at the tires was praised in one comment, several other officers dismissed this line of action, arguing that those fleeing are not necessarily armed nor have they yet shot at the police. Two officers stated that shooting at the body should never be carried out before the men shoot at the police. Arresting the fugitives was

also mentioned as an objective behind the vehicle chase, although the legal purpose of detention was not clearly stated. Three officers recommended a “swift approach” to engage with the suspects and gain control, even pulling the young men out of the car—something that should have been done “from the first moment.”

The most common justification for unholstering the gun while approaching the car was anticipatory protection, but judgements were mostly problematic regarding whether the youngsters were armed and they would be willing to shoot [“we don’t know,” 27: 19, Jo; 25: 24, H; “we have to look after ourselves,” 27: 19, Joh].

The chase itself was also justified by some participants in terms of a presumed offence, either completed or in progress. However, other participants considered that fleeing itself was enough grounds for the pursuit, apart from any other specific objective, which means that the use of police power in response to a defiant attitude is a frequent justification among officers. Prompt control of the citizen, in order to avoid possible danger, mixes with the display of authority, as the following comment shows:

Every time we stop someone, we work with intuition and by the book. We have to take precautions and the gun must be unholstered because the person must feel that he is under [police] control. In general, we look for criminals, and we can make a mistake. You point your gun at someone, stop them, search them and then, “Sorry, this is nothing personal”... I have to be alert. I have to take care of myself. [25: 26, R]

Using force in overt confrontation with suspects

The final stage of the scenario describes the young men getting out of the car and running away, one of them with a gun in his hand, while officers chase them on foot down a street where there are pedestrians. When the officers see the gun, they order the young man to halt and fire a warning shot in the air. One of the men turns round and shoots at one of the officers, who responds by firing at him several times.

Three participants made explicit claims that the officers had not followed rules for safety and/or that they had been negligent by letting the situation get as far as the crash and the subsequent foot pursuit, suggesting that swift action at the beginning could have avoided the final confrontation. At this stage in the scenario, most comments referred to the shooting: the majority related to the avoidance of warning shots, some of them to shooting at the body and a few to the avoidance of shooting at the body. Shooting at the suspects was recommended once the latter had fired at the police, or in case they had made a clear move and shown the gun, provided that the police response was in reasonable proportion to the presumed attack, as the following statement shows:

On taking out his gun, [the suspect] practically rose up against the police. But if they are not equal, if there is not strict proportionality, one could shoot at the foot to neutralise him. [26: 16, D]

Strong concerns arose about the unintended consequences of shooting, because it could hurt bystanders or innocent people. During this phase of the scenario, pursuit was also mentioned, its objective being to capture the fleeing subjects, preferably on foot

considering the difficulties in accessing many places by car. Neutralisation of the subjects was also mentioned in one case through the suggestion that martial arts techniques be used [25: 31, Re]. There were virtually no comments about securing evidence and protecting the scene of the incident, which means that it was not clear if the capture of the fugitives had to do with building a criminal case or something else.

The most common justification mentioned was repelling the attack launched by the young men, a matter anchored in neutralization, written rules and proportionality, mostly woven into a clear instrumental pattern for using lethal force. Repelling the aggression was extended to attacks involving less-than-lethal weapons, such as knives, and even to physical attacks that involve a risk for the officer because of the greater strength or appearance of the attacker [25: 39, K, H]. From these comments, it seems that officers did not see alternative, less lethal, means for repelling attacks, and that the threat to life was sufficient to warrant shooting, even if the law does not cover them completely. This interpretation is evidenced in the following comment:

When you go in pursuit and they are shooting, it may be not legal but it is justified [to shoot] because you are defending your life and that of others. [25: 3, K]

Arrest was sometimes mentioned as the explicit objective of the chase described in the scenario. Nevertheless, it seems that once the suspect fired on the officers, the idea of killing him became an objective, and one that was independent of self defence or confronting the attack. It looks as if, once the ultimate aggressive act was made manifest by the suspect, i.e. firing a gun at the officers, there was no return, and officers felt empowered to conclude the situation in the quickest and most definite way, as the following comments show:

If the situation becomes irregular with an exchange of shots, this guy is luncheon meat [i.e., “dead meat”]. The citizen [the same suspect] isn’t leaving. [25: 28, Re]

If he is armed and exchanges fire with the police, he would end up dead. [25: 30, D]

This guy is already dead [because he shot at the officers]. [25: 33, R]

Although the above comments were made in only one focus group and may not be representative of all officers, the consistency within the same group suggests that officers perceived an armed confrontation with the police as a situation in which a civilian death following an exchange of shots was fully justified. We have previously found this kind of attitude in other interviews conducted with Venezuelan police officers [6].

One participant mentioned the perceived risk to the officer’s life, even if aggression was not evident, a figure more related to what in legal terms is called a “putative defence,” i.e., a situation in which there is no actual attack but an excusable mistake [28: 33, Jo]. In this case, the justification was geared towards the prevention of further shots from the fleeing suspects, because even if these were not aimed at the officers they could put bystanders’ lives in danger [25: 37, H].

The function of uncertainty in explaining the use of force

The perceptions of the police officers in the focus groups can be basically characterised as related to a perceived risk of harm for the police themselves in encounters with citizens, even if the specific situation described in the scenario starts with a relatively banal and routine set of circumstances. From the beginning, the officers perceived possible alliances among citizens that worked against them, thereby lowering the chances of successfully carrying out their work. Fleeing from the police was perceived as an unacceptable challenge to police work. In this situation, uncertainty about the final outcome of the encounter seemed to become less important than the challenge represented by the evasion of police control. Nevertheless, potential aggression by the suspects was always present once physical contact became unavoidable after the crash. The flight was something that could have been avoided with a “proper procedure,” meaning the efficient use of force to interrupt the situation from the beginning and to avoid an escalation. However, officers still seemed to engage enthusiastically in a pursuit whose ultimate purpose was not very clear, and which might even contravene departmental rules (intended to avoid unnecessary risks) that require them to ask for backup. As the crash and flight on foot developed, there was less of a margin for doubt about what might happen afterwards, and attention now concentrated on possible support for the reasons given for using lethal force during the last stage of the scenario.

As soon as the scenario developed, a pattern of behaviour appeared among focus group participants in which overcoming real or assumed resistance became the central issue, mainly as a way of counteracting defiance against the police. This is clear from the comments on the ambiguities of treating drugs as a prosecutable offence and the doubts about the chances for getting an eventual conviction, which suggest that the police do not necessarily perceive themselves as a functional part of the criminal justice system. Thus, resolving the situation as soon as possible and avoiding further delay that might foster unpredictability, including doubts about prosecution and conviction, became the central issues in using force.

When physical confrontation became evident, the issue was whether and how to shoot in the correct manner. Warning shots were overwhelmingly dismissed on the grounds that it is a hazardous action that puts innocent people in danger. Shooting at suspects was not treated uniformly. Some of the officers spoke of aiming at the central body mass as a target, while others suggested alternative, less lethal, targets in the body, which indicates that using lethal force in extreme situations is a debatable issue, in which the kind of audience addressed is important³. At this stage in the scenario, self defence is the central issue, because it is the clearest legal justification for deadly force, recognized by the Venezuelan Criminal Code.

³ Reasons given for the use of force by the police adopt a legal format when addressed to judges and prosecutors, and a moral format when addressed to ordinary citizens or the press. In the first case, they are presented in a legal framework, because the consequence of the behavior is an authoritative decision in which the legal orientation is crucial. In the second case, they are presented within a common sense framework, because the consequence of the behavior is acceptance or rejection on the grounds of what a lay person would assess [8, 20, 22].

There were no suggestions that the officers should leave off the pursuit until backup arrived, although backup was mentioned as useful. This suggests that facing uncertainty is accepted as a police hazard. Considering the relatively banal situation described at the beginning of the scenario, the pursuit seems to be clearly related to the perceived need for asserting the police's competence for resolving a situation that was defined as a matter that concerns them, independently of the secondary, instrumental, function of delivering the suspects to the criminal justice system. Reducing uncertainty in the quickest way possible seemed to be the central purpose of police behaviour.

Justifications for the use of physical force were mostly instrumental, in the sense that they were presented as a way of obtaining an objective beyond the use of force itself. In this sense, preventing or interrupting a crime, neutralising a suspect and responding to aggression can be interpreted as having the objective of thwarting a crime in progress, arresting a person for prosecution and stopping an unlawful attack. Nevertheless, there was generally little elaboration regarding the precise crime to be dealt with, or about the requirements and conditions for a successful prosecution and the extent to which aggression would be effectively thwarted. In this sense, instrumentality for attaining legal objectives seemed to give ground to an instrumentality aimed at putting an end to an uncomfortable and, probably, an unpredictable situation which had been defined by the police as a matter for their intervention.

Conclusion

The use of force by the police has to be assumed as a form of power which is sanctioned both morally and legally for dealing with situations of different types and implications. Uncertainty seems to be an everyday experience in police work. While the police have the power for using force against citizens, the conditions under which this use is endorsed are shaped by legal and common sense constraints. These limits are difficult to establish through precise rules. If both legal and moral principles give the police the ultimate recourse to force for resolving the matters in which they intervene, and if the purpose of their intervention is to do so in the most expedient way, it is plausible that willingness to use force will increase in the face of perceived hindrances to police work. Uncertainty, understood as the relatively unpredictable outcome of a situation, represents either a hindrance or a challenge to expedient police intervention. Thus, avoiding (or resolving) uncertainty, can be considered as a predictive factor associated with the use of force.

In this essay, based on qualitative research on police dispositions to use force in a hypothetical encounter with citizens, officers' discourse, as articulated by participants in focus groups, was consistent with the hypothesis that the use of force is a way of overcoming or rapidly resolving and terminating uncertain situations. This hypothesis, which combines agency (the availability of resources for acting, i.e. force) and situational constraints (relatively unpredictable outcomes requiring quick resolution) could be applied universally to police behaviour, and can help to explain the greater incidence of force among the police in Latin America compared with other industrialized countries. The lower the level of deference shown by citizens to the

police and the lower the availability to the police of technology for mastering the situation the higher the levels of uncertainty regarding the final outcome, and the broader the range of situations in which force will be used by the police [14]. Uncertainty, then, is a particularly useful concept for assessing the frequency of the use of force by the police. As an organizationally related variable, it is relevant for explaining the escalation in the use of force by the police as an encounter evolves toward unpredictability where determining the outcome escapes police control, as often happens with riots and other highly conflictive encounters with citizens. These results, combined with other situational and personal factors that the literature reports as associated with the increased use of force, support the contention that uncertainty and unpredictability are crucial concepts for explaining the use of force by the police.

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Appendix A

English version of the scenario used with Venezuelan focus groups

It is early evening and beginning to get dark. Two officers are on routine patrol in a patrol car in a built-up urban area. They observe two rather poorly dressed young adult males sitting in a car parked on the roadside, apparently smoking a joint. The two young men look familiar to the officers, as people with whom they or their colleagues have had previous contacts, and who have criminal records. Also, the officers have reason to believe that the car may be stolen. The officers approach the vehicle, ask the young men for identification and tell them to get out of the car.

Are the officers' actions justified? Why/why not?

The young men ignore the officers' demands and verbally abuse them. One of the officers opens the car door and, in a loud voice, orders the driver to get out. At the same time he tries to pull the driver's arm to force him out of the car.

Is the officer justified in doing this? Why/why not?

The driver starts the car and drives off rapidly through the neighbourhood. The officers get into the patrol car and also drive off quickly with the siren on. As they follow the other car closely, they use the radio to inform command about what is happening.

Are the officers' actions justified? Why/why not?

The car has come to a halt after crashing into a street light pole. The officers get out of the patrol car with gun in hand. They approach the vehicle with their weapons aimed at it, while shouting to the young men to get out with their hands up.

Are the officers' actions justified? Why/why not?

The two young men get out of the car, but start to run away. Gun in hand, the officers chase them. There are various pedestrians on the street. During the

chase, the officers see that one of the young men has a firearm. One of the officers gives the order to halt and then fires a warning shot.

Are the officers' actions justified? Why/why not?

As they continue to run, one of the two men turns and shoots at the officers. One of the officers shoots at him several times.

Is the officer's justified in doing this? Why/why not?

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