

RESPONSE PIECES TO *GLOBAL IMPUNITY*

HOW POLICE CULTURE SHAPES USE OF LETHAL FORCE: A RESPONSE TO FLORES ET AL.

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I. INTRODUCTION

Police use of force, including lethal force, has been a pervasive problem for decades, particularly in traditionally marginalized communities. In recent years, the widespread availability of video recording on mobile phones has made police brutality an issue of great public concern. Public outrage has grown as society has been confronted with the significant disproportionality in police killings of Black civilians in high profile instances including Daunte Wright (Brooklyn Center, Minnesota 2021), George Floyd (Minneapolis, Minnesota 2020), Breonna Taylor (Louisville, Kentucky 2020), Philando Castile (Falcon Heights, Minnesota 2016), Freddie Gray (Baltimore, Maryland 2015), Tamir Rice (Cleveland, Ohio 2014), Eric Garner (New York, New York 2014), and Michael Brown (Ferguson, Missouri 2014), Oscar Grant (Oakland, California 2009), among many others.

The public anger in response to recent police killings has catalyzed social and academic attention aimed at reducing police use of force. Some argue hiring more ethnic minority and women officers can help improve community engagement.¹ Others lobby for implicit bias or diversity training to curb officer biases.² Some call for police personal liability insurance to disincentivize officers from using lethal force to avoid increasing their premiums or losing their jobs.³ Still others believe United States Department of Justice “pattern-or-practice” investigations and resulting consent decrees will help solve the problem.⁴ Flores et al. suggest that developing use of force policies compliant with core human rights principles may also curb racially disproportionate police killings.

Flores et al. assert that international human rights principles provide insight into police use of deadly force against civilians, focusing their analysis on the *external* pressures that shape police decisions to use lethal force. However, their examination does not look to the *internal* factors that frame the issue, particularly

¹ See, e.g., TARA LAI QUINLAN, *POLICE DIVERSITY: BEYOND THE BLUE* (Bristol: Policy Press) (forthcoming 2022); Nick A. Theobald and Donald P. Haider-Markel, *Race, Bureaucracy, and Symbolic Representation: Interactions between Citizens and Police*, 19.2 J. PUB. ADMIN. RESEARCH & THEORY 409–26 (2008).

² See, e.g., Robert Smith, *Reducing Racially Disparate Policing Outcomes: Is Implicit Bias Training the Answer?*, 37 U. HAW. L. REV. 295 (2015).

³ Deborah Ramirez et al., *Policing The Police: Could Mandatory Professional Liability Insurance For Officers Provide A New Accountability Model?*, 45 AM. J. CRIM. L. 407, 407–09 (2019).

⁴ UNITED STATES DEPARTMENT OF JUSTICE, THE CIVIL RIGHTS DIVISION’S PATTERN AND PRACTICE POLICE REFORM WORK: 1994–PRESENT (2017), <https://www.justice.gov/crt/file/922421/download>.

the influence of street police culture, the impact of police discretion, and the growth of police militarization. A closer examination of these factors would lend further depth to their work.

II. KEY ASSERTIONS OF THE FLORES ET AL. STUDY

Flores et al. advocate for the use of international human rights law to help shape police use of force policies, a novel approach in the current police reform debate. Flores et al. have developed a thoughtful and innovative series of international law principles derived from three important human rights instruments: *The United Nations Code of Conduct for Law Enforcement Officials*, the *United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, and the *2014 report by the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions*. These sources form the basis of the five essential human rights standards identified in the Flores study: legality, necessity, proportionality, accountability, and non-discrimination. The enquiry graded jurisdictions across the globe based on their compliance with these five principles, providing a fresh and comparative international approach to the discourse. Evaluating domestic policing through an international human rights lens lends a layer of richness and global context to a discussion of police reform traditionally limited to domestic laws and policies.

Flores et al.'s study seeks to determine whether police agencies comply with the identified human rights objectives by examining use of force policies in twenty-nine departments in the world's wealthiest countries. While original, this approach is fairly limited. Indeed, the study is restricted to an understanding of written policies rather than the practical implementations thereof. As a result, the study cannot determine whether the actions of officers in these jurisdictions are compliant with the articulated international human rights standards in practice. The study is therefore restricted to whether twenty-nine law enforcement agencies comply *de jure* with the designated international human rights standards, not whether they are in *de facto* compliance with these principles. Indeed, *de jure* compliance with stated policies or human rights objectives is no guarantor of *de facto* compliance with those standards by police officers on the job. As discussed below, empirical research suggests that policies do not strongly influence actual officer behavior, including decisions to use lethal force.⁵

⁵ Jerome H. Skolnick, *Corruption and the Blue Code of Silence*, 3 POLICE PRAC. & RES. 7 (2002); Harry Barton, *Understanding Occupational (Sub)Culture—A Precursor for Reform: The Case of the Police Service in England and Wales*, 16 INT'L J. PUB. SECTOR MGMT. 346 (2003); TOM COCKROFT, POLICE CULTURE: THEMES AND CONCEPTS, 40 (2013); Jeffrey S. Nowacki, *Organizational-Level Police Discretion: An Application for Police Use of Lethal*

Nonetheless, Flores et al. have introduced an important first step in contemplating police reform through the international human rights lens. A crucial next step will necessarily consider policing practices as implemented on the streets. To better understand policing behaviors on the ground, it would be fruitful to interview or survey members of the departments in Flores et al.'s study to assess whether their actual practices comport with the identified international human rights standards. It would also prove valuable to interview or survey members of the public in each jurisdiction to gauge public perceptions of police practices. A further way to understand how and why police use lethal force against civilian populations would draw upon empirical research reflecting the roles of police street culture, police discretion, and police militarization in decisions to use lethal force, as briefly set out below. Engaging with this literature would further contextualize Flores et al.'s study and provide deeper insights into the problem.

III. POLICE CULTURE: AN ESSENTIAL FACTOR IN USE OF FORCE DECISIONS

While the Flores et al.'s study introduced the lens of international law to the police use of force debate, it failed to account for the influence of the internal factor of *police culture*. Police culture refers to the informal norms, attitudes, and values in police organizations.⁶ Within policing agencies, there can be multiple cultures, including street police culture, middle management culture, and senior leadership culture.⁷ While police cultures vary across agencies and countries, certain core tenets of street police culture share similarities across many jurisdictions.⁸ Empirical research across nations suggests that street police culture is often characterized by aggression, violence, competition, authority, dominance, paranoia, insularity, and intolerance, among others.⁹ Street officer culture is therefore particularly important when analyzing use of force.

Force, 61 CRIME & DELINQ., 644, 648 (2015); Rich Morin et al., *Behind the Badge*, PEW RSCH. CTR. (2017), https://assets.pewresearch.org/wp-content/uploads/sites/3/2017/01/06171402/Police-Report_FINAL_web.pdf; Edward Lawson Jr., *TRENDS: Police Militarization and the Use of Lethal Force*, 72 POL. RES. Q. 177, 179 (2018).

⁶ See generally JANET CHAN, *CHANGING POLICE CULTURE: POLICING IN A MULTICULTURAL SOCIETY* (1997).

⁷ See, e.g., ELIZABETH REUSS-IANNI, *TWO CULTURES OF POLICING: STREET COPS AND MANAGEMENT COPS* (1983); THE MIT PRESS SERIES ON ORGANIZATION STUDIES, *CONTROL IN THE POLICE ORGANIZATION* (Maurice Punch ed., 1983); PETER K. MANNING, *POLICE WORK: THE SOCIAL ORGANIZATION OF POLICING* (1997).

⁸ ROBERT REINER, *THE POLITICS OF THE POLICE* (4th ed. 2010); BETHAN LOFTUS, *POLICE CULTURE IN A CHANGING WORLD* (Ian Loader et al. eds., 2012).

⁹ See generally Robin N. Haarr & Merry Morash, *Gender, Race, and Strategies of Coping with Occupational Stress in Policing*, 16 JUST. Q. 303 (1999) (discussing general strategies

The ‘warrior model’ of policing is heavily embedded in street police culture in the United States and numerous other jurisdictions, and refers to a quasi-military approach that champions violence, conflict engagement, aggression, escalation, and the use of coercive force to exert control over an area or population.¹⁰ This approach distances police officers from, and breeds animosity toward, the communities they serve. Warrior-officers are enforcers who battle criminals and potential criminals, often from so-called “suspect communities” who are stereotyped as engaging in criminality—an us versus them approach that makes resorting to violence much easier.¹¹

Street police culture’s warrior mentality is first imparted in training academies and continually reinforced on the job.¹² From day one, much police academy training seeks to “transition” recruits from civilians to warrior street police.¹³ This socialization creates a strong sense of loyalty among officers, while creating animosity toward civilians.¹⁴ Police training focuses on managing conflicts with civilians through violence, rather than verbally resolving disputes.¹⁵ Officers who resist this internal street police culture are often ostracized and frequently not viewed as “real police.”¹⁶

This warrior culture hardens officers on the job and alienates them from community members. When police do not see themselves as, or identify with,

police use to cope with stress); David Alan Sklansky, *Seeing Blue: Police Reform, Occupational Culture, And Cognitive Burn-In*, in 8 SOC. OF CRIME, LAW & DEVIANCE, POLICE OCCUPATIONAL CULTURE: NEW DEBATES AND DIRECTIONS 19 (Megan O’Neill et al. eds., 2007); REINER, *supra* note 8 (discussing the general policies underlying the imposition of a police force); LOFTUS, *supra* note 8 (discussing the classic themes of police culture and changes in police culture over time).

¹⁰ See generally Simon Holdaway, *Responding to Racialized Divisions Within the Workforce—The Experience of Black and Asian Police Officers in England*, 20 ETHNIC & RACIAL STUD. 69 (1997) (exploring the social processes that impact Black and Asian police response in the workforce); LOFTUS, *supra* note 8.

¹¹ See generally PADDY HILLYARD, SUSPECT COMMUNITY: PEOPLE’S EXPERIENCE OF THE PREVENTION OF TERRORISM ACTS IN BRITAIN (Pluto Press 1993); Seth Stoughton, *Law Enforcement’s ‘Warrior’ Problem*, 128 HARV. L. REV. F. 225 (2014).

¹² Ruben Rambaut & Egon Bittner, *Changing Conceptions of the Police Role: A Sociological Review*, 1 CRIME & JUST. 239, 239–88.

¹³ Nigel Fielding, *Competence and Culture in the Police*, 22 SOCIOLOGY 45 (1988).

¹⁴ Norman Conti & Patrick Doreian, *From Here on out, We’re All Blue: Interaction Order, Social Infrastructure, and Race in Police Socialization*, POLICE Q. December 2014, at 414–47; Lawrence Sherman, *Perspectives on Police and Violence*, THE ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE, Nov. 1980, at 1–12.

¹⁵ See generally Steve Herbert, *‘Hard Charger’ or ‘Station Queen’? Policing and the Masculinist State*, GENDER, PLACE & CULTURE: A J. FEMINIST GEOGRAPHY, Jul. 2001, at 55–71.

¹⁶ Kenneth Dowler, *Job Satisfaction, Burnout, and Perception of Unfair Treatment: The Relationship Between Race and Police Work*, 8 POLICE Q. 476; Matthew Jones & Matthew L. Williams, *Twenty Years On: Lesbian, Gay and Bisexual Police Officers’ Experiences of Workplace Discrimination in England and Wales*, 25 POLICING & SOC’Y 188 (2015).

members of the communities they police, they are more likely to engage in aggressive behavior.¹⁷ For example, a national survey found 56% of officers believed aggression was more effective than courtesy in particular neighborhoods, while 44% believed that hard-edged, physical tactics were necessary to deal with certain people.¹⁸ When police officers do not identify with communities, they are more likely to engage in the use of force.¹⁹

The warrior model is not the only feasible approach to policing. Contrary to popular belief, police do not spend most of their time in dangerous situations fighting crime and chasing criminals. The majority of street police time is focused on social service functions like engaging with the homeless, intervening with drug users, speaking to business owners, or resolving domestic or neighborhood disputes.²⁰ Thus, street police culture's emphasis on violence is inapposite to the mostly nonviolent nature of the majority of police functions.

Yet not all street police adopt the warrior mentality: some adopt the guardianship model, which focuses on community engagement, building trust and positive relations. This approach better reflects how police actually spend their time. Guardian-police prioritize engaging with communities through partnerships, conflict avoidance, verbal dispute resolution, de-escalation, and other peaceful means rather than leading with violence.²¹ The 21st Century Task Force on Policing, commissioned by the Obama Administration, advocated for moving the profession to this "guardian" policing framework.²²

However, this model of policing cuts against established tenets of street police culture, which has historically prioritized the establishment of order through forceful means.²³ Police who see themselves as guardians currently remain the minority, with a national survey of police officers finding only 31% saw themselves primarily as community protectors.²⁴ Despite its minority status, the guardian approach is gaining global momentum.²⁵ The guardianship model could

¹⁷ U.S. DEP'T OF JUSTICE, FINAL REPORT OF THE PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING, FINAL REPORT 16–17 (2015); L. Song Richardson, *Police Racial Violence: Lessons from Social Psychology*, 83 FORDHAM L. REV. 2961, 2961 (2015).

¹⁸ RICH MORIN ET AL., BEHIND THE BADGE 54 (2017).

¹⁹ L. Song Richardson, *supra* note 17 at 2972.

²⁰ Ruben Rumbaut and Egon Bittner, *Changing Conceptions of the Police Role: A Sociological Review*, 1 CRIME & JUST. 239–88 (1979).

²¹ Sue Rahr and Stephen K. Rice, *From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals*, HARV. KENNEDY SCH., NAT'L INST. JUST.: NEW PERSPS. POLICING 6–7 (2015), <https://www.ojp.gov/pdffiles1/nij/248654.pdf>.

²² U.S. DEP'T OF JUSTICE, FINAL REPORT OF THE PRESIDENT'S 21ST CENTURY TASK FORCE ON POLICING (2015), FINAL REPORT, https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

²³ REINER, *supra* note 8 at 120.

²⁴ RICH MORIN, *supra* note 18, at 24.

²⁵ See Joshua Chaffin, *Unorthodox Arizona Police Chief Insists Reform Can Work*, FIN. TIMES (June 24, 2020), <https://www.ft.com/content/d63f6348-f3d8-4e0d-8d7c-64077b69772>;

be introduced and reinforced by overhauling police recruitment processes, academy and field training, police performance metrics, and promotion criteria among other institutional structures, to focus on positive community engagement, building legitimacy and ensuring accountability. Without a comprehensive reform program to shift the warrior-police culture in the more positive guardianship direction, lethal use of force by the police cannot be significantly reduced. That said, the road to systemic change is fraught with resistance.²⁶

IV. POLICE DISCRETION AND LETHAL FORCE

Another influential factor is the role of discretion in police use of force, a core component of policing in departments worldwide. Given its global ubiquity, it is important to understand the connection between police violence and discretion—particularly with respect to the likelihood of police compliance with regulatory changes. The Flores et al. study observed “vague, imprecise, and arbitrary substantive standards” of police discretion to use force in numerous contexts.²⁷ Flores et al. rightly critique these approaches as overbroad, arguing that ambiguity creates the conditions for police violence. Additionally, they argue that such standards violate core human rights principles of necessity and proportionality. Furthermore, they observe that many policies focus exclusively on firearm usage and ignore other possible lethal weapons like tasers, and potentially fatal tactics like chokeholds and other restraints. Flores et al. cite several studies to support the notion that more restrictive use of force policies can limit excessive force by officers compared to more discretionary use of force policies. While this response endorses their study’s call for more stringent use of force policies, it highlights that changes in these procedures will not be effective without also factoring in ways to reduce officer discretion to use of force.

Policing is largely reliant on officers’ flexibility to evaluate a particular situation and act as they see fit, which is why discretion is such an important component of policing. While Flores et al. assert that implementing lethal force policies consistent with key human rights principles can help reduce such discretion, this correlation lacks robust empirical backing. A large corpus of research shows that street officers do not rely on departmental rules, policies, or laws when making

Patrick Skinner, *I’m a Cop. I Won’t Fight a ‘War’ on Crime the Way I Fought the War on Terror*, WASH. POST (June 3, 2020), <https://www.washingtonpost.com/outlook/2020/06/03/be-at-cop-militarized-policing-cia/>.

²⁶ See BETHAN LOFTUS, POLICE CULTURE IN A CHANGING WORLD 51 (2009).

²⁷ Claudia Flores et al., *Global Impunity: How Police Laws & Policies in the World’s Wealthiest Countries Fail International Human Rights Standards*, 49 GA. J. INT’L & COMP. L. 243, 278 (2021).

decisions, and that rule-breaking is commonplace.²⁸ Research indicates that street police culture—rather than laws and policies on the books—is an essential influence on an officer's exercise of discretion.²⁹ This is problematic, given that street police cultures are widely grounded in aggression, conflict, and violence.³⁰

Discretion is also troubling because police officers decide which crimes to police, who is a suspect, how suspects are treated, how and when to use force, and how much force to use.³¹ This process is often influenced by officers' own implicit and explicit biases and prejudices, which can influence their behavior, including whom to stop, frisk, question, arrest, tase or shoot.³² Thus, rather than official rules and policies governing officer discretion to use force in a particular situation, internal factors including street police culture and individual biases are more significant in shaping police behavior.³³ While Flores et al. have correctly pointed to the role of police discretion in relation to use of lethal force, empirical research gives little reason for optimism that policies alone can change police behavior in practice.

²⁸ See Jerome Skolnick, *Corruption and the Blue Code of Silence*, 3 POLICE PRAC. & RES. 7, 8 (2002); Harry Barton, *Understanding Occupational (Sub) Culture—A Precursor for Reform*, 16 INT'L J. PUB. SECTOR MGMT. 346, 353 (2003); TOM COCKCROFT, POLICE CULTURE: THEMES AND CONCEPTS 25 (2014); Jeffrey Nowacki, *Organizational-Level Police Discretion—An Application for Police Use of Lethal Force*, 61 CRIME & DELIQ., 643, 648 (2015); Rich Morin et al., *Behind the Badge*, PEW RES. CTR. (2017), https://assets.pewresearch.org/wp-content/uploads/sites/3/2017/01/06171402/Police-Report_FINAL_web.pdf; Edward Lawson Jr., *TRENDS: Police Militarization and the Use of Lethal Force*, 72 POL. RES. Q. 177, 178 (2018).

²⁹ TOM COCKCROFT, POLICE CULTURE: THEMES AND CONCEPTS (2014).

³⁰ REINER, *supra* note 8, at 120; SUSAN MARTIN & NANCY JURIK, DOING JUSTICE, DOING GENDER: WOMEN IN LEGAL AND CRIMINAL JUSTICE OCCUPATIONS 62 (2007).

³¹ See Harry Barton, *Understanding Occupational (Sub) Culture—A Precursor for Reform*, 16 INT'L J. PUB. SECTOR MGMT., 346, 351 (2003) (“The law does not tell the police which criminal laws to enforce, which people are suspects, which areas to patrol, which citizens' complaints and reports to act on, or which alleged offences to prosecute. In each of these matters, the police have broad discretion.”).

³² See *id.* at 352 (“The reason for concern has been that bias of individual officers can result in a wide variance as to how the laws are administered.”); Cynthia Lum, *The Influence of Places on Police Decision Pathways: From Call for Service to Arrest*, 28 JUST. Q., 631, 632 (2011) (stating place-based cues like ethnic makeup and socioeconomic status can impact discretion); Joshua Correll et al., *Across the Thin Blue Line: Police Officers and Racial Bias in the Decision to Shoot*, 92 J. PERSONALITY & SOC. PSYCHOL., 1006, 1015 (2007) (finding in a simulation run sample that racial bias creates differences in officers' willingness to shoot).

³³ See Barton, *supra* note 28, at 357 (“[T]he failure of successive attempts at police reform would appear to result from a combination of deeply rooted occupational culture, suspicious to the purpose of reform.”); Lum, *supra* note 32, at 656 (stating that police discrepancies may result from officer bias); Joshua Correll et al., *supra* note 32, at 1015 (finding that bias impacts likelihood of shooting weapon by officers).

V. POLICE MILITARIZATION AND USE OF VIOLENCE

A third factor to aid in understanding police use of lethal force is the increasing militarization of police departments. Police militarization refers to the adoption of elements of military operations including organizational structures; responsibilities and assignments; uniforms and equipment; use of technology; weaponry; and counterinsurgency and counterterrorism tactics.³⁴ Recent decades have shown that police in the United States and across the globe are increasingly influenced by the military and model their practices accordingly—an alarming trend given the correlation between police militarization and use of force.³⁵

Connections between the police and the military have existed for centuries in many countries. The early influences of the military on American policing in departments like New York City’s helped structure the police to be professional, uniformed, well-organized, equipped with weaponry, and imparted with legal authority and discretion.³⁶ Today, the lines between police and military are increasingly more blurred,³⁷ propelling domestic police to use progressively more military weapons, equipment and tactics to suppress crime and deviance through use of force, including lethal force.³⁸

The scale of militarization in modern American police forces excelled rapidly during the War on Drugs in the 1980s and 1990s.³⁹ To encourage police departments to tackle local drug crime, the federal government provided funding, training, and discounted surplus military equipment for local police under the Section 1208 and Section 1033 Programs.⁴⁰ The programs proved instrumental in militarizing police departments across the United States, providing them with armed vehicles, helicopters, boats, weapons, night vision equipment, and bomb-

³⁴ Peter B. Kraska, *Militarization and Policing—Its Relevance to 21st Century Police*, 1 POLICING 501, 513 (2007).

³⁵ Lawson Jr., *supra* note 5 at 177–89.

³⁶ WILBUR R. MILLER, *COPS AND BOBBIES: POLICE AUTHORITY IN NEW YORK AND LONDON 1830–1870* (Ohio State Univ. Press 1999) (1977); JEAN-PAUL BRODEUR, *THE POLICING WEB* (2010).

³⁷ JEAN-PAUL BRODEUR, *THE POLICING WEB* (2010).

³⁸ Peter B. Kraska, *supra* note 34 at 59–76.

³⁹ Kara Dansky, *Local Democratic Oversight of Police Militarization*, 10 HARV. L. & POL’Y REV. 59, 59–76 (2016); Steven M. Radil, Raymond J. Dezzani & Lanny D. McAden, *Geographies of U.S. Police Militarization and the Role of the 1033 Program*, 69 PROF. GEOGRAPHER 203, 203–13 (2017).

⁴⁰ National Defense Authorization Act for Fiscal Years 1990 and 1991, Pub. L. No. 101–189, § 1208, 103 Stat. 1352 (1989); National Defense Authorization Act 1997, Pub. L. No. 104–201, § 1033, 110 Stat. 2422 (1996); 10 U.S. Code § 2576 (Supp. V 2006); RADLEY BALKO, *RISE OF THE WARRIOR COP: THE MILITARIZATION OF AMERICA’S POLICE FORCES* (2013); *see e.g.*, JONATHAN SIMON, *GOVERNING THROUGH CRIME* 30 (2007) (discussing generally how the federal government escalates the local war on crime through “particular federal incentives”).

disposal robots, among other items.⁴¹ By 2020, 8,200 federal, state, and local law enforcement agencies in forty-nine states had obtained surplus military equipment through the program and were deploying it on American streets.⁴² Research shows a positive correlation between a police department's acquisition of this surplus military equipment and its use of deadly force.⁴³ No example is more prominent than in Ferguson, Missouri, where the Ferguson Police Department used surplus military equipment at the time of Michael Brown's killing.⁴⁴

The influence of militarization on American police departments has further entrenched and reinforced aggressive aspects of street police culture. Some research suggests that in militarized police departments, both supervisors and peers expect police officers to err on the side of exerting control and order maintenance, even if it involves the use of violence.⁴⁵ Given that the militarized police model reinforces the perceived separation of the police from the communities they serve, it may also increase the speed with which they resort to violence against individuals with whom they feel minimal empathy or communal connection. To reduce the use of force made easier with surplus military equipment, greater efforts must be made to halt the Section 1033 Program and similar measures. Moreover, reshaping police warrior culture to view communities as *neighbors* rather than *occupied areas* will undoubtedly reduce the use of lethal force. But the process of restructuring policing and changing street police culture is lengthy, often resisted, and costly in terms of political and social capital.

VI. CONCLUSION

Flores et al. have refreshingly framed police reform through a paradigm of international human rights law, shedding light on the problematic use of force against traditionally marginalized communities across the globe. Their research provides a model for improving police departments' lethal force policies by embedding them with key international human rights principles. As such, Flores et al. have created an important first step in contemplating how to reduce deadly force. As this response has demonstrated, the next step requires further empirical research in the jurisdictions studied.

⁴¹ *1033 Program FAQs*, U.S. DEFENSE LOGISTICS AGENCY, <https://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/ProgramFAQs.aspx> (last visited Jan. 31, 2021).

⁴² *Id.*

⁴³ Lawson Jr., *supra* note 5 at 177–78.

⁴⁴ David Mastio and Kelsey Rupp *Pentagon Weaponry in St. Louis County: Updated Column*, USA TODAY, (Aug. 13, 2014, 2:52 PM), <https://eu.usatoday.com/story/opinion/2014/08/13/ferguson-police-michael-brown-militarization-column/14006383/>.

⁴⁵ Lawson, Jr., *supra* note 5.

The third step requires pushing the enquiry beyond its *external* focus on the policies and laws as written, and contemplating the *internal* influences on police behavior in practice. It is essential to consider the role of street police culture in shaping officer decisions to respond to community members with force, including using deadly force. Additionally, issues of managing over-broad police discretion must be confronted. Because police have such significant discretion on the streets, they have the freedom to make important decisions at key moments which draw on their warrior culture tendencies.

Finally, the increasing militarization of state and local police that began with the War on Drugs has continued to funnel military equipment into local communities. As police have increasingly adopted military apparatuses and tactics, they have become further disengaged from the communities they are meant to serve, making lethal force easier to carry out.

Rather than focusing strictly on legal rules, it is important for analysis of the drivers of police use of lethal force to be comprehensive. By drawing on Flores et al.'s valuable international human rights insights and pairing their findings with further empirical research about key internal drivers of police use of lethal force, a holistic model of reform to curb police violence across the globe can be developed.