



# Force continuum

By Sid Heal



Fundamental to employing force options is a thorough understanding of a concept called the “force continuum.” In the simplest terms, a force continuum is simply a tool used to describe a succession of force options from minimal to maximum.

It is one of the most familiar concepts in domestic law enforcement but it can also be one of the most bewildering, because like many concepts, the interpretation is not as simple as the idea. It becomes particularly troublesome when one law enforcement agency places a force option at one end of spectrum while another agency places the same option at the other end. This is because a force continuum is descriptive rather than prescriptive; meaning it characterizes an array of force options without mandating specifically which ones should be used, how often or in what order. Consequently, many departments are avoiding using them in court where lay juries are even more easily confused, opting instead for quadrants, matrices or wheels. In point of fact, however, these new configurations are simply recon-figurations of a continuum.

The choice of whether a force option is minimal or maximum is largely dependent upon the interpretation of the two

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philosophical underpinnings on which force continuums are based. The first is that the type and amount of force authorized should be based upon the amount of injury likely to be inflicted on a suspect. Thus, options like pepper spray or Tasers that seldom result in serious injury are logically placed near the entry level in the application of force. The second is not based on the amount of injury to a suspect but on the degree of defiance by a suspect. Accordingly, these same options

can justifiably be placed much higher on the spectrum based upon the belief that the suspect’s actions are the determining factor.

Historically, tactical objectives have been achieved by killing or destroying an enemy. Force was always deadly, hence effectiveness was judged only to the extent and speed at which death or destruction could be introduced. A huge gap existed between presenting a threat and carrying it out. When force is viewed as a continuum, however, an array of options presents itself. The beginning of this continuum is initiated by a threat, while deadly force takes its proper position at the other end. Non-lethal alternatives allow a commander to increase and decrease the amount of force necessary to accomplish a mission. Movement up and down the force continuum is generally continuous and seamless, yet a careful examination reveals some general categories.

Entry into the force spectrum almost always begins with a threat of some sort. This may be an “expressed threat,” such as when a commander makes known the consequences of defiance, or an “implied threat,” in which the nature of the consequences are left to the imagination of an antagonist.<sup>1</sup> Of the two, the implied threat is far more pow-

Threats	Noncoercive Physical Force	Light Coercive Force	Physical Trauma	Lethal Force
Expressed and Implied	Concertina, Barbed Wire, Caltrops, etc.	Flashbangs, Chemical Agents, Pepper Spray, etc.	Batons, Saps, Stingballs, Stun Bags, Pellet Munitions, etc.	Guns, Knives, Explosives, Clubs, etc.

erful. Although there are several reasons for this, the most predominant is because what we can do and what we are willing to do are often farther apart than an adversary realizes. Even the mere presence of a law enforcement officer creates an escalation of force because it creates a condition that requires adversaries to contemplate the consequences of their actions. Thus, an implied threat is inherent in virtually every encounter. This condition prevails throughout the spectrum and should be exploited to the maximum extent possible.

The next major category involves physical force of some type but is not coercive in nature. Generally, this includes those devices that engage antagonists strictly on their own volition without requiring an intervention by a law enforcement officer. Examples may include concertina or barbed wire and other similar obstacles. They are placed relatively low on the force continuum, not because of the amount of injury likely to be sustained, but because they are benign without the willful defiance of the individual attempting to thwart them.

Higher on the continuum would come munitions that cause physical discomfort but fall short of inflicting serious trauma. Examples of these options include flashbangs, chemical agents, pepper spray and the like. Although the discomfort or injury may be substantially less than from a caltrop or concertina wire, the employment of these options requires a decision to intervene and are thus subject to the idiosyncrasies of the individual employing them. Factors such as training, experience, maturity, discipline, prejudice, emotion and judgment all play a part in their application and require them to be viewed more closely than those options that involve only one will.<sup>2</sup>

Still higher on the continuum are those munitions that inflict trauma and require a decision to employ them. Examples might include batons, saps, stingballs, bean bags,

pellet munitions and so forth. They are generally the point on the force continuum which separates non-lethal from lethal force.

Highest on the spectrum are lethal options. Although the particular conditions that merit deadly force should be identified, lethal options should always be regarded as part of the force continuum and not as separate options altogether. This avoids ambiguity and confusion as to when they are authorized. Many situations rapidly evolve from less dangerous circumstances before requiring deadly force to resolve. An individual who is free to employ a variety of options is more likely to be proactive, retain the initiative and be quicker to recognize situations requiring deadly force than one compelled to examine a situation isolated by “either/or” parameters.

Because of the nature of a continuum, in theory at least, no category is easily distinguished from its neighbors. In reality, some natural divisions have emerged that serve as guidance for determining where specific force options are placed in a continuum. The most historical division separates the lethal options from those that are less lethal. Because the level of provocation necessary to justify lethal force is usually very discrete and easily discerned, force options naturally gravitate to one or the other of the two divisions. Another common division is the natural separation between options used to enforce compliance or defend against defiance. While some force options, such as pepper spray, may be used for either purpose, many others naturally fall into one of the two divisions. Stun bags fired from shotguns, for example, would be nearly impossible to justify for simply attaining compliance. The third division is between passive and active options. Passive options do not require a decision to intervene while active options require a separate and conscious decision to employ them. Passive options are routinely used for area denial,<sup>3</sup>

such as those incorporated into the protection of sensitive buildings and to prevent the introduction of contraband or escape of inmates in prisons and jails. Active options are typically selected and employed by a tactical force in response to a specific threat. The fourth division is that between actual force and the threat of force. While a case can be made for the fact that threats are not force per se, courts have typically ruled in many circumstances that anything that is coercive in nature is a type of force. For example, a credible threat of lethal force is a non-lethal option since adversaries will necessarily consider the consequences and adjust their behavior accordingly. This issue is especially contentious with warning shots, which may be out of policy, but are by definition, not an application of lethal force.

A force continuum is a useful tool for conceptualizing what type and how much force is reasonable given a specific set of circumstances but ascribing too much precision or exceeding its limitations is a recipe for disaster. While not perfect, this tool has proven to be one of the most reliable methods for understanding, comparing and teaching force options. ◀◀

### Endnotes

1. For more information on threats see “Expressed and Implied Threats,” *The Tactical Edge*, Spring 1996, p. 71.
2. As used here, “will” identifies the mental faculty by which an individual deliberately chooses a course of action; or in other words, a conscious choice or decision.
3. Non-lethal options are generally divided into five broad functions: anti-personnel, anti-material, anti-mobility, anti-infrastructure and area denial.

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