

Shifting the Culture: What the United States Can Learn From European Policing Practices

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I. INTRODUCTION

The year 2020 will undoubtedly be a memorable year for many people in the United States and all over the world. March 2020 sparked the beginning of the COVID-19 pandemic that has taken the lives of millions of people.¹ By May 2020, the United States was on lockdown, over one hundred thousand people had died from the virus, and millions of individuals had lost their jobs.² However, by the end of May 2020, not only was the U.S. in the midst of the coronavirus pandemic, it was also facing a racial reckoning.³

* © 2022 A.J. Rael. J.D. Candidate, Tulane University Law School, Class of 2022. This Comment is dedicated to Schuyler Corbin. Thank you for everything.

1. AJMC Staff, *A Timeline of COVID-19 Developments in 2020*, AJMC (Jan. 1, 2021), <https://www.ajmc.com/view/a-timeline-of-covid19-developments-in-2020>.

2. Ailsa Chang & Rachel Martin, *Summer Of Racial Reckoning*, NPR (Aug. 16, 2020), <https://www.npr.org/2020/08/16/902179773/summer-of-racial-reckoning-the-match-lit>.

3. *Id.*

On May 25th, 2020, George Floyd was murdered by the police in broad daylight in front of a crowd of people.⁴ For nearly nine minutes, Derek Chauvin, a white Minneapolis police officer, placed his knee on George Floyd's neck, slowly choking him to death.⁵ While George Floyd's murder could have caused a brief flurry of attention before losing momentum, the timing and cruelty of his death, which was video recorded by a bystander, sparked a wave of national and global protests.⁶ George Floyd was one of the many Black Americans who have been killed at the hands of the police, and the protests in his name were a part of the larger Black Lives Matter movement that began in 2013.⁷ Not only did George Floyd's death spark discussions about racial tensions and police brutality from many of those who have never had to consider the history and impact of systemic racism before, but his death also sparked a debate about police reform that has been lacking for years.⁸ As millions of people took to the streets to protest against police brutality, they believed that things would be different this time as they called to defund the police, ban the use of choke holds, and end practices that target minority communities.⁹ By doing so, protestors and advocates ignited a public policy debate over police reform and an examination of how other countries approach police practices.¹⁰ The U.S.'s approach to policing greatly differs from those of other countries with developed democracies, in areas such as organization, funding, training, relations with communities of color, use of force, and accountability.¹¹ To illustrate the policing systems in different countries, this Comment compares and analyzes how police brutality and policing practices differ in the U.S. and European countries, and attempts to answer

4. *George Floyd: What Happened in the Final Moments of His Life*, BBC (July 16, 2020), <https://www.bbc.com/news/world-us-canada-52861726>.

5. *Id.*

6. Alex Altman, *Why The Killing of George Floyd Sparked an American Uprising*, TIME (June 4, 2020), <https://time.com/5847967/george-floyd-protests-trump/>; Mary Blankenship & Richard V. Reeves, *From the George Floyd Moment to a Black Lives Matter Movement*, in *Tweets*, BROOKINGS (July 10, 2020), <https://www.brookings.edu/blog/up-front/2020/07/10/from-the-george-floyd-moment-to-a-black-lives-matter-movement-in-tweets/>.

7. Blankenship & Reeves, *supra* note 6; *About*, BLACK LIVES MATTER, blacklivesmatter.com/about/ (last visited Oct. 11, 2021).

8. TJ Holmes & Sabina Ghebremedhin, *Death of George Floyd Sparks Conversation About Race, Violence, and Protests*, ABC NEWS (May 29, 2020), <https://abcnews.go.com/US/death-george-floyd-sparks-conversation-race-violence-protests/story?id=70959046>.

9. Amelia Cheatham & Lindsay Maizland, *How Police Compare in Different Democracies*, CFR, <https://www.cfr.org/backgrounder/how-police-compare-different-democracies> (last updated Apr. 21, 2021).

10. *Id.*

11. *Id.*

the question of whether it is feasible for the U.S. to adopt these foreign models in order to reduce police brutality and combat racial injustice in society today.

II. ORIGINS OF THE BLACK LIVES MATTER MOVEMENT IN THE UNITED STATES

In 2013, three Black community organizers—Alicia Garza, Patrisse Cullors, and Opal Tometi—created a Black-centered political will and movement building project called #BlackLivesMatter (BLM).¹² Black Lives Matter Global Network Foundation, Inc. is a global organization whose mission is to “eradicate white supremacy, and build local power to intervene in violence inflicted on Black communities by the state and vigilantes.”¹³ The Black Lives Matter movement seeks, amongst other things, to bring attention to the many ways in which Black people are discriminated against in society, fight against racism, and combat police brutality and misconduct against Black people in America.¹⁴

The Black Lives Matter movement began with a hashtag on social media after George Zimmerman was acquitted of murdering Trayvon Martin, an innocent, unarmed Black seventeen-year-old who was walking home when Zimmerman fatally shot him.¹⁵ Zimmerman, a neighborhood-watch volunteer, had seen Martin walking through his neighborhood and called the police because he thought Martin, who was wearing a hooded sweatshirt, looked “suspicious.”¹⁶ Even though the police told Zimmerman not to do anything, Zimmerman still followed Martin, and eventually shot and killed Martin after getting into an argument with him, claiming that he acted in “self-defense.”¹⁷ When Zimmerman was acquitted in July 2013, protests erupted across the nation.¹⁸

The BLM movement soon grew in 2014 when white police officers killed two unarmed Black men, Michael Brown and Eric Garner.¹⁹ Brown, who was only eighteen-years-old, was shot and killed by police officer

12. *Herstory*, BLACK LIVES MATTER, <https://blacklivesmatter.com/herstory/> (last visited Oct. 11, 2021).

13. *About*, *supra* note 7.

14. The Editors of Encyclopedia Britannica, *Black Lives Matter*, BRITANNICA, <https://www.britannica.com/topic/Black-Lives-Matter> (last visited Oct. 11, 2021).

15. *Id.*

16. *Id.*

17. *Id.*

18. *Id.*

19. *Id.*

France, Denmark, Italy, Ireland, Poland, Belgium, Spain, and Hungary.³⁰ In June 2020, the European Union even voted to denounce racism and police brutality both within the EU and the U.S. in a new resolution, affirming that Black Lives Matter.³¹ The resolution also “strongly condemns the appalling death of George Floyd in the U.S., as well as similar killings elsewhere in the world.”³² In addition to the U.S. being called out for its racist actions, the European Parliament also called upon EU capitals to denounce “the disproportionate use of force and racist tendencies in law.”³³

While the protests in Europe were first in response to George Floyd’s murder, the protests soon continued and expanded into movements of their own.³⁴ Especially in Western Europe, many countries are still struggling with the legacies of colonialism and the systemic inequalities minorities, including immigrants from Africa and the Middle East, face.³⁵ For example, in Bristol, England, protestors pulled down a statue of Edward Colston, a seventeenth-century slave trader, spray-painted the statue, and threw it into the harbor.³⁶ Moreover, in the U.K., the protests revived anger over the death of Mark Duggan, a twenty-nine-year-old Black man killed by the police in 2011 that sparked riots throughout the country.³⁷ The officers who killed Duggan claimed that they were acting in self-defense because they believed that Dugan was armed.³⁸ Even when it was discovered that Duggan was unarmed, the killing was still found to be lawful and the officers involved did not face criminal punishment.³⁹ In London, protestors marched the streets for Belly Mujinga, a Black transit worker who died from COVID-19 after a man spat and coughed on her at

30. *Id.*; Zamira Rahim & Rob Picheta, *Thousands Around the World Protest George Floyd’s Death in Global Display of Solidarity*, CNN (June 1, 2020), <https://www.cnn.com/2020/06/01/world/george-floyd-global-protests-intl/index.html>.

31. *Resolution on the Anti-Racism Protests Following the Death of George Floyd*, EUR. PARL. DOC. 2020/2685 (RSP) (2020); *EU declares ‘Black Lives Matter,’ Condemns Racism*, DW (June 25, 2020), <https://www.dw.com/en/eu-declares-black-lives-matter-condemns-racism/a-53878516>.

32. *Resolution on the Anti-Racism Protests Following the Death of George Floyd*, *supra* note 31.

33. *Id.*

34. Jen Kirby, “Black Lives Matter” Has Become a Global Rallying Cry Against Racism and Police Brutality, VOX (June 12, 2020), <https://www.vox.com/2020/6/12/21285244/black-lives-matter-global-protests-george-floyd-uk-belgium>.

35. *Id.*

36. *Id.*

37. *Id.*

38. *Id.*

39. *Id.*

a train station.⁴⁰ After the British transport police concluded that no crime had taken place, angry protestors took the streets and called for justice for Mujinga.⁴¹

Similarly in France, protests revived calls for justice for Adama Traoré, a twenty-four-year-old French man of Malian descent who was killed while in police custody in 2016.⁴² Although there is no video, many people in France believe that Traoré was choked and asphyxiated by the police while in police custody, like George Floyd.⁴³ However, none of the police involved in Traoré's death have been arrested or held accountable.⁴⁴

Since 2013, the Black Lives Matter movement has spearheaded demonstrations worldwide against police violence and has transformed the debate around police brutality in the U.S.⁴⁵ However, the tangible impact of the movement did not become visible until after the death of George Floyd in May 2020.⁴⁶ Now that the Black Lives Matter movement has made its way to Europe, Europeans can continue to use this movement to fight against racism and police brutality.⁴⁷ However, despite numerous large-scale protests, Europe has yet to break into the mainstream or force lasting political change.⁴⁸

IV. AN OVERVIEW AND COMPARISON OF POLICE BRUTALITY IN THE U.S. AND THE U.K.

There is no comprehensive government data available on killings by police officers in the U.S. because the FBI, which compiles crime statistics, has not required the police to provide the FBI with complete data

40. Aamna Mohdin, *Belly Mujinga: Police Ask CPS to Review Rail Worker's Covid-19 Death*, *GUARDIAN* (June 5, 2020), <https://www.theguardian.com/law/2020/jun/05/belly-mujinga-police-ask-cps-to-review-rail-workers-covid-19-death>.

41. *Id.*

42. Eleanor Beardsley, *'No Justice in France, Either': French Protest Police Killings in U.S. and at Home*, *NPR* (June 4, 2020), <https://www.npr.org/2020/06/04/869877701/no-justice-in-france-either-french-protest-police-killings-in-u-s-and-at-home>.

43. *Id.*

44. *Id.*

45. Daniel Odin Shaw & Saman Ayesha Kidwai, *The Global Impact of the Black Lives Matter (BLM) Movement*, *GEOPOLITICS* (Aug. 21, 2020), <https://thegeopolitics.com/the-global-impact-of-the-black-lives-matter-movement/>.

46. *Id.*

47. Kirby, *supra* note 34.

48. Esther King, *Europe Seeks Own Response to Black Lives Matter*, *POLITICO* (June 10, 2020), <https://www.politico.eu/article/us-style-civil-rights-protests-come-to-europe-george-floyd-black-lives-matter/>.

on their use of lethal force.⁴⁹ However, the *Washington Post* has logged every fatal police shooting by an on-duty police officer in the U.S. since 2015.⁵⁰ In the past year, 900 people have been shot and killed by the police.⁵¹ Since 2015, there have been more than 5,000 fatal police shootings, and police nationwide have fatally shot around the same number of people annually—nearly 1,000—since the *Washington Post* began recording fatal police shootings.⁵²

Moreover, data from the *Washington Post* shows that Black Americans are killed at a much higher rate than white Americans.⁵³ In fact, even though half of the people shot and killed by police are white, Black Americans are shot at a disproportionate rate.⁵⁴ Black Americans account for less than 13% of the U.S. population, but are killed by police at more than twice the rate of white Americans.⁵⁵ Despite being only 13% of the population, Black people accounted for 28% of those killed by police in 2020.⁵⁶ Hispanic Americans are also disproportionately killed by the police.⁵⁷ Additionally, over 95% of people shot and killed by police are male, and more than half the victims are between 20 and 40 years old.⁵⁸

While police violence can be demonstrated through gun violence, police brutality in the U.S. also comes in many other forms, including excessive force.⁵⁹ One of the most infamous cases of police brutality by use of excessive force happened to Rodney King, an unarmed Black man, in Los Angeles, California.⁶⁰ After Rodney King was pulled over by California Highway Patrol officers for speeding on a Los Angeles freeway

49. Amy O’Kruk, *A Look at Police Brutality in America*, 10 NBC BOSTON (July 1, 2020), <https://www.nbcboston.com/news/national-international/a-look-at-police-brutality-in-america/2152297/>.

50. *Fatal Force*, WASH. POST, <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/> (last updated Dec. 28, 2021).

51. *Id.*

52. *Id.*

53. *Id.*

54. *Id.*

55. *Id.*

56. *Mapping Police Violence*, <https://mappingpoliceviolence.org/> (last updated Nov. 22, 2021).

57. *Id.*

58. *Fatal Force*, *supra* note 50.

59. Leonard Moore, *Police Brutality in the United States*, BRITANNICA (July 27, 2020), <https://www.britannica.com/topic/Police-Brutality-in-the-United-States-2064580/Antibrutality-campaigns>.

60. Ellen Kershner, *Worst Cases Of Police Brutality in American History*, WORLD ATLAS (June 2, 2020), <https://www.worldatlas.com/articles/worst-cases-of-police-brutality-in-american-history.html>.

on March 3, 1991, four white police officers brutally beat him.⁶¹ In the eighty-one seconds of video footage that was captured by a bystander, police were seen kicking and clubbing King with their batons fifty-six times.⁶² King's injuries resulted in skull fractures, broken bones and teeth, and permanent brain damage.⁶³ The four officers were charged with excessive use of force.⁶⁴ However, despite there being video evidence of the police beating, a jury found the officers not guilty.⁶⁵

Furthermore, in the United Kingdom, there remains a staunch belief that police brutality against Black people is an issue in the U.S. that is not as pervasive in the U.K.⁶⁶ However, similar to the U.S., Black people in the U.K. die in police custody at disproportionate rates.⁶⁷ Death in police custody includes being detained by a police officer, or being held as a prisoner in a police station.⁶⁸ Despite forming only 3% of the U.K. population, Black people account for 8% of recorded deaths in police custody in the U.K.⁶⁹ According to the Independent Office for Police Conduct, 164 people have died in or following police custody in England and Wales over the past 10 years.⁷⁰ Of the deaths in the last 10 years, 141 people were white, 13 were Black, and 10 were from other minority ethnic groups.⁷¹ When comparing these numbers to how much of the population these groups make up, it turns out that Black people are more than twice as likely to die in police custody in the U.K.⁷² Furthermore, research from the Home Office and Ministry of Justice shows that between 2018 and 2019, Black people in the U.K. were more than nine times as likely to be stopped and searched by police as compared to white people, over three

61. The Associated Press, *Rodney King Riot: Timeline of Key Events*, AP NEWS (Apr. 26, 2017), <https://apnews.com/article/fa4d04d8281443fc8db0e27d6be52081>.

62. Chelsea Matiash & Lily Rothman, *The Beating That Changed America: What Happened to Rodney King 25 Years Ago*, TIME (Mar. 3, 2016), <https://time.com/4245175/rodney-king-la-riots-anniversary/>.

63. Anjuli Sastry & Karen Grigsby Bates, *When LA Erupted in Anger: A Look Back at the Rodney King Riots*, NPR (Apr. 26, 2017), <https://www.npr.org/2017/04/26/524744989/when-la-erupted-in-anger-a-look-back-at-the-rodney-king-riots>.

64. *Id.*

65. Matiash & Rothman, *supra* note 62.

66. Paula Akpan, *Say Their Names: 12 Victims of Police and State Brutality in the UK*, VICE (June 25, 2020), <https://www.vice.com/en/article/qj4j8x/remembering-police-brutality-victims-uk>.

67. *See id.*

68. Reality Check Team, *George Floyd Death: How Many Black People Die in Police Custody in England and Wales?*, BBC (June 3, 2020), <https://www.bbc.com/news/52890363>.

69. *See id.*

70. *Id.*

71. *Id.*

72. *Id.*

times as likely to be arrested as compared to white people, and were more than five times as likely to have force used against them by police as compared to white people.⁷³

One case of excessive police force against Black individuals in the U.K. includes the case of Sarah Reed, a Black woman who was brutally beaten by white police officer James Kiddie after shoplifting at a Uniqlo in London.⁷⁴ In a video, Kiddie can be seen grabbing Reed by her hair, dragging her across the floor, pressing on her neck, and repeatedly punching her in the head.⁷⁵ In 2016, Sarah Reed was found dead in her prison cell after failing to receive the medication she needed.⁷⁶ Reed suffered from serious mental health problems, and her death illustrates the violent outcomes of neglecting the mental health needs of prisoners.⁷⁷

Unlike the U.S., most British police officers are not armed with guns.⁷⁸ This is due to the U.K. having some of the strictest gun laws in the world.⁷⁹ However, there are specially trained authorized firearm officers who do carry guns, and all police forces in the U.K. have a firearms unit.⁸⁰ Between 2018 and 2019, the number of armed police officers was just over 6.5 thousand out of 149 thousand police officers in England and Wales.⁸¹ Despite the fact that most British police officers do not carry guns, approximately 1,780 people in England and Wales have died in police custody since 1990, and Black, Asian, and minority ethnic people died disproportionately as a result of restraint or use of force by the police.⁸²

Compared to police in the United States, who fatally shot 999 people in 2019 and about 1,000 people annually since 2015, the U.K. has far

73. *Id.*

74. Micha Frazer-Carroll, *A Brief History of Police Brutality in the UK*, HUCK (June 4, 2020), <https://www.huckmag.com/perspectives/opinion-perspectives/a-brief-history-of-police-brutality-in-the-uk/>; *Police Brutality Victim Sarah Reed Dies in Holloway Prison*, BBC (Feb. 3, 2016), <https://www.bbc.com/news/uk-england-london-35481787#:~:text=Sarah%20Reed%2C%2032%2C%20was%20found,a%20wounding%20with%20intent%20charge.&text=It%20said%3A%20%22Prison%20staff%20attempted,was%20pronounced%20dead%20shortly%20after>.

75. *Id.*

76. *Id.*

77. *Id.*

78. Jon Kelly, *Why British Police Don't Have Guns*, BBC (Sept. 19, 2012), <https://www.bbc.com/news/magazine-19641398>.

79. Statista Research Department, *Number of Fatal Shootings by Police in England and Wales from 2004/05 to 2018/19*, STATISTA, <https://www.statista.com/statistics/319246/police-fatal-shootings-england-wales/> (last updated June 8, 2021).

80. Akpan, *supra* note 66.

81. Statista Research Department, *supra* note 79.

82. *Id.*; Deborah Coles, *BAME Deaths in Police Custody*, INQUEST, <https://www.inquest.org.uk/bame-deaths-in-police-custody> (last updated Nov. 4, 2021).

lower numbers of fatal police shootings.⁸³ Between 2018 and 2019, the police in England and Wales fatally shot three people, compared with four in the previous reporting year, and six in 2016 and 2017.⁸⁴ Out of the three victims who were killed by the police, one was a fifty-two-year-old Black man named Trevor Alton Smith, who was fatally shot in March 2019 by a police officer after failing to respond to requests to exit his bedroom.⁸⁵ Instead of guns, U.K. police officers may carry tasers, which the Met Police in London are more than four times as likely to use on Black people.⁸⁶ For example, on August 15, 2016, former Black footballer Dalian Atkinson died from a heart attack after police officers restrained and tasered him at his father's house in Telford, Shropshire.⁸⁷

Over twenty years ago, a British High Court judge by the name of Sir William Macpherson labeled the police in the U.K. “institutionally racist” after the police conducted an allegedly corrupt investigation of a young Black man who was killed in a racially motivated attack while waiting for a bus in London.⁸⁸ Today, this label remains true.⁸⁹ Like in the U.S., police brutality in the U.K. is rooted in systemic racism and racial discrimination, as demonstrated by the disproportionate rate of police brutality against Black people in both countries.⁹⁰ Although the U.S. has a far higher rate of police brutality per capita than the U.K., police brutality is clearly real and present in the U.K. as well.⁹¹ While these examples above are not an exhaustive account of police brutality cases against Black people in the U.K., these few examples do illustrate the ways in which police in the U.K. are inherently violent towards Black people.⁹²

83. See Statista Research Department, *supra* note 79; *Fatal Force*, *supra* note 50.

84. Statista Research Department, *supra* note 79.

85. *Birmingham Police Shooting: Man Died in His Bedroom*, BBC (Mar. 26, 2019), <https://www.bbc.com/news/uk-england-birmingham-47711754>.

86. Frazer-Carroll, *supra* note 74.

87. *Dalian Atkinson: Coronavirus Delays Murder-Accused PC's Trial*, BBC (July 20, 2020), <https://www.bbc.com/news/uk-england-shropshire-53475337>.

88. Robert Booth, *'Institutional Racism': 20 Years Since Stephen Lawrence Inquiry*, GUARDIAN (Feb. 22, 2019), <https://www.theguardian.com/uk-news/2019/feb/22/institutional-racism-britain-stephen-lawrence-inquiry-20-years>.

89. See Frazer-Carroll, *supra* note 74.

90. *Mapping Police Violence*, *supra* note 56; Akpan, *supra* note 66.

91. Akpan, *supra* note 66.

92. *Id.*

V. A COMPARISON OF POLICING PRACTICES IN THE U.S., NORWAY, AND FINLAND

When comparing police brutality rates in the U.S. and in European countries, it is crucial to examine police brutality and practices in Norway and Finland. While 1,090 people were killed by the police in the U.S. in 2019, Norway saw zero deaths at the hands of the police for the same year.⁹³ Like the U.K., Norway and Finland are two countries worldwide where police are typically unarmed and are only permitted to use guns in certain circumstances.⁹⁴ In Norway and Finland, police officers may not fire their guns or use deadly force in any circumstances before receiving permission from a superior.⁹⁵ In Finland, police use their guns only about ten times per year, because they are trained to reach for their weapons only in the most dire of circumstances.⁹⁶ To further illustrate this protocol, the Minnesota police officer who fatally shot Philando Castile during a traffic stop in 2016 would have been violating Finland's strict protocols for the use of deadly force.⁹⁷ Moreover, in most of Europe, including Finland and Norway, police officers are banned from applying pressure on an individual's neck or throat in order to subdue the individual.⁹⁸ Thus, Derick Chauvin, the police officer who murdered George Floyd by digging his knee into George Floyd's neck, would have been violating protocols in Finland and Norway.⁹⁹ In Finland, an officer does not receive use of force training until four months into their training, whereas a Minneapolis police rookie would have already been given a badge and gun after four months.¹⁰⁰

Because the police in Norway and Finland are usually unarmed, the governments in these countries invest in advanced levels of training for law enforcement.¹⁰¹ In Norway, for example, being a police officer is an

93. Méliisa Godin, *What the U.S. Can Learn From Countries Where Cops Don't Carry Guns*, TIME (June 19, 2020), <https://time.com/5854986/police-reform-defund-unarmed-guns/>.

94. *Id.*

95. *Id.*

96. Graham Kates, *Some U.S. Police Train for Just a Few Weeks, in Some Countries They Train for Years*, CBS NEWS, <https://www.cbsnews.com/news/police-training-weeks-united-states/> (last updated June 10, 2020).

97. Miriam Berger & Rick Noack, *From Guns to Neck Restraint: How US Police Tactics Differ to Those Used in Europe and Around the World*, INDEPENDENT (June 7, 2020), <https://www.independent.co.uk/news/world/americas/police-tactics-brutality-us-hong-kong-iceland-norway-uk-a9552886.html>.

98. *Id.*; Kates, *supra* note 96.

99. See Berger & Noack, *supra* note 97.

100. Kates, *supra* note 96.

101. *Id.*

elite position and only the most qualified candidates are selected to serve as police officers.¹⁰² Once selected as a police officer, prospective Norwegian officers must complete a three-year bachelor's degree where they spend one year studying society and ethics, another year shadowing training officers in the field, and the final year focusing on investigations and completing a thesis paper.¹⁰³ Even when students have graduated from police training in Norway, they are required to complete fifty hours of operational training per year.¹⁰⁴ In Finland, prospective officers must also study policing in national colleges, spend part of their training in an internship with local police, and earn degrees in criminal justice or related fields.¹⁰⁵ In the U.S., however, police officer training ranges from as few as ten weeks to as much as thirty-six weeks, with the average training lasting twenty-one weeks before being put on the job.¹⁰⁶ In fact, the Institute for Criminal Justice Training Reform (ICJTR) found that in an analysis of eighty countries, only Iraq and Afghanistan had lower training requirements to become a police officer than the United States.¹⁰⁷ Moreover, due to there being hundreds of police academies in the U.S., there is no national standard for what police trainees should learn, and U.S. academies typically focus on technical skills rather than communication and restraint.¹⁰⁸ According to a 2013 U.S. Bureau of Justice Statistics report, U.S. police academies on average spend the most time—seventy-one hours—on firearms skills, compared with twenty-one hours on de-escalation training (training on how to calm a situation without use of force) and crisis-intervention strategies.¹⁰⁹

According to data collected by the ICJTR, Minnesota, Alaska, and Washington, D.C., all require police officers to participate in over 1,000 hours of basic training, but in several states such as Tennessee, South Carolina, and Nevada, police officers only have to take part in 480 hours of basic training.¹¹⁰ When comparing the number of training hours

102. *Id.*

103. *Id.*

104. Godin, *supra* note 93.

105. Cheatham & Maizland, *supra* note 9.

106. Kates, *supra* note 96; Godin, *supra* note 93.

107. Dr. Jason Armstrong, *A Letter to the American Public: We Need to Increase the Quantity and Quality of Police Training*, POLICE 1 (July 9, 2020), <https://www.police1.com/police-training/articles/a-letter-to-the-american-public-we-need-to-increase-the-quantity-and-quality-of-police-training-PEIoRJqWTIG55dqy/>.

108. Cheatham & Maizland, *supra* note 9.

109. *Id.*

110. Kelly McLaughlin, *The Average US Police Department Requires Fewer Hours of Training Than What It Takes to Become a Barber or a Plumber*, INSIDER (June 12, 2020),

required to become a police officer to the number of hours required to be certified or licensed for other professions, the numbers are shocking.¹¹¹ For example, to become a licensed barber in the U.S., an individual must complete around 1,300 hours of training and in some states, aspiring barbers must go through months-long apprenticeships and take several exams before receiving a license.¹¹² Even aspiring plumbers in the U.S. must attend a trade school for plumbing and then spend up to five years in an apprenticeship before obtaining a license.¹¹³ Due to the lack of hours police spend in training, organizations such as the ICJTR are urging police academies to improve their training requirements to give prospective police officers more time to receive appropriate training that would allow them to be more effective in the field.¹¹⁴

Furthermore, the number of police killings in the U.S. compared to Norway can also be attributed to the fact that there is a culture of punishing people in the U.S., whereas in Norway and Finland, the focus is on fixing the problems that solve the crime.¹¹⁵ For example, if an individual is caught with illegal drugs in the U.S., the individual likely faces a conviction and jail time. However, in Norway and Scandinavian countries, the police will take the individual caught with illegal drugs to a drug rehabilitation service and the individual will not spend any time in jail.¹¹⁶

Moreover, police officers in Norway and Finland also work closely with medical professionals, particularly psychiatric specialists that accompany officers when dealing with people who are mentally ill.¹¹⁷ In contrast, due to the fact that funding for psychiatric services in the U.S. has been cut in recent years, police officers often handle cases involving people who are mentally ill without having the appropriate background knowledge or training to do so.¹¹⁸ Thus, in addition to patrolling communities, investigating crimes, making arrests, and issuing traffic citations, police officers in the U.S. respond to mental health

<https://www.insider.com/some-police-academies-require-fewer-hours-of-training-plumbing-2020-6>.

111. *Id.*

112. *Id.*

113. *Id.*

114. *Id.*

115. *American Police Are Undertrained and Overarmed Compared to Some Countries*, WUWM (July 1, 2020), <https://www.wuwm.com/podcast/lake-effect-segments/2020-07-01/american-police-are-undertrained-and-overarmed-compared-to-some-countries>.

116. *Id.*

117. Godin, *supra* note 93.

118. *Id.*

emergencies.¹¹⁹ Police in the U.S. also respond to domestic disputes and situations involving the homeless, even though they are not properly trained to do so.¹²⁰ Experts argue that this broad range of situations that police are responsible for can lead to unnecessary escalation and use of force.¹²¹ An estimated ten percent of police encounters involve people who have a mental illness, and in 2018, twenty-five percent of those shot and killed by the police in the U.S. in a six-month period were experiencing a mental health crisis.¹²² In addition to Norway and Finland, Sweden also sends mental health professionals to deal with situations involving mental health emergencies.¹²³ In Stockholm, mental health professionals have been deployed onto the streets to deal with these emergencies without police officers to accompany them since 2015.¹²⁴ Stockholm's mental health ambulance, an emergency vehicle with two trained nurses and a driver, aims to free up police resources in order to allow officers to focus on the fields they are experts in.¹²⁵ On a typical shift, the ambulance is dispatched to five or six mental health emergencies.¹²⁶

VI. WHAT AMERICA CAN LEARN FROM ITS EUROPEAN COUNTERPARTS

A. *Defunding the Police*

When comparing policing practices in the United States to policing practices in European countries, it poses the question of whether it is feasible for the U.S. to adopt the policies and procedures of these countries into its own practices. First, it can be argued that police departments certainly can afford to adopt new measures that would help lower police brutality rates. As protestors took the streets during the summer of 2020, many called to “defund the police.”¹²⁷ Throughout the country, it is

119. Cheatham & Maizland, *supra* note 9.

120. *Id.*

121. *Id.*

122. Karla Adam & Rick Noack, *Defund the Police? Other Countries Have Narrowed Their Role and Boosted Other Services*, WASH. POST (June 14, 2020), https://www.washingtonpost.com/world/europe/police-protests-countries-reforms/2020/06/13/596eab16-abf2-11ea-a43b-be9f6494a87d_story.html; Cheatham & Maizland, *supra* note 9.

123. Adam & Noack, *supra* note 122.

124. *Id.*

125. *Id.*

126. *Id.*

127. Carl Sullivan & Carla Baranauckas, *Here's How Much Money Goes to Police Departments in Largest Cities Across the U.S.*, USA TODAY (June 26, 2020), <https://www.usatoday.com/story/money/2020/06/26/how-much-money-goes-to-police-departments-in-americas-largest-cities/112004904/>.

common for city or county legislators to allocate money in yearly budgets to fund police departments.¹²⁸ The movement to defund the police is not only a push to take funding away from police forces countrywide, but it is also a push to reallocate those funds to support people and social services in marginalized communities.¹²⁹ Across the U.S., total police budgets range from just over \$100 million a year (Virginia Beach, Virginia) to \$5 billion a year (New York City).¹³⁰ In New Orleans, Louisiana, the total police budget for the 2020 fiscal year was \$194 million, and the police department received the largest portion of the city budget (\$1.13 billion).¹³¹ However, only \$56 million of the city budget was allocated to community development.¹³² When comparing these figures, the notion of “defund the police” becomes apparent. In an interview with Patrisse Cullors, co-founder of BLM, she explained that defunding law enforcement “means that we are reducing the ability for law enforcement to have resources that harm our communities.”¹³³ Instead, the money can be reinvested into social services for mental health, domestic violence, and homelessness.¹³⁴ Rather than sending police officers out to deal with these types of situations, funds would be reallocated so that psychiatric specialists, social workers, homelessness specialists, and violence prevention coordinators would respond instead.¹³⁵ Furthermore, the money can also be used to fund schools, hospitals, housing, and food in those communities.¹³⁶

In response to the protests following George Floyd’s killing, states and cities across the U.S. implemented police reforms to “defund the police.”¹³⁷ In Minneapolis, Minnesota, \$5.7 million in police funds are now being used to launch a mental health team to respond to certain 911

128. Ryan W. Miller, *What Does ‘Defund the Police’ Mean and Why Some Say ‘Reform’ is Not Enough*, USA TODAY (June 8, 2020), <https://www.usatoday.com/story/news/nation/2020/06/08/what-does-defund-police-mean-george-floyd-black-lives-matter/5317240002/>.

129. Scottie Andrew, *There’s a Growing Call to Defund the Police. Here’s What It Means*, CNN (June 17, 2020), <https://www.cnn.com/2020/06/06/us/what-is-defund-police-trnd/index.html>.

130. Sullivan & Baranauckas, *supra* note 127.

131. *Id.*

132. *Id.*

133. Andrew, *supra* note 129.

134. *Id.*

135. Sullivan & Baranauckas, *supra* note 127.

136. Andrew, *supra* note 129.

137. *Id.*

calls and to take non-emergency 311 calls out of the domain of police.¹³⁸ In Austin, Texas, police funds were reallocated to “emergency medical services for COVID-19, community medics, mental health first responders, services for homeless people, substance abuse programs, food access, workforce development, abortion services, victim support, and more.”¹³⁹ These reforms are similar to the systems already in place in Sweden, Finland, and Norway, where medical health professionals respond to situations involving mental health emergencies.¹⁴⁰

B. *Advanced Police Training*

In addition to defunding the police, police funds should also be invested into more adequate police training. Police training and education should be more advanced and comprehensive as implemented in European countries.¹⁴¹ First, police academies should replace the average twenty-one week training with a two to three-year curriculum that focuses on subjects such as criminal and constitutional law, sociology, and conflict resolution, in addition to the necessary physical, firearms, and tactics training.¹⁴² After completing the curriculum, police officers in the U.S. should be required to shadow training officers in the field for at least one year before being handed a badge and gun, as required in Finland and Norway.¹⁴³ Expanding the time spent on training is crucial because the more time recruits have to train, the more time is spent on crisis intervention and de-escalation training.¹⁴⁴

Moreover, in police firearms training, the focus should be on how to avoid using force.¹⁴⁵ This approach to firearms training is taught to prospective officers in Germany, where recruits are also required to “spend two and a half to four years in basic training to become an officer, with the

138. Sarah Holder, *After Pledges to Disband the Police, Minneapolis Makes Compromise Budget Cuts*, BLOOMBERG (Dec. 10, 2020), <https://www.bloomberg.com/news/articles/2020-12-10/what-s-in-the-2021-minneapolis-police-budget>.

139. Sam Levin, *These US Cities Defunded Police: 'We're Transferring Money to the Community'*, GUARDIAN (Mar. 11, 2021), <https://www.theguardian.com/us-news/2021/mar/07/us-cities-defund-police-transferring-money-community>.

140. Adam & Noack, *supra* note 122.

141. Yasmeen Serhan, *What the World Could Teach America About Policing*, ATLANTIC (June 10, 2020), <https://www.theatlantic.com/international/archive/2020/06/america-police-violence-germany-georgia-britain/612820/>.

142. Kirk Burkhalter, *Retired Officer: Give Police a Real Education Before Putting Them on the Streets*, USA TODAY (June 11, 2020), <https://www.usatoday.com/story/opinion/policing/2020/06/11/ex-cop-academy-training-falls-short-police-need-extensive-education/5342917002/>.

143. Kates, *supra* note 96.

144. Serhan, *supra* note 141.

145. Cheatham & Maizland, *supra* note 9.

option to pursue the equivalent of a bachelor's or master's degree in policing."¹⁴⁶ Police training in Germany covers everything from how to respond to cases of domestic violence to how to disarm an individual with a lethal weapon.¹⁴⁷ Rather than focusing on using weapons and shooting, police training in Germany encourages recruits to de-escalate situations and resort to lethal force only when necessary.¹⁴⁸ Due to a lack of advanced training, police officers in the U.S. tend to focus on survival rather than de-escalation, which results in officers using lethal force even when it is unnecessary to do so.¹⁴⁹ Therefore, if the U.S. were to adopt European standards and require police training to be more rigorous than it is now, perhaps there would be fewer deaths at the hands of the police.

C. *Implementing Police Oversight Authorities*

Unlike many European countries, U.S. law enforcement is largely decentralized.¹⁵⁰ For example, in England and Wales, the forty-three police agencies are subject to oversight by Her Majesty's Inspectorate of Constabulary, an independent police oversight body.¹⁵¹ In comparison, there are approximately 18,000 law-enforcement agencies in the U.S. that are run at the city or county level, yet there is no federal oversight authority for these agencies.¹⁵² Because there is no national standard for these agencies to employ, training standards and practices vary widely from state-to-state.¹⁵³ To solve this problem, scholars argue that states in the U.S. should establish independent police oversight authorities that are modeled after the British Inspectorate.¹⁵⁴ Thus, like in England and Wales, the police oversight authorities in the U.S. would monitor police forces to ensure that they are abiding by a certain set of rules and regulations, and cut the funding of the forces that do not.¹⁵⁵

146. Serhan, *supra* note 141.

147. *Id.*

148. *Id.*

149. *Id.*

150. *Id.*

151. *Id.*

152. *Id.*

153. *Id.*

154. *Id.*

155. *Id.*

VII. CONCLUSION: WILL ADOPTING EUROPEAN POLICING STANDARDS AND PRACTICES REDUCE POLICE BRUTALITY IN THE U.S.?

After considering various European standards for policing practices, the remaining question is whether adopting these standards will actually lead to less police violence and killings in the U.S. On the one hand, it can be argued that implementing police reforms modeled after European countries will inevitably lead to fewer cases of police violence if enforced by state agencies. On the other hand, it can be argued that police violence in the U.S. stems from systemic racism, which cannot be fixed or solved merely by implementing reforms.

Although the recent killings of Black Americans by police officers have sparked international outrage and contributed to the rise of the Black Lives Matter movement, racial tension between law enforcement and Black communities has been a prevalent issue dating back to the slavery era.¹⁵⁶ Policing in the south had roots in slave patrols, who located and returned slaves who had escaped, crushed uprisings led by slaves, and punished slaves who violated plantation rules.¹⁵⁷ In the early nineteenth century, centralized municipal police departments began to form, beginning in Boston and soon expanding to New York City, Albany, Chicago, Philadelphia, and elsewhere.¹⁵⁸ The first police forces mostly consisted of white males, who were expected to control a “dangerous underclass” that included Black people, immigrants, and the impoverished.¹⁵⁹ Moreover, during the Jim Crow era, when Black people and white people were forced to be segregated by law, police officers were the authorities responsible for enforcing the Jim Crow laws.¹⁶⁰ Black people who broke the laws or violated social norms would typically be confronted with police brutality as a result.¹⁶¹ At the same time, police did not take any action against the white people who lynched Black people, nor did the judicial system hold police accountable for failing to protect the Black people who were being murdered by white mobs.¹⁶²

156. See Connie Hassett-Walker, *The Racist Roots of American Policing: From Slave Patrols to Traffic Stops*, CONVERSATION, <https://theconversation.com/the-racist-roots-of-american-policing-from-slave-patrols-to-traffic-stops-112816> (last updated June 2, 2020).

157. *Id.*

158. *Id.*

159. *Id.*

160. *Id.*

161. *Id.*

162. *Id.*

The legacies of slavery and the Jim Crow era still exist in policing practices today.¹⁶³ For many Black people, law enforcement represents a history of violence, inequality, and suffering. Even though police reforms adopted from other countries may help reduce police misconduct and killings in the U.S., the reforms will not eliminate the racism that is inherent in police brutality and police practices. Thus, in addition to implementing new police reforms, the U.S. needs to examine and address the deeper issue of systemic racism in policing culture in order to effectively combat police brutality in the country.

163. *Id.*