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ABSTRACT Democratic principles permeate policing strategies to the extent of reducing avoidable harm and deaths through the use of non-lethal weapons. This work therefore, is a concise analysis of one of the latest innovations in the application of non-lethal weapons in intelligence gathering and policing, known as LED In-capacitors (or LEDI, with LED standing for light emitting diodes). It could give law enforcement and security agents, yet another way to subdue a violent subject depending on test results at the Pennsylvania State University’s Institute for Non Lethal Defence Technology. For the Nigeria Police, it presents enormous challenges for a police Force that is battling vigorously to break away from its colonial heritage, military attributes and institutional deformities in an emerging democracy.

INTRODUCTION

Globally, while violent crimes are becoming ubiquitous and more sophisticated, law enforcement has remained increasingly under the scrutiny of the media, trial lawyers associations, Human rights groups and the barrage of citizens armed with video cameras. Indeed, information communication technology (ICT) has added sweeping dimensions to law enforcement as walls of national security have broken down as a result of globalisation to intervene with global monitoring and bench marks in human rights matters. More so, cell phones with cameras inundate the globe and can capture all aspects of law enforcement. Incidents such as the 1991 Rodney King arrest in Los Angeles have hampered law enforcement agencies and caused them to rethink the use of traditional police tools such as the baton (Kramer 2004). In the, same vein, the effective probing
eyes of Amnesty International, Human Rights Watch, and such other human rights bodies in policing, make it imperative to modernize law enforcement strategies to ensure that is humane and human rights sensitive.

Consequently, police and military formations all over the world have embarked on massive innovations in the use of non–lethal weapons as part of the global drive in the modernization of law enforcement or what can be referred to as the “Democratization” of Policing. During the year 2000, the US institute of Justice had 17 ongoing projects on “non-lethal weapons’ that had been founded during the mid to late 1990’s. With regard to anti–personnel system, the focus was on Kinetic impact projectiles, irritant chemical agents (OC / Pepper Spray ‘) , and the capture Net or Web shot.

As regards impact projectiles properties and OC, research was primarily directed at safety and effectiveness Studies. Development of Laser Dazzler weapon was ongoing as was investigation of a so-called active light barrier. The latter involved the use of a bright source shone on to scattered particles to provide a visual obstacle to a crowd. (National Institute of Justice 2001). Further assessment and development of the ring air foil projectile (RAP) and the sticky shocker’ electrical Projectile was equally ongoing (office of Justice programmes 2001)

Furthermore, in 2001, NIJ began an association with the Institute for Non– Lethal Defense Technologies (INLDT) at Pennsylvania State University (PSU), the group working closely with Joint Non– Lethal weapons Directorate (JNLD). NIJ funded a three phase project as follows:

Phase one will establish test protocols for attribute based evaluations of less – than–Lethal (LTL) Munitions; Phase two will conduct an investigation of controlled exposure to calculative – based oleoresin capsicum. Phase Three will provide an E – Forum to support an operational needs assessment for less – than – lethal technologies (NIJ Research Port Folio, 2006)
While the intent of this is not to profile a comparative analyses of research into non-lethal weapons, evidence above tend to show that so far, the United States of America appear to have the most vigorous programmes in this area. Part of the explanation of this trend is the 9 / 11 effect which has stimulated aggressive homeland security. However, this is not to say that other western countries such as the United Kingdom, Australia, France, Sweden, and Germany are not pursuing these programs. The fact remains that this trend in law enforcement is one of the fall outs of globalization. (Davison, 2007)

For the developing countries such as Nigeria, the challenge to join this global bandwagon is enormous. This is due to the fact that as a vestige of colonialism, despotic militarism and structural corruption, the Nigeria Police Force is faced with the un-daunting task to modernize along the aforesaid lines. This is more so, now that democracy in Nigeria is being nurtured to enable her integrates into the global web. (Onyeozili, 2005).

Nigeria Police today is amongst one of the most the poorly equipped Police forces in the world. It has 90, 000 arms, 92 million rounds of ammunition, 365 million riot control equipment, 5,900 serviceable vehicles, 108 serviceable marine boats, 742 horses, 89 dogs, 3 functional helicopters for a force of over 140,000 policing about 150 million people (The News 2008). This is against the minimum requirement of 140, 000 arms, 150 million rounds of ammunition, 600 million riot control equipment, 35,000 vehicles, 500 Marine boats, 2000 horses, 600 dogs and 30 helicopters (The Punch 2007, the News 2008). The disgraceful yawning gap between the needs of the Police and what is actually available underscore the exponential inefficiency of the Nigeria Police in law enforcement. What is even more interesting is the fact that the global requirements of modern law enforcement strategies through increased usage of non-lethal weapons in Nigeria may take decades to take root even in this globalized age. The reasons for this projection have already been explained in the preceding sections of this work.

Be that as it may, the use of non-lethal weapons in modern policing is an obvious reality and no matter the level of development, the trend has come to stay. This work will
therefore review one of such latest innovations and the challenges facing the descript Nigeria Police force in quickly adjusting and accepting these new trends. This is against the back drop of the fact that globalization has made the nature and dynamics of crime similar in almost all parts of the world.

**THE IMPERATIVES AND DYNAMICS OF NON-LETHAL WEAPONS IN LAW ENFORCEMENT**

It is obvious that from global demands, effective, easy to use weapon systems with a low chance of lethal results that will pass public scrutiny are a necessity. These weapons must not only meet the officer on the street but also be affordable, easily maintained and “acceptable in the eyes of the public”. Several less lethal and non-lethal weapons have been developed and found their place in law enforcement. The basic difference between less-lethal and non-lethal weapons is that a non-lethal weapon cannot cause death no matter how it is used and is therefore placed on the lower rung of the force continuum ladder below deadly force and that of less lethal force. For this study, both Terms shall be used interchangeably at least in their literal meanings. A study by the National institute of Justice in 1991 provided parameters for less lethal weapons to be appropriate for law enforcement. These include;

* Ability to improve the present practice
* It should not overburden the officer
* It should be in expensive
* It should not require extensive training
* It should not require dedicated Manpower
* The liability issues should be manageable
* It should be practicable.

These benchmarks are outcomes of the emerging trends in the use of less-lethal weapon usage in the late 1980’s and early 1990’s. It was a period that saw the development of the following less-lethal and non-lethal weapons.
(a) **Air Bags:** This is used for transporting uncooperative and out-of-control suspects in the back seat of patrol cars. This was to overcome the handcuff of suspects behind their backs and their feet with a lead or “hog tie” the suspects. This method reduces danger and enhances the security of the suspects on their seats in the event of crash and puts them at low risk of positional asphyxia (Allison, G. et al 2004)

(b) **Sticky Foam and Aqueous Foam:** Sticky foam was developed for applications in prisons and as a tool for SWAT teams. It is spray foam so sticky, that it can stop a person in his or her tracks. When sprayed on a suspect’s torso, he or she is entangled and immobilised. The foam can be delivered from a shoulder fired dispenser and can hit a target as far away as 35 feet. Aqueous foam is a water based foam similar to soap seeds and used as an obscurant. A person in a room flooded with aqueous foam would be able to breathe but not see much or find his / her way out. (Allison, G. et al 2004, Davison & Lewer 2005)

(c) **Flash and Bang:** The need to keep police officers in a safe distance from potential dangerous persons while still controlling their behaviour led to the experiments with distractions and disorientation devices. These devices use sound, lights or a combination of both to disorient a suspect. While lights flashing laser and strobe lights were developed for uses in jails and prisons to disorient an inmate long enough to enable officers gain control over him / her, Stub lights are used in low light areas where light sources can be controlled and can actually interrupt or disable coordinate motor movements of a suspect (Donnelly, 2001).

(d) **Star Trek Stuff:** The magnetosphere gun and the thermal gun are based on long existing technology. The magnetosphere gun was proposed for use on people under the influence of drugs or alcohol and those suffering from mental illness. These people are often impervious to other types of devices but could be susceptible to the magnetosphere gun. This device delivers what feels like a blow to the head, stunning the suspect. It has a range of 10 – 20 yards and can be delivered trough a wall. The thermal gun can also be aimed through a wall and has a range of up to 50 yards. The thermal gun forces a suspect’s body temperature up to 107 degrees Celsius causing incapacitation (Donnelly, ibid).
(e) **Sonic Weapons:** These weapons use large sound to incapacitate, distort or confuse human targets. American Soldiers blasted heavy metal rock and roll from large speakers mounted to their vehicles to create psychological terror among Iraq troops fleeing Kuwait along the road to Basra during the first Gulf war.

(f) **Chemical Incapacitants:** These are perhaps the most effective less lethal system and obviously the most controversial. The use of Alfentanyl/ Iofentanyl all have the capacity to incapacitate a suspect for one or two minutes with no side effects. (Klaunenberg, 2002).

(g) **Oleoresin. Capsicum (O Cs):** This is the most widely used of the modern less lethal weapons available to law enforcement. O C has proven effective on suspects who are under the influence of drugs or alcohol as well as mental health patients. It works on both humans and dogs and can be delivered without contaminating the officer. Its life is short and can be easily cleaned up. It works by a burning sensation in the suspects’ eyes, throat and skin leading to cough, nausea, or feeling of discomfort and disorientation. In Nigeria, it is popularly called tear gas (Natural Research Council 2003).

(h) **Less Lethal Projectile Weapons:** Projectile weapons include 12 gauge bean bangs round of flexible batons, ballistic bags and rubber or wood bullets. These weapons are generally fired from a standard 12 gauge short gun 37 mm gas gun or a 40mm grenade launcher. The purpose is to steer and temporarily incapacitate the suspect. When fired repeatedly at close range, it could be fatal or cause rupturing of internal organs, lacerations and broken bones. (Air Force Research Laboratory, 2005)

(i) **Tasers:**

Tasers are being used extensively in the United States where over 5200 law enforcement agencies are noted to have used. They are handheld devices that shoot to probes attached to wires that extent up to 21 feet. Once the probes are in place in the target, the Taser emits a peak shock of 50, 000 volts of electricity for five seconds. This can penetrate clothes: two inches thick, overwhelming the central nervous system and incapacitating the target.

The newer model Teasers, are powered by two Lithium batteries (Air Force Research Laboratory, 2005)
BETWEEN ELECTRICAL ENGINEERING AND NON LETHAL WEAPONS IN LAW ENFORCEMENT: THE CASE OF LEDI

The light emitting diodes Incapacitator is one of the latest arrivals in the non-lethal arsenal of law enforcement. A device still undergoing test at the Pennsylvania State University institute for Non – lethal Defense Technologies. The LEDI’S bright lights prevent eyes from focusing for a few seconds, comparable to magnifying the effect of a picture flash (Spadanuta, 2007).

The development of LEDI is funded in part by the department of homeland security with a grant $1 million as part of granting legion of non-lethal weapon work supported by the government and private companies to provide military, police security and others with alternative options in potentially dangerous situations (Farina, 2007). LEDI works in the range of 10 – 20 feet from a subject and has advantages even among other non-lethal weapons. It does not have the residue effect after a person becomes adjusted to the visual over – stimulation. Additionally, there is no need for the contamination and no chance of cross contamination, as can occur when pepper spray hits police officers as well as suspects during an incident. LEDI’s flash lights and batteries can be reconfigured and recharged at no additional cost in sharp contrast to Taser cartridges which must be replaced and pepper spray which must be replenished. (Heal, 2007)

This electrical innovation will therefore consolidate the decreased liability associated with the use of non-lethal weapons in policing. It will also douse the tensions generated by Amnesty International over the use of Tasers and pepper which has made frantic efforts to show proof of fatalities suffered by persons subjected to a Taser hit. This is even in the face of raging debates over the extent of the cause and effect relationship between the weapon and the deaths.

NON – LETHAL WEAPONS AND THE CHALLENGES OF POLICING

“DEMOCRATIC” NIGERIA
The advent of democratic regime in Nigeria has ushered in a new era of administration including criminal justice. Law enforcement therefore, must show appropriate dynamism to reflect global and transnational trends in a net – worked world. It is therefore needful to review the applicability of non – lethal weapons in Nigeria by the Law enforcement agencies, especially the police.

A survey of the crime trend in Nigeria shows an upward movement both in incidence and sophistication.

This is perhaps attributable to the asymmetric equation in socio-economic resources in the country and the fact that available statistics show that the wealth of Nigeria is being appropriated by a meager 1% at the expense of 99% of the population (Lubeck, 2007)

While this is largely so, democratic principles and globalization have thrown up renewed awareness and consciousness among the oppressed. This explains the case of inflated agitations and conflicts in the Niger Delta region of Nigeria, where agitations have graduated from revolutionary protests to full blown insurgency and “reasonable criminality”. (Nte and Ekpenyong 2006)

In this particular situation, military option has been ruled out by the Nigerian government because of the realization of the fact that most of the demands of the region are genuine and appropriate. It therefore behooves the law enforcement agencies to rely more or less lethal weapons and non lethal weapons.

Part of the reason for the aforesaid approach is to ensure that genuine reconciliation is achieved in the region and in Nigeria at large where different ethnic nationalities are clamouring for justice in resource appropriation and allocation. Secondly, democratic demands involve humane policing in ways that should not jeopardize the rights of the suspects. Therefore in a globalised world, this makes the use of non lethal weapons quite imperative to ensure substantial respect for the rights of citizens of the country.
The challenge of the Nigeria Police therefore is that we have a force that is still battling with legitimacy, corruption and military mentality. This may impinge on its ability to effectively apply the use of non-lethal weapons in law enforcement. Be that as it may, this trend has remained an obvious necessity that the police in Nigeria must adopt to be relevant in a rapidly changing world.

CONCLUDING REMARKS

Non lethal weapons and less lethal weapons have emerged as water shed in modern law enforcement strategies world wide. This is largely due to globalization and the activities of human rights group in a democratic world. The reality therefore is that although a lot of advances have been made by the developed nations in this regard, developing nations still rely largely on insufficient lethal weapons in law enforcement. Nigeria, with less than average points in effective policing must therefore modernize and embrace the paradigm shift to the use of non-lethal and less lethal weapons in policing, in a country that is filled with several dissent groups clamoring for social justice and equity.

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