

## **2025 WPTLA PRESIDENT’S SCHOLARSHIP ESSAY CONTEST**

Federal law prohibits the use of excessive force by a police officer. The twelve U.S. Circuit Courts of Appeals throughout the United States are split on how they analyze whether the force used by a police officer/ law enforcement officer is reasonable or excessive. Eight of the Circuit Court of Appeals use a “**totality of the circumstances**” doctrine to analyze whether force used was reasonable or excessive, while four Circuit Courts use a “**moment of the threat**” doctrine to analyze the use of force. The U.S. Supreme Court has been called upon to determine which analysis approach is appropriate under the Fourth Amendment to the Constitution, which prohibits "unreasonable searches and seizures," and which has been interpreted by courts to include protection against excessive force by law enforcement.

### **Question:**

**Whether courts should apply the ‘moment of the threat’ doctrine when evaluating an excessive force claim under the Fourth Amendment or the ‘totality of the circumstances’ doctrine?**

In your essay, you should take a position as to which analysis doctrine should be applied under the Fourth Amendment

### **Supporting Material:**

As supporting material, you may use any of the briefs or petitions cited in the Supreme Court case Barnes v. Felix, U.S. Supreme Court Docket No. 23-1239, which can be found at

<https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/23-1239.html>