

Police shootings: a review of the literature and the role of media in current racism & misrepresentation of the facts

Abstract

On any news program, you can hear democrats and media anchors and reporters talk about how there is so much more prejudice than before. Yet I am not sure that the degree of prejudice has increased but rather that cases where black criminal thugs were shot and killed by police and a handful of police shootings of innocent black males has energized the racial divide. News programs such as CNN and even former president Obama appeared to have increased the sense of racially prejudiced police officers when Black suspects are shot or killed. The rhetoric is dangerous and simply wrong and far from being based in facts. Less than 1% of police shootings appeared to be unjustified. The review of the literature supports that Blacks engaged in far more violent crime than Whites, especially Blacks in low income and high-crime neighborhoods.

Volume 6 Issue 4 - 2018

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Received: April 02, 2018 | **Published:** August 08, 2018

Michael Brown

One current example of this is Michael Brown, who was shot and killed by a police officer in August 2014¹ after having committed a strong-armed robbery, assaulting a police officer, and charging at and refusing to follow the officer's commands. Much has appeared to have been omitted about the life of Mr. Brown. His juvenile records have been sealed and attempts to have them unsealed have been unsuccessful. It does not appear that any official has denied or confirmed that he had a juvenile criminal history, though one would expect that officials would clearly indicate if no such record existed. He does not have any adult convictions. He was age 18 at the time he committed the strong-armed robbery and attack on the officer.

There is information on several websites suggesting that Mr. Brown had a juvenile criminal history which may have included a second-degree murder charge.² Another source indicates that the prosecutor stated that Mr. Brown did not have a criminal record,³ though it is not clear if that included any juvenile record or only an adult record. It should be noted that Mr. Brown had recently turned 18 approximately 6 months prior to the shooting. Mr. Brown's family's attorney had given a statement that Mr. Brown didn't face any juvenile charges at the time of his death and that Mr. Brown was never charged with a serious felony.⁴ However, Mr. Brown's family attorney's statement need to be clarified, for example, he would not have been charged with a juvenile offense at the time of this death because he was an adult at that time! Also, what other charges might there have been, other than a "serious" felony. However, no official records have ever been made available to confirm or deny that he had a juvenile criminal history. It is interesting that this issue has yet to be clarified.

Various websites proffer articles suggesting that Mr. Brown's family was pretty normal, and that Mr. Brown was pleasant and a rapper. His parents never married each other, his mother married approximately a month or so prior to the shooting.

The Department of Justice (DOJ) as well a Grand Jury determined that the use of force by police was justified against Michael Brown including the use of deadly force. This was based on facts which supported that Michael's violent conduct warranted the officer's use of deadly force. Yet Michael's mother and step-father strongly

defend Michael's behavior (e.g., strong armed robbery, assault on a police officer, refusing to follow the commands of a police officer) and portrayed him as an innocent, nonviolent baby boy (the picture they used for their protest was Michael as an infant or young child-however he was actually 18 when he committed his final violent criminal behavior!). His mother and step-father failed to hold Michael accountable for this violent criminal behavior, instead blaming the police officer for wrongly stopping and killing their son. Simple though- had Michael followed the commands of the officer and surrendered, he would have been arrested instead of killed. How ironic, his own choice took his life. Michael Brown was not a victim of the police, he was a victim of poor parental upbringing and a victim of his antisociality and criminality.

The video of Brown engaging in the assault and strong-armed robbery of the tobacco shop owner has been available on numerous sites (e.g., <http://www.dailymail.co.uk/news/article-2730153/A-kid-broken-home-beat-odds-to-college-A-rapper-sang-smoking-weed-feds-A-violent-robbery-suspect-caught-shocking-video-just-real-Michael-Brown.html>).

To view the DOJ report on the shooting of Michael brown, see: https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/doj_report_on_shooting_of_michael_brown_1.pdf.

Tamir Rice

Police were dispatched after receiving a call from a recreation center that there was "a guy with a pistol", and that it was probably fake". The caller also relayed that the person appeared to be a juvenile.⁵ The information that the gun did not appear to be real and that the person appeared to be a juvenile was apparently not relayed by the dispatcher to the responding officers. The responding officers observed a black male sitting at a table under the pavilion, and also saw a black gun on the table. The officer observed the black male pick the gun up and put it in his waistband.⁶

The officers arrived, apparently shouted several times for Tamir to stop (from inside the moving car). Tamir reached into his waistband and pulled the gun out as the officer got out of the car, the officer

immediately shot Tamir.⁵ The officer told dispatch that the victim appeared to be a male in his twenties. Tamir did in fact appear older than his age. Prosecutors reported that several witnesses had seen Tamir throughout the day with the toy gun and that Tamir would remove the gun from his waistband and point it at others.^{5,7}

Per Shapiro,⁸ documents from the prosecutor's office indicated that the air pistol that Tamir was carrying looked identical to a real gun. Tamir was also told by at least two people on the day of the shooting that it could be dangerous to use the gun in a public place. The prosecutor's office had released two reports by two experts in police involved shooting and training. Both experts concluded that the officer had every-right to shoot Tamir. They indicated that the weapon appeared real and had to be assumed real. In addition, in the split-second it would take Tamir to grab and raise his gun and fire it, the officers would not likely have been able to shoot quick enough to avoid harm or death to themselves or others around the potential line of fire. In short, because Tamir appeared to be grabbing or pulling the gun from his waistband, the officers needed to take decisive action.

Even if the officers would have been aware of the reports that the gun was "likely" a toy and that Tamir was a teen, it would not and could not make a difference in how they handled the situation. In short, they have to assume that what looks like a real gun is in fact a real gun, especially if the person holding the gun is attempting to grab the gun or raise it towards anyone.

Both of Tamir Rice's parents have criminal histories. In 2001, his father was arrested for attacking his mother with a knife. His father was again arrested in 2010 in yet another domestic assault incident involving his mother as well as in 2014 involving his current girlfriend. The abuse against his then current girlfriend apparently involved punching her in the head and arms.⁹ His father apparently had at least one prior domestic violence conviction as well.⁹ His father's history of domestic abuse is disturbing.¹⁰

His mother pled guilty to Assault in 2001. She was originally charged with Aggravated Robbery and Assault involving a firearm. In 2013, his mother pled guilty to Trafficking charges. The original charges also included drug possession. His mother has a history of being a victim of domestic abuse, not just by Tamir's father.^{9,11} Tamir was not a victim of the police, he was a victim of poor parenting and a criminal environment, as well as a victim of his own criminality and antisociality.

Exposure to criminal activity in the home as well as witnessing abuse and/or violence in the home can significantly impact the development of young children and adolescents.¹²⁻¹⁷

In a review of the literature, it was demonstrated that children's exposure to domestic abuse is correlated with negative outcomes, including psychosocial impact, which increases the chance for the children to engage in intimate partner violence and other violence later in life.¹⁸ Witnessing parental or other violence may increase the likelihood for the development of antisocial traits and behaviors.¹⁹⁻²⁹ This fits into Bandura's Vicarious Learning Theory, which theorizes that the observation of a behavior is more likely to lead to the replication of the behavior when the observer and model have a meaningful relationship. Parents and adults who model any type of violence or aggression are likely to teach that same behavior to the children who witness it.^{30,31}

Witnessing significant others and those in the media engage in violence or animal cruelty encourages children to replicate the

behavior and may result in the child being desensitized to later violence as well as a decreased physiological arousal following exposure to violence.^{20,22,25,29,32-37} This scenario sets the child up to accept violence as a way to deal with and vent emotions and desensitizes the child to the use of violent behavior.

Children exposed to domestic violence are at increased risk for developing psychological maladjustment.^{38,39} Boys are especially at risk for show externalization of symptoms such as physical aggression and antisocial behavior.^{40,41}

Keith Scott

Keith Scott was shot and killed by police on September 20, 2016 in Charlotte, North Carolina. The following is a summary taken from the Mecklenberg County District Attorney's Office investigation report written by R. Andrew Murray dated November 30, 2016.⁴² The officer who shot him was also black. Police officers working on an unrelated case saw Mr. Scott rolling a marijuana blunt and brandishing a handgun in his truck. Officers left the area to regroup and prepare to arrest him. When the officers attempted to get him out of the truck, Mr. Scott refused to exit his truck. An officer observed him remove a gun from an ankle holster when attempting to break the passenger side window. Officers ordered Mr. Scott to drop the gun several times while Mr. Scott was still in his truck. Mr. Scott then took a deep breath and exited the vehicle with the gun in hand. He was again ordered several times to drop his gun. He appeared to be in a trance-like state, refusing to drop the gun. He was then shot 4 times by the officer. This was deemed a justifiable use of force.

Mr. Scott's wife observed most of the situation. She repeatedly tells the police that he has TBI (traumatic brain injury) and that he has just taken his medications which apparently make him cognitively impaired. The TBI occurred following a motorcycle accident in 2015. When the officer was attempting to break the truck window, his wife was repeatedly yelling at Mr. Scott "don't do it". She also told officers that he does not have a gun. What was not known to the police or public at the time was that Mr. Scott had an active warrant for his arrest which he was apparently aware of. She recorded herself making the comments.⁴²

His wife later admitted that Mr. Scott was in fact smoking marijuana and that he had a gun, but denied he had a gun on that date. This is contradictory to text messages between Mr. and Mrs. Scott about his having a gun. Mr. Scott also had a history of aggressive behavior and serious psychiatric symptoms including hallucinations.⁴²

Mr. Scott's criminal history was also significant and violent. In 1992, he apparently pled guilty to all of the following charges involving separate incidents: Carrying a Concealed Weapon (not a firearm), Simple Assault and Contributing to the Delinquency of a Minor. Records also indicated that he pled guilty to charges related to Aggravated Assault in 1992 as well as Assault with Intent to Kill in 1995 (dispositions for both unclear). He had convictions in 2004 for Assault with a Deadly Weapon (associated charges were dismissed which included Assault with a Deadly Weapon with Intent to Kill, misdemeanors for Assault on Child Under 12, and Assault on a Female and Communicating Threats). In March of 2005 he was convicted of Evading Arrest and sentenced to 15 months. In July of 2005, he was convicted for Aggravated Assault with a Deadly Weapon and sentenced to 7 years in prison. He was released from prison in 2011. He was found guilty of DWI in 2015.^{43,44} Dyer⁴⁴ provided further detail of the above offense that indicated in 2005, officers attempted

to stop him for erratic driving and he allegedly shot at officers with a handgun, and eventually physically assaulted one of the officers in the face. He also had a history of DWIs.

So then, a few questions. Mrs. Scott was aware of Mr. Scott's violent history and that he owned a gun. She was also aware that due to his cognitive impairment (from the medications, TBI) he could not drive, yet she allowed him to drive and allowed him to do so that very day. Both Mr. and Mrs. Scott were aware of Mr. Scott's criminal and violent history prior to the confrontation with police. Mr. Scott, being aware that he would likely go to back to prison and receive new charges, appeared to take a stand with police. The family via their attorney stated that all they wanted was for the police to understand that what they did was wrong. Why, so that you can then sue the police for having to resort to utilizing lethal force against your husband, who was holding a gun? Or in some way to blame the police for her husband's antisocial history? What did the police do wrong? Man with a gun, refusing to put it down, refusing to cooperate with police, who was aware he was going back to prison. Perhaps it is the family's fault for not keeping a better eye on him and for not stopping him from doing what he was not supposed to be doing, specifically, using Marijuana, driving, and possessing a gun.

Context

Why is it that no one seems to care about the facts when taking into context the above situations? Remove the *context*, however, and the Black Lives Movement seem to be in heaven. Without *context*, it appears that the police utilize unjustified and excessive force resulting in the death of the above individuals. How about saving the criticism of police officers for the less than 1% of police officers who cross the line into the use of excessive force. The police should not be expected to utilize nonlethal weapons when a lethal weapon is present and being used to create a serious threat of harm or death. Perhaps blacks have more biology or culture for violence, that is an interesting statement, isn't it?

The frequency of officers drawing their gun or firing their gun in the line of duty is actually quite rare (except on the firing range).⁴⁵⁻⁴⁸ In addition, officers who fire their gun in the line of duty are impacted psychologically to some degree. Many officers never believed that they would have to fire their gun in the line of duty. In addition, the process and investigation that follows a shooting is complicated and time consuming, which the vast majority of officers would do anything to avoid.

Miller⁴⁷ points-out that even in potentially dangerous interactions that the use of force by police is the rare exception. Police officers tended to restrain themselves from using force even when the circumstances justified the use of force.^{47,49-51} Miller⁴⁷ estimates that police use of force against citizens occurs in less than 1.5% of police contacts and that deadly force is used in approximately 360 cases per year compared to 60,000 reported cases of assault against police officers each year.⁵² Estimates of the use of force (loosely defined) by police range from 0.1% to 31.8%.⁵³ Due to the high-profile nature of such cases, when compared to all police contacts made annually, use of force situations are relatively rare.⁵⁴ Despite Blacks being over-represented in fatal encounters, the research to date suggests that race or at least race alone, does not appear to play a significant if any role in the higher prevalence of Blacks being shot by police versus Whites. This is largely due to the lack of information available about each use of fatal force situation, for example, many studies fail to include

information about the circumstance of the shooting or the suspects involvement in criminal activity or aggression shown towards the officer at the time of the use of lethal force.⁵⁴

Interestingly, Whites are more likely to be arrested for robbery, aggravated assault, and simple assault than are Blacks, and regarding rape, there were no significant differences between White and Black suspects regarding the odds of being arrested.⁵⁵ Again, Blacks account for approximately 13% of the U.S. population but are grossly over-represented in the criminal population. This suggests that Blacks are more involved in crime than Whites or other races. The disproportionately high arrest rate for Blacks is likely due to the over involvement of Blacks in serious crimes.

Theories to explain police shootings of black suspects

Theories of why police officers are more likely to shoot an unarmed or armed Black suspect vary. The data supporting discrimination of Blacks by police officers is often flawed in how the data was gathered and investigated. However, here is a summary of the literature.

One explanation of why black suspects are shot by police more than other race suspects is discrimination based on racial cues

In this scenario, Black suspects are considered more dangerous than suspects of other races and therefore are more likely to be shot by police during encounters. This theory has support since the 1970's.⁵⁶⁻⁶¹ Young Black males are killed by police officers at a rate of 6 times that of young white males.⁵² It has also been demonstrated that officers of any ethnicity are just as likely to utilize deadly force.⁶²

In *Shoot/Don't Shoot* scenarios, police and nonpolice participants were quicker to press the "shoot" button for Blacks than for Whites.⁶³⁻⁶⁶ The research also suggests that officers can learn to not act on their implicit bias, therefore countering their reaction to Black suspects.⁶⁶⁻⁷⁰

Others have argued that police demonstrate prejudice and implicit bias towards Blacks and that the result is increased attention, arrest and use of force against Black suspects more than White suspects.^{71,72} A theory of *negativity-bias*^{73,74} suggests that bias towards shooting Blacks should be reduced or even disappear in dangerous contexts (e.g., dangerous environments). This appears to have been supported by other researchers as well.^{75,76} Some of the reasons officers may counter their *implicit bias* may include public perception, police administrative/disciplinary concerns, and general liability. Regardless the reason, if the officer counters their *implicit bias* towards Black suspects and chooses appropriate levels of force, regardless of the reason, then officer *control* and officer *choice* and *responsibility* appear to make a difference to counter *implicit bias*. In addition, having positive contacts with Blacks appears to reduce officer's implicit bias towards Blacks.⁷⁷

Another explanation of bias is "threat perception failures" (TPFs)⁷⁸

These are situations in which a "*mistake-of-fact*" occurs, such as a misperception of an object or movement. This may include mistaking a cell phone or keys for a weapon or a furtive movement being mistaken for reaching for a weapon or other resistance. The authors found that TPFs are more likely to occur when police are interacting with Black suspects than with suspects of other races, and

others suggesting a bias towards Black suspects. An officer relying on profiling and behavioral analysis relies on training, experience and gut feelings of the current situation as well as the suspicious behavior of the individual suspect before acting on any preconceived prejudice/implicit bias. This infers that White officers do not specifically target Black suspects because of race alone.⁶² Violent environments may increase the use of force, but likely due to the circumstances of the risks that the violent environment presents with versus race, or at least race playing a minor in any direct role.^{79,80}

Another explanation of why Blacks are shot or killed more than Whites or other races by police officers rests in the statistics that Blacks commit more of the serious crimes in the neighborhoods that they reside

Blacks make-up approximately 13% of the U.S. population (U.S. Census Quick Facts)⁸¹ yet have higher rates of killing police officers and engaging in some violent crime at higher rates than non-Blacks.^{61,82,83} Sekhon⁸³ found that approximately 90% of police shootings involving Black suspects occur in areas where Blacks outnumbered Whites and also in poorer neighborhoods. Ecological factors (e.g., high crime neighborhood), appears to play a significant role in where police tend to use more force or lethal force against Black suspects.^{84,85} One may also argue that in high crime neighborhoods there may be an expectation that use of force is acceptable.^{84,86}

Another explanation suggests that police officers may be more hesitant to shoot Black suspects than other race suspects

Several researchers have found support for this theory which finds that despite most police officer's having *implicit bias* against Black suspects, the officers demonstrated *explicit control* by behaving more cautiously with Black suspects and hesitating shooting longer with Black suspects than with White suspects.^{70,87,88} Findings also suggest that officers hesitated using deadly force against Black suspects for fear of public scrutiny. This has been supported by several researchers.^{87,89,90} In short, despite demonstrated *implicit bias* against Black suspects, police officers demonstrated more hesitation in shooting Black suspects. This supports that *implicit bias* does not predict *explicit bias*. Police officers appear to exercise more caution when dealing with Black suspects perhaps out of concern of department and/or public scrutiny or personal concerns and this finding is consistent with other research dating back to the 1970s.⁹¹ Goldkamp⁵⁷ summarized that the likely reason for the higher number of Blacks arrested compared to Whites was apparently due to a disproportionately higher percentage of Blacks involved in violent crime and not likely due to discrimination on the part of the police officers. He adds that even when taking into account poverty, education level and social economic factors, Blacks still disproportionately engaged in more violent crime than Whites.

Police intervene disproportionately with minority suspects versus White suspects.⁹² Some research has demonstrated no impact of subject race on police use of force^{93,94} when taking *subject resistance* into account. Others found that police were more likely to use force against minorities even when controlling for other variables.⁹⁵⁻⁹⁷ Others have found that a mediating factor of *neighborhood, not race*, possibly explaining the disproportionate use of police force against Blacks in high crimes areas⁸⁴ as well as when minorities are exhibiting resistance towards the police.^{57,98}

Rubinstein⁹⁹ summarizes the following information

In 2013- Blacks were 6 times more likely to murder than other races and 12 times more likely to murder someone of another race than other races. In the same year, he states that in 660,000 crimes of interracial violence between Blacks and Whites, Blacks were the perpetrators in 85% of the cases; Blacks were 27% more likely to attack a White person than vice versa. In 2014 in New York City, Blacks were 31% more likely and Hispanics were 12 times more likely to be arrested for murder than Whites, and Blacks were 98 times more likely and Hispanics 24% more likely to fire a gun at someone than Whites. In 2015, police killings of Blacks accounted for 4% of homicides of Blacks, 0.6% of police killings of unarmed Blacks; 93% of Blacks were killed by Blacks.

The national crime victimization survey (NCVS)

The Washington Post¹⁰⁰ reported the percentage of people killed in fatal shootings by the police in 2015. There were 990 cases and the racial breakdowns of the victims are as follows:

White- 50%

Black- 26%

Hispanic- 17%

Asian- 1.5%

Other/unknown- 5%

897 of the victims were armed with a weapon.

Some argue that because the arrest for violent crime for blacks are higher than for any other racial group that this suggests a bias on the part of police, suggesting the police target blacks more than other racial groups. However, the statistical explanation for why more blacks are arrested for homicide and gun related crimes is due to the higher percentage of blacks engaging in those specific crimes. The explanation rests on the percentage of blacks that commit the more violent crime, not racial bias. Remember that crimes like murder are difficult to arrest and convict the wrong person or demonstrate bias given the evidence required to obtain a conviction. In Chicago, Blacks make-up approximately 32 percent of the population yet were 24 times more likely to be arrested for murder than whites. From 1980 to 2008, 84% of white victim were killed by whites and 93% of black victims were killed by blacks.¹⁰¹

In New York, for example, Blacks make-up approximately 23 percent of the population, yet were 31 times more likely to be arrested for murder than whites.¹⁰² One caveat however, is that comparing the Black population with specifically the Black criminal population is an important distinction needing to be made. Police focus their activity on the Black criminal population not simply Blacks. In low-income populations, primarily Black neighborhoods, it is the criminal Blacks that are the focus for the officers, not the Black population in general.

In larger cities in the U.S., Blacks make-up a larger proportion of the population based on consensus data. In 2012, the FBI Supplementary Homicide Report indicated that Blacks were shot in 31% of the justifiable police homicides, though Blacks make-up only approximately 13% of the population while Whites make-up

52% of those shot by police and make-up approximately 63% of the population (U.S. Census Quick Facts).⁸¹ In short, Sekhon⁸³ indicated that approximately 90% of police shootings involving Blacks occurred in areas where Blacks outnumbered Whites and often in the poorest of communities and this has been found to be the case in most U.S. Cities. Sekhon⁸³ goes on to state that plain clothes officers are involved in approximately 40% of the shootings and that the plain clothes officers are generally involved in more serious criminal areas focusing on potentially more violent crimes. Therefore, the shootings may occur due to the dangerousness of the criminal as well as the circumstances of the situation. Though personality factors of the officer cannot be adequately ruled-out, situations and circumstances place the officers at increased risk for encountering a more violent criminal.⁸³

On the other hand, officer involved shootings cannot be fully explained simply because they tend to occur in high-crime areas. The most common scenario appears to involve the officer responding to a call and either the suspect has a weapon, displays the weapons, or aims or fires at the officer, or the shooting occurs after or during a foot-chase. In his findings, Sekhon⁸³ indicated that approximately 25 to 33% of the shooting incidents began as a proactive police interaction versus reacting to a call and involved a foot pursuit of the suspect. In most of cases the suspects were armed when shot.

Sekhon⁸³ asserted that Black officers were no more likely to shoot than their White counterparts. Again, it is difficult to separate out from the research and other data the direct impact officer racism plays in shootings, other than it does not appear to be a primary or solo role. Research is mixed on whether diversity programs that place more Black officers in the police department or in Black neighborhoods actually makes any measurable difference in police shootings or in other areas of concern, other than perhaps making the department appear more *racially diverse and sensitive to the community's needs*. The racial diversity of the police department has *not* been shown to lower levels of police-caused homicides, suggesting that even Black officers were just as likely and at times more likely to use lethal violence against Black suspects.^{62,103} Sekhon⁸³ also found that police officers, like every other person, have implicit biases, which include viewing Blacks as being more dangerous. This was found to be true of Blacks and Whites, both demonstrating this implicit bias. However, bias or not, that does not adequately explain why most suspects that are shot are Black, because there are too many other confounding variables, including that the officer either saw the suspect with a gun or pointing the gun at them or believed the suspect was armed given other observation or facts- thereby presenting a risk scenario that minimizes any implicit bias.

The reverse racism effect

Examining bias is important to assess the degree to which prejudice impacts the decision an officer makes in regards to use of lethal force. *Implicit* bias involves the thoughts and beliefs that a person holds that involve a bias or prejudice. *Explicit* bias refers to the action a person engages in to express biased or prejudiced beliefs and may include discrimination or other behaviors. People may have implicit biases and prejudices but choose not to act on them. People often erroneously assume that because someone is biased or prejudiced that they will therefore demonstrate the prejudice in their behaviors. Not necessarily true.

In 2016 researchers examined what they called the *“Reverse Racism Effect”*.⁸⁷ In summary, what they found was clear evidence

that police officers held implicit bias that Black suspects are more dangerous than White suspects, but that the officers were slower to shoot Black armed suspects than armed White suspects, thereby effectively countering the *implicit* bias.

Sekhon⁸³ found that when officers were responding to situations they were called to address (reactive) that the use of lethal force was likely due to the situation and the suspect dictated the escalation of force. In cases when the officer initiated the contact (proactive), he cautions that departments need effective guidelines to guide the officer in decision making (e.g., when to/not to chase or pursue) to lessen the likelihood of a situation escalating needlessly because perhaps a suspect flees for perceived safety concerns. When officers make proactive stops or contact, the suspect may or may not have done anything illegal at the time, but may react with fear and panic, especially if the police contact is initiated by an undercover who likely does not look like a police officer for obvious reasons.

The literature has identified four categories of variables to consider when assessing use of force decisions made by police officers. For a review, see Bolger, 2015. The four are listed below. Factors related to *encounter characteristics* of how an officer may perceive the situation with a suspect to be dangerous often hinges on five factors as outlined by Bolger¹⁰⁴ when the suspect has a past involving criminal behavior, when a suspect has a weapon in their possession, when a suspect resists being detained, when conflict is present with citizens who are on-scene, and during the course of arrest (p. 468). The strongest of these factors was suspect resistance.

Factors related to *suspect characteristics* are often contradictory or weak. Two of the strongest suspect characteristics associated with police use of lethal force include those suspects of lower social economic status and those under the influence of alcohol.¹⁰⁴ Surprisingly those under the influence of drugs were less likely to have lethal force used against them. Bolger highlights the current literature strongly suggesting that race has little to do with use of lethal force decisions. This is based on inconsistent findings in the literature as well as the fact that additional factors are present when lethal use of force is used and therefore race cannot be ruled the factor nor is it even a major factor in the officer's decision to use lethal force. Multiple factors play a role and the literature has identified some but likely not all of the factors present that are important to take into consideration when an officer makes a decision to use lethal force.

Factors related to *officer characteristics* are wrought with inconsistent findings. Officer's experience on use of force, officer race, and officer gender, have not been consistently found to be significant in the officer's decision to use lethal or any type of force. This is important because the media often portrays the “White” officer having prejudicial views of the “Black” suspect when in fact the literature has not produced consistent findings to support this. In addition, numerous factors are involved in the use of any type of force.

Factors related to *community characteristics* include at the very least neighborhood culture and crime rate. The literature is in disagreement as to whether more dangerous communities have more use of force by police than nondangerous communities. In fact, only one study found that this was the case.⁸⁴ Bolger¹⁰⁴ found little support in the literature that racial demographics played a major role in the use of force by police.

Of the above four factors, the most important in the decision for an officer utilizing force appears to be *encounter characteristics* and

suspect characteristics.¹⁰⁴ In fact, those circumstances that involved more serious offenses and suspect resistance were two of the more important situations in which police officers were more likely to use force. Bolger goes on to state that “*suspects who are minorities, males, and/or lower class are more likely to have force used against them*” as well as those suspects who appeared intoxicated (p. 484). Bolger goes on to state that race plays a significant but minor role in the officer’s use of force.¹⁰⁵ It is important to note that not all situations in which officer’s use force or deadly force are easily studied and the literature appears to offer inconsistencies in their finding as to the impact of the roles of any of the above four variables. In addition, an officer’s perception that the suspect appears to pose a serious risk for harming the officer or others also appears important to consider because the officer has to make a split-second decision about the use of force.

In all of the above information, **context** mattered when determining whether police use of force was justified. **Context** involves all of the factors involved in a use of force situation, not simply taking one side or one factor alone. Perhaps that explains the inconsistencies in the literature on police use of force, that is, too many researchers failed to examine and take into consideration multiple factors involved in police use of force situations, especially when use of lethal force occurred. If one only examined the role of officer race, or implicit bias, the results would be skewed and inaccurate. When as many factors as possible are examined, almost all police use of force situations were justified. In short, **context** matters.

Examination of the research on police killings of blacks

Sekhon⁸³ analyzed data on 270 officer involved shootings in Chicago. Shootings involved officers who were white and minority and involved by the officer perceiving gun threats. In fact, minority officers were found to be more likely to discharge their firearm both on and off duty than white officers.¹⁰⁶ The minority officers were more likely than the White officers to reside in minority and low-income communities. Gellers & Karales¹⁰⁷ found no differences in race of officer involved in shootings. In the Sekhon⁸³ study, 95% of those shot by officers were black. He also found that Blacks committed approximately 50% of homicides nationally.¹⁰⁸

Ross¹⁰⁹ reported that there is a “...*significant bias in the killing of unarmed black Americans relative to unarmed White Americans...*” (p. 1). He found that unarmed Black males were approximately three times more likely to be shot by police than their White counterparts. Ross does state and recognize that the use of force against Blacks and unarmed Blacks by police could be *related to the risk that the suspect poses in the given situation*, but that other factors could also contribute as well (p. 10). Though Ross raises several important questions as to why Blacks and unarmed Blacks are more likely to be shot by police than Whites, he does acknowledge that one factor that may help explain this trend: *Whites are committing less crimes involving guns*. Ross then discredits that this by stating that there is no association between race specific crime rates in police shootings. He then states that there is racial bias in police shootings. Confused, I know! Studies often proffer contradictory results or opinions. Perhaps when authors or researchers have a political bias and desired political outcome, rather than an empirically based outcome, the results appeared skewed, incomplete because other factors were not likely considered. And of course, confirmation bias may also play a role as well, that is, only seeking that which supports your belief or view point.

And where are the parents of these black males?

In Tamir Rice’s case, what is the parental responsibility in their child’s carrying a gun? Should the parents have known that their son was carrying a gun? Or did the parents not care, or justify that it was “only a BB-Gun” and therefore ok to carry? Or were the parents so uninvolved in the child’s life that they were not possibly aware of that their child was doing?

It appears that the Black community and the media are making a lot of accusations and statements about the fact that far too many Black males are shot by police, yet they fail to recognize or acknowledge the Black males engage in violent crime and specifically violent crime with a weapon at higher rates than other races. How about addressing the problem instead of the fact that police are obligated to intervene in these situations to keep society safe from the criminals that illegally carry, possess, or use weapons in the commission of crimes. It is no surprise that most violent youth are most often the products of their environment, of their family. Even the Stanford Swimmer’s (Brock Turner) father voiced his dismay at the court holding his son accountable for raping a female, justifying that the short time the event (he could not say what really happened, a rape) occurred should not ruin his entire life or career as an Olympic swimmer.

Response of the media

Transparency helps to educate the public about police use of force situations and eases tensions. A study demonstrated that the public were more inclined to believe the police officer’s version of a use of force situation when body camera or at least audio evidence were made available.¹¹⁰ However, the media has the obligation to present the facts of cases objectively without making judgments about the justification or police interventions. The media certainly has the obligation of reporting the facts and waiting until the investigations are complete to assess what happened.

Maybe the Black news commentators on CNN simply want Black criminals not to be held accountable and perhaps that Black criminals should be left alone to do what they want whenever they want. Maybe that is the answer. Over 90% of Blacks are killed by Blacks, so let it be. Or should the police engage in non-bias police work to ensure that justice prevails, in which case the officers will at times need to use lethal force against Black males just as they do against White males or males of any other race.

News anchors and reporters are supposed to remain neutral on the issues and stories they are reporting to ensure a nonbiased reporting of the news. However, even on a once considered fair and neutral CNN, this is no longer the case. It is not the media’s role to interpret the facts of a police shooting but rather to report the facts. When shootings occur, the media should not make claims of police misconduct unless the investigation indicates that misconduct occurred. Making unsubstantiated claims of police misconduct erode the trust of the community in the integrity of the police officers who proudly serve our nation. Let the investigation into a shooting or use of force situation be completed before making any judgment about whether the situation justified the degree of force used.

Let’s examine how CNN handled the Michael Brown shooting. Don Lemmon, Van Jones and others postured that the officer was wrong, that the shooting was illegal, and that Brown was an innocent victim of police brutality. Even then President Obama took a side and

supported the belief that the shooting was a crime long before the investigation even began. And recently reporters and news hosts make comments to the effect that race is an issue in most crimes where a Black individual is a victim of a crime or when the perpetrator of a crime is Black and arrested or killed in the act of their crime. This is so far from the truth. Very few crimes are motivated by race. In fact, the majority of violent crime is committed by Blacks- so then does it stand to reason that when the victim of a Black criminal is White, that is also racially motivated? Interesting that this never comes-up in the media.

Lastly, the media needs to stop referring to criminals killed by police or anyone else as “victims”. They are not victims. They are criminals, antisocials, and thugs. They chose to engage in violent, aggressive and threatening behavior that cause harm to others, including the police, to respond with necessary degrees of force.

Summary

The research into police shootings is often flawed and difficult to make sense of empirically and often provides contradictory findings.^{83,104,109} Bolger indicates that the focus of police shootings should be on what happens during the encounter versus focusing on other factors. In fairness, the decision of a police officer to use any type of force, including lethal force, rests with the officer’s risk assessment of the dynamic situation that is occurring in real time and demands an immediate response.

Part of the difficulty is in the definitions used to examine police interactions that involved the use of force and deadly force. Specifically, defining *excessive force* has been problematic because it can include verbal, physical, and use of weapons interactions. Another interesting and disturbing term has been to refer to the suspects that were shot as *victims* when the evidence and final conclusions indicated that the suspect was engaged in criminal and potentially dangerous behavior when shot, therefore not making them a “*victim*”. In addition, *post hoc* assessments of a shooting situation are often flawed because there are usually no witnesses other than the officer, and witnesses that were present almost always only witness a few seconds of the shooting incident versus the entire situation of what led up to, during, and following the shooting. Therefore, it is difficult to make sense out of the contradictions presented in the literature when attempting to explain the percentage of police shootings and even so the percentage of police shootings involving Black suspects. Interestingly, the majority of police shootings involving Blacks occur in low income areas that have high incidents of crime, especially violent crime, and involve suspects that physically resist or have a weapon.

Definitions of race also play a crucial role in the data confusion. The 2015 DOJ Uniform Crime Reports include Hispanic and White as one race, which poses a problem because Hispanics and Whites have different percentages for engaging in violent crime and should not be grouped together.⁹⁹ Perhaps an attempt was made to spuriously increase the percentage of Whites that commit violent crimes? Interestingly this occurred during the Obama administration. Blacks have the highest likelihood of engaging in violent crime than Whites, and Hispanics offend with higher rates than Whites as well.⁹⁹ And what role did being Black play in the shootings? If a White man had been holding the same gun, they too would have been shot.

High profile cases involving police shootings rightfully get the public’s attention and anger. Often people make decisions about whether the use of force was justified long before the investigation

is completed, basing their opinion on emotion and ignorance. The above literature review suggests that even in potentially dangerous interactions that the use of force by police is the rare exception. In fact, it appears that police are more hesitant to shoot a Black suspect more than a suspect of another race. The role of implicit bias is mediated by the officer’s choice on how to demonstrate that belief, meaning that despite someone having a biased or prejudicial belief, how this belief is acted-out is important. Officers tend to demonstrate less explicit bias than the media admits. The media, or at least some news channels, have become a sounding board of prejudiced and antagonistic reporting. The news should report events, not interpret or push an agenda with the unknown outcome of an investigation. It seems that the media, by failing to wait for the all of the information to become known about a police shooting begins to interpret the outcome before all of the information is known and the investigation is complete. Wait until all of the information and investigations into the shootings are complete before interpreting or making an opinion about whether a shooting was justified. To do otherwise only intensifies an agenda of antipolice sentiment.

I think it is important and imperative that we as a country have discussions of police shootings, and more importantly on how the criminals who are shot behaved. It is important to place the blame where it belongs, with the criminal. Day after day police officers demonstrate restraint in their use of force, giving suspects ample opportunity when possible to cooperate with commands. When officers engaged in unjustified use of force, including deadly force, they are held accountable in the courts and by their respective departments- the officers crossing the line of unjustified use of force is at or under 1% of all police shootings. Hold the criminal accountable for the behavior they engaged in that created the violent confrontation to begin with.

Acknowledgements

None.

Conflict of interest

The authors declare no conflict of interest.

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