

ARE POLICE OFFICERS MORE LIKELY TO KILL AFRICAN-AMERICAN SUSPECTS?¹

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Summary.—In recent psychological research decisions by police officers to shoot criminal suspects are often assumed to be racially biased, and it is concluded that officers are more likely to shoot African-American suspects. This assumption was tested with national data on persons killed during legal interventions and with data bearing on the African-American proportion of criminal suspects law enforcement officers face. Analysis indicates that the African-American share of persons killed by law enforcement officers, while higher than the African-American percentage of the U.S. population, is lower than one would expect based on the estimated African-American proportion of suspects confronted in violent encounters or the African-American percentage of suspects who kill police officers.

Racial discrimination in any sphere of society is a serious matter and is especially serious in the legal system in general and the criminal justice system in particular, where the commitment to blind justice and racial neutrality is explicitly based on formal rules forbidding discrimination. The most fateful decision made by personnel in the criminal justice system is the decision of police officers to shoot suspects, since the decision is potentially fatal and irreversible. Far more Americans are killed by law enforcement officers than in legal executions for murder. For example, at least 316 people were killed by police in 2002 (300 by shooting), compared to 67 executions.²

Some scholars have asserted that decisions by police to shoot suspects are contaminated by racial prejudice (e.g., Fyfe, 1982; see evidence summarized in Geller & Scott, 1992, pp. 200-219), and recent experimental research by psychologists appears to support this view (e.g., Plant & Peruche, 2005; Plant, Peruche, & Butz, 2005). The experimental research indicates that police officers who participate in computer simulations of encounters between police and suspects are more likely to “shoot” African-Americans than white persons, independent of the traits of suspects (e.g., gun possession) that might justify the officer’s use of a gun. However, the usual questions of external validity pertain to these findings, and so it is appropriate to ask whether they reflect real-world patterns of police use of force.

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²Wide-ranging Online Data for Epidemiologic Research: database. (<http://wonder.cdc.gov/mortICD10J.html>).

The African-American percentage of persons killed by police exceeds the African-American percentage of the general U.S. population. The former was 29.1% in 2002 (the latest year for which data are available), while the latter was just 12.7%. However, people are not at significant risk of being killed by police merely because they are members of the general population. Virtually all people killed by police, justifiably or not, were believed to be engaged in criminal behavior, and most of these involved a suspect inflicting or threatening violence against the officer or other people (Geller & Scott 1992, p. 191). Thus, the more relevant question bearing on whether police shootings reflect racial discrimination is whether the African-American percentage of victims is out of proportion with the African-American percentage of criminal suspects encountered by police. Unfortunately, there are no national data on the latter, necessitating the use of various proxy measures.

METHOD

The African-American percentage of police homicides is derived from national mortality data available on the CDC website through the WONDER. These are data derived from death certificates, which record both the victim's race and the cause of death. One cause of death is due to "legal intervention." Virtually all of these are due to police actions, aside from executions for murder, which have been excluded from all analyses. Vital statistics do not provide complete coverage of homicides by police (Loftin, Wiersema, McDowall, & Dobrin, 2003). They are used here merely to establish the African-American percentage of victims of these homicides, not their total number or rate. There is no evidence that racial patterns among all police homicides differ from the patterns prevailing among those included in the vital statistics data.

The African-American percentage of persons encountered by police in potentially dangerous circumstances can only be estimated. One way to do this is to use as a proxy the African-American percentage of persons arrested for assaultive crimes, which assumes that the proportion of persons who attack or threaten police officers would be similar. Another, arguably more direct, way to estimate the fraction of suspects who represent a physical threat to police officers is to use data on the African-American percentage of persons who kill police officers, since this is clearly a group who represented a serious threat to police.

RESULTS AND DISCUSSION

Analyses

National vital statistics data indicate that 29.1% of persons killed by police in 2002 were African-American, while the African-American percentage of those killed by police by gunshot was 27.7%. It is no surprise the figures are similar, since 95% of killings by police were committed with guns. Thus, conclusions bearing on all killings and those bearing on killings with guns are necessarily virtually identical. These percentages are over twice as large as the fraction of the U.S. population that is African-American, which was 12.7% in 2002.

But how do these figures compare with the African-American percentage of suspects attacking or threatening police? In 2002, 50.0% of persons

arrested for murder or nonnegligent manslaughter and 34.2% of those arrested for aggravated assault were African-American. If these figures are accepted as proxies for the African-American percentage of suspects attacking or threatening police officers, they indicate that the African-American fraction of people killed by police is actually lower than would be expected based on the African-American percentage of attackers. But an obvious objection to the use of arrest data is that the same racial bias that might taint police decisions to use force would also inflate the percentage of arrests involving African-American suspects, reducing the apparent rate of killing of African-American suspects and undercutting support for the racial bias hypothesis (Geller & Scott, 1992).

Another source of information bears much more directly and narrowly on the question of who attacks police and thereby represents a genuine threat to their safety, although data are limited to information about fatal attacks. The Federal Bureau of Investigation's reports of Law Enforcement Officers Killed and Assaulted cover comprehensively virtually all killings of police officers in the USA and also report the race of known suspects (the FBI's data on nonfatal assaults do not report the race of suspects). The report for 2003 (U.S. FBI, 2006)³ indicates that 39.3% of offenders in fatal attacks on police officers in 2002, 44.8% in 2003, and 40.1% of those in the entire 10-yr. period 1994–2003, were African-American. By this standard, the African-American percentage of suspects killed by police (29.1%) is substantially lower than one would expect based on the best available data on those who represent a mortal threat to police.

One could speculate that the African-American percentage of homicide suspects is also inflated by racial bias, but national arrest data for homicide suggest that there is little bias in police arrest practices for this particular crime. The African-American percentage of homicide victims (50%), derived independently from death certificate data, is a good proxy for the African-American percentage of homicide offenders since homicide is overwhelmingly intraracial. FBI data for 2002 indicate that among homicides with offenders and victims of known race, 92% of African-American victims in 2002 were killed by African-American offenders, and 85% of white victims were killed by white offenders. Accordingly, 45% of victims, and 49% of known offenders, were African American (U.S. FBI, 2003, p. 22). Thus, if 50% of homicide victims were African American, one would expect that a similar fraction of homicide offenders were also African American. The African-American percentage of arrestees in 2002 was in fact 50.0%, virtually identical to the African-American fraction of victims, suggesting little or no

³U.S. Federal Bureau of Investigation. (2006) *Law enforcement officers killed and assaulted, 2003*. Available on FBI website at <http://www.fbi.gov/ucr/ucr.htm>, accessed January 13, 2006.

net racial bias in homicide arrest statistics (U.S. Federal Bureau of Investigation, 2003).

Conclusions

Interestingly, regardless of indications of racial bias in experimental research, these racial biases do not appear to affect overall the real-world decisions of police officers to use deadly force against suspects. Given a confrontation with a suspect threatening or attacking them, the data suggest that police officers are actually less likely to kill African-American suspects than white suspects. Although there may well be forces encouraging the disproportionate shooting of African-American suspects, they are evidently counterbalanced by even stronger forces working in the opposite direction. For example, lawsuits filed against police agencies over allegedly racially motivated shootings may have discouraged police shootings of African-American suspects, either by directly influencing officer behaviors or by stimulating closer scrutiny of shootings by departmental or civilian review boards (Geller & Scott, 1992, pp. 292-297).

It remains to be explained why experimental studies have yielded seemingly misleading results (Plant & Peruche, 2005; Plant, *et al.*, 2005). Perhaps a suspect being African-American affects shooting decisions only when circumstances that might justify use of force are especially ambiguous. Experiments in which subjects receive an unrealistically small amount of information relevant to the shooting decision may detect race “effects” which seldom show up in real-world situations, as these are rarely so totally devoid of information. Regardless of whatever racial prejudice there may be among police officers, prejudice is not manifested in disproportionately frequent use of lethal force against African-American suspects.

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Accepted December 7, 2006.