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Policing and Race: The Need for Violence

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This is the second in a four part series looking at the issue of police violence in the USA and the Black Lives Matter response to it. Note: the original version of this article made extensive use of links to online video footage of cases mentioned. For ease of access, the original is available at www.iconoclast.jp.

FOR many in America, 2020 was a year of two distinct crises,¹ Covid-19 and a purportedly similar danger posed by 'endemic' police violence.² Adherents of such views claim that the latter is just as much of a plague as the former, and call for a "rebellion against systemically racist and homicidal law enforcement in this country." In a previous piece in this series,³ I examined such claims and concluded that they were unfounded: the violence, when it occurs is situational not racially driven. What causes such situations to occur is a separate question but not one where blame can be solely laid upon the police. There still remains, however, the question of whether the behaviour of police in such cases is justifiable, whether other alternatives were possible, or whether lesser degrees of force might have been more suitable.

The Source of Violence?

THESE questions are fundamentally important to practices of policing but current events have made them the focus of far more attention than ever before. The responses range from: those that are inane and utterly impractical,

through the interesting but flawed, to others which are insightful and suggest practical reforms. Calls for outright defunding of police forces remain popular despite the predictable results where they have been implemented. Minneapolis saw a major surge in crime in the immediate months following their decision to dismantle their police department.⁴ The bad look for the city council was in no way helped by their spending of \$63,000 of tax-payer money to hire private security for themselves.⁵ Much like Hollywood stars who, flanked by bodyguards and living in gated communities, are quick to offer their insight on problems of street crime, there are a contingent of critics who seem oblivious to the fact that police are a response to existing social violence far more than they are a generator of it.

In other cases, which at least recognise that violence exists independently of the police force, calls for defunding frequently shift into more measured, if still not practical, demands for the reallocation of funds. Typically, this is a request to have counsellors, social workers and therapists

¹ Healy, J. and Searcey, D. 2020. Two crises convulse a nation, a pandemic and police violence. *The New York Times*, 31 May. <https://www.nytimes.com/2020/05/31/us/george-floyd-protests-coronavirus.html>

² Smith, J. 2020. American plague. *Rolling Stone*, 1 June. <https://www.rollingstone.com/politics/political-commentary/american-plague-racism-george-floyd-police-brutality-1008387/>

³ Gray, G.P. 2020. Policing and race: Which violence matters? *The Iconoclast*. 9 November. <https://iconoclast.jp/policing-and-race-which-violence-matters/>

⁴ Henney, M. 2020. Minneapolis City Council alarmed by surge in crime months after voting to defund the police. *Fox News*, 16 September. <https://www.foxnews.com/politics/minneapolis-city-council-alarmed-by-surge-in-crime-months-after-voting-to-defund-the-police>

⁵ McFall, C. 2020. Minneapolis council members calling to defund police spend \$63G on private security details after receiving death threats. *Fox News*, 27 June. <https://www.foxnews.com/us/minneapolis-city-council-members-private-security-detail-death-threats>

take on responsibility for dealing with many of the issues that are currently assigned to police officers. In limited application this can actually work well,⁶ however, there is resistance among many of those targeted for these new responsibilities, who don't want to take on the additional authority that would be incumbent upon them.⁷ In other cases, the existing danger involved in their jobs already sees social workers getting attacked and carrying pepper-spray for self-protection,⁸ with an increase in such danger how long would it be before bullet-proof vests and sidearms became de rigueur?

Among other analyses of the roots of violence, one Georgetown law professor suggests it is a 'man' thing, noting that women typically use force less often than male officers.⁹ The obvious response to this is that women are less capable of employing force when faced by larger or stronger suspects and, as such, their preference for nonviolent methods may not be a choice as much as it is a necessity. There are certainly benefits to be had in increasing the amount of female officers as there are specific areas (domestic violence, sex crimes) where they have proven beneficial impact.¹⁰ To say they are less likely to use violent force because less women are involved in deadly shootings is meaningless, however, without also comparing how frequently both male and female officers are placed in situations where it is a potential option.

Another professor of law, this time from Chapman University, considers the root of the violence to be a matter of fear on the part of officers.¹¹ While acknowledging that, "the rate of violent crime is an important determinant of the rate of police shootings," the author contends that, "racism plays an important role" in this sense of fear. I have

previously spoken to the lack of evidence of racist factors but is fear a key element? Certainly in confrontational situations there is fear involved and this is part of the reason why you cannot simply replace officers with social workers. Even in cases where police are calm, gentle and respectful of the suspects feelings, sudden extreme violence is possible.¹² The question then, is whether officers' fears are irrational and unjustified, or a perfectly reasonable response to dangerous situations. As the previous link shows all too clearly, the danger faced by police is very real and it is this danger, not the fear it causes, which is the true root of the majority of cases of police violence.

How dangerous is policing?

WHEN you look at the dangers that police officers in the USA face, there are a number of factors that might suggest things are not nearly as dramatic as the steady output of Hollywood action movies may suggest. Line-of-duty deaths have decreased by 75% over the past fifty years, largely as a result of improvements in technology and training.¹³ It is also less likely to result in work-related deaths than the nation's most hazardous career, logging, which has 97 deaths per 100,000 workers.¹⁴ There are also many other jobs it also ranks behind: fishermen, farmers, and pilots, to name a few, each of which have more than 20 deaths on the same scale. However, policing, with 13.8 deaths, is still far above the average rate of just 3.5. Also, given that roughly 21% of police staff are civilians, and another 26% are non-patrol officers,¹⁵ only half of these staff are exposed to the most dangerous situations,

⁶ Walters, G. 2020. These Cities Replaced Cops With Social Workers, Medics, and People Without Guns. *Vice*. 13 June. <https://www.vice.com/en/article/y3zpqm/these-cities-replaced-cops-with-social-workers-medics-and-people-without-guns>

⁷ Sato, M. 2020. Social workers are rejecting calls for them to replace police. *The Appeal*, 20 August. <https://theappeal.org/social-workers-are-rejecting-calls-for-them-to-replace-police/>

⁸ Schaefer Riley, M. 2020. Are Social Workers the Answer? *Wall Street Journal*, 8 June. <https://www.wsj.com/articles/are-social-workers-the-answer-11591657596>

⁹ Brooks, R. 2020. One reason for police violence? Too many men with badges. *Washington Post*. 18 June. <https://www.washingtonpost.com/outlook/2020/06/18/women-police-officers-violence/>

¹⁰ Newman, C. 2018. Study: Hiring female police officers helps women report violence, sexual assault. *UVA Today*, 27 September. <https://news.virginia.edu/content/study-hiring-female-police-officers-helps-women-report-violence-sexual-assault>

¹¹ Rosenthal, L. 2020. Police violence is mostly rooted in fear. Ignoring that makes reform harder. *NBC News*, 12 June. <https://www.nbcnews.com/think/opinion/police-violence-mostly-rooted-fear-ignoring-makes-reform-harder-ncna1230266>

¹² Uploaded to HCSOSheriff Youtube channel as 'Suspect stabs Hillsborough County Deputy in neck during pursuit' on 12 October 2020. https://www.youtube.com/watch?v=2DJpCTZCtek&ab_channel=HCSOSheriff

¹³ White, M., Dario, L. and Shjarback, J. 2019. Assessing dangerousness in policing, An analysis of officer deaths in the United States, 1970–2016. *Criminology and Public Policy*, 18(1). <https://onlinelibrary.wiley.com/doi/abs/10.1111/1745-9133.12408>

¹⁴ US BoLS. 2020. Civilian occupations with high fatal work injury rates. *US Bureau of Labor Statistics*. <https://www.bls.gov/charts/census-of-fatal-occupational-injuries/civilian-occupations-with-high-fatal-work-injury-rates.htm>

¹⁵ Reaves, B. 2015. Local Police Departments, 2013: Personnel, Policies, and Practices. US Department of Justice, May. <https://www.bjs.gov/content/pub/pdf/lpd13ppp.pdf>

suggesting the rate for patrol officers would be significantly higher.

It is not simply the on-the-job dangers that have to be taken into account though. Some studies have found that policing is the profession with the highest level of suicide,¹⁶ and others that the level is four times that experienced by firefighters.¹⁷ but this data is unclear and others have suggested it is no higher than that of the general populace.¹⁸ Other studies have claimed it has the highest rates of PTSD,¹⁹ while another suggested that while roughly half the population experiences a major traumatic stressor event during their life, police experience up to three of these every six months, whether direct violence, dealing with dead bodies, or handling cases of spousal or child abuse.²⁰

The problem, of course, is that given the fact that some of these studies provide contradictory results, it is hard to factor them into our understanding of the application of violence. When you talk about the use of violence and its possible justification, there is little point in considering the working conditions of police staff filing papers, those who simply drive to and from Dunkin' Donuts, or even the average officer walking a beat. You need to examine the actual conditions faced by the people who have been required to employ violence. As of October 15th 2002, 1004 people had been fatally shot by police in the USA during the previous year.²¹ The same database tracked a total of 5523 such shootings since January 1st 2015. In these incidents 63% of the victims also had guns (or replicas), 18% had knives, 9% had other weapons, 3% were driving vehicles, and just over 6% were unarmed. It should be clear that even in cases where suspects are unarmed they

can still pose a significant threat to an officer's life as thousands of people are beaten, or strangled to death each year. The data on common assaults against officers is very sparse and generally limited to incidents resulting in actual injury, even with those limitations the FBI received 50,212 reports of assaults against officers in 2015.²² The total violent interactions would be far higher, yet only a small amount of these turn deadly.

The fact that few police are involved in incidents of deadly force make it all the more shocking when a normal, boring day suddenly changes to a matter of life and death. Police officers are trained to react to such situations in a way that civilians would have great difficulty in emulating and it is important to understand the conditions and speed at which they have to both react and make crucial decisions that might either save their life own life, or result in the loss of that of a citizen. The rest of this article will make extensive use of police bodycam footage to highlight this crucial contextual information. Some are graphic in nature.

In 2017 in Las Vegas two officers suddenly found themselves staring at a gun and one was shot in the chest during a routine traffic stop.²³ The same year, two Pennsylvania troopers almost died when a man they pulled over for a DUI resisted arrest and pulled a gun from his car seat.²⁴ One officer was hit four times. He was clinically dead when he reached the hospital but was later revived.

In 2018 a Los Angeles traffic stop again quickly turned deadly when a suspect went from polite conversation to attempted murder in a split-second.²⁵ Also in 2018, in Denver two officers were

¹⁶ Hilliard, J. 2019. New Study Shows Police At Highest Risk For Suicide Of Any Profession. *Addiction Center*, 14 September. <https://www.addictioncenter.com/news/2019/09/police-at-highest-risk-for-suicide-than-any-profession/>

¹⁷ Violanti, J. 2010. Police suicide: A national comparison with fire-fighter and military personnel. *Policing an International Journal of Police Strategies and Management*. 33(2). DOI: 10.1108/13639511011044885

¹⁸ Aamodt, M., and Stalnaker, N. 2006. Police Officer Suicide: Frequency and officer profiles. *Police 1*, 21 June. <https://www.police1.com/health-fitness/articles/police-officer-suicide-frequency-and-officer-profiles-HFJ5hMgo5cnq6fA0/>

¹⁹ Moreno, D.2016. PTSD: The Hidden Toll of Policing. *Epoch Times*, 22 July. https://www.theepochtimes.com/ptsd-the-hidden-toll-of-policing_2115193.html

²⁰ Hartley, T. et al. 2013. PTSD Symptoms Among Police Officers: Associations With Frequency, Recency, And Types Of Traumatic Events. *International Journal of Emergency Mental Health*.15(4). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4734407/>

²¹ Washington Post. 2021. Fata Force database. <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>

²² PDI. 2020. Assaults on Officers. *Police Data Initiative*. <https://www.policedatainitiative.org/datasets/assaults-on-officers/>

²³ Uploaded to VideoLeakPolice Youtube channel as 'Body Cams Las Vegas Officers Involved Fatal Shooting With Thief Suspect on 8-1-17' on 4 August 2014. https://www.youtube.com/watch?v=60FDNNUrITk&ab_channel=VideoLeakPolice

²⁴ Uploaded to LehighValleyLive Youtube channels as 'Route 33 shooting dashcam video' on 9 August 2018. https://www.youtube.com/watch?v=YQL0mfx8X_E&bpctr=1603121881&ab_channel=lehighvalleylive.com

²⁵ Uploaded to LosAngelesTimes Youtube account as 'LAPD releases footage of North Hills shootout' on 8 September 2019. https://www.youtube.com/watch?t=34&v=n1RASEa2S1o&feature=youtu.be&ab_channel=LosAngelesTimes

flagged down by people telling them a man had pulled a gun in a crowded store and was waving it around. Again, the officers' day goes, in seconds, from normal life to an exchange of gunfire.²⁶

More recently in September this year two Tulsa officers were shot in the head, one fatally, by another suspect in a traffic stop.²⁷ In this case Twitter was very quickly filled with posts applauding the shooting of the officers.²⁸ If anything, the officers' primary fault was being too lenient with the suspect and not employing stronger force far sooner.

The Myths of Police Violence

MANY people think they have a good understanding of what happens in police shootings because they've seen or read about so many fictional versions. Maybe they've even watched copious videos, like some of those linked here that display bodycam or dashcam footage of actual incidents. Even so, without actually studying the literature on policy use of force it is very easy to be left with only a limited grasp of all the factors at play.

It is worth restating that this is not an argument that the police do not, sometimes, use excessive force or that their actions are, at times, unjustified. In some case there should be penalties, whether disciplinary or legal, for incompetent, foolish or a malicious officers. It is also quite evident that in many ways the disciplinary process is severely flawed and in need of major reforms.²⁹ What also

needs to be done, however, is to have an understanding of why violence is sometimes completely necessary.

1. Police are casual in their use of force

A significant majority of police officers never experience having to fire their gun while on duty,³⁰ but in the cases where they do it is never a trivial matter. While there are cases of bad shootings and bad officers, as I mentioned in my previous article in this series, both are rare and the system is designed to prevent the latter from occurring or going unpunished when it does. There are clear rules and procedures to follow and,³¹ though they vary by region and department, they share commonalities.³² They are also governed by clear laws, notably Graham V. Connor which established that an officer's use of force is justifiable insofar as it can be judged necessary by the information *reasonably* available to the officer at the time,³³ i.e. rather than second-guessing after the fact. This specific law is one of the reasons why it can be hard to obtain criminal convictions against officers for excessive or improper use of force,³⁴ since the standards for legitimacy are subjectively based upon the officer's understanding of the situation at the time. This does greatly swing the burden of proof to the victim's side but to do otherwise would make it almost impossible for police to carry out their duties. It is by no means an ideal system but to suggest that a lack of criminal charges mean that police are not disciplined would be to ignore the large number of officers discharged in the wake of complaints over their conduct. A study by

²⁶ Uploaded to 9News Youtube channel as 'RAW: Bodycam video shows shootout with armed robbery suspect outside Denver 7-Eleven' on 13 September 2018. https://www.youtube.com/watch?v=o7SoMA8CmKM&ab_channel=9NEWS

²⁷ Kiro 7. 2020. Oklahoma police shooting: Death penalty sought for man accused of killing Tulsa officer. *Kiro 7 News*, 8 September. <https://www.kiro7.com/news/trending/oklahoma-police-shooting-death-penalty-sought-man-accused-killing-tulsa-officer/3NRN65KTLJFEZA7NBHGF654SKU/>

²⁸ Archived image from Twitter social networking site. <https://i.redd.it/3au9etpzmg51.png>

²⁹ Stephens, D. 2011. Police Discipline: A Case for Change. *New Perspectives in Policing*. June. <https://www.ncjrs.gov/pdffiles1/nij/234052.pdf>

³⁰ Morin, R. and Mercer, A. 2017. A closer look at police officers who have fired their weapon on duty. *Pew Research Center*. 8 February. <https://www.pewresearch.org/fact-tank/2017/02/08/a-closer-look-at-police-officers-who-have-fired-their-weapon-on-duty/>

³¹ International Association of Chiefs of Police. 2016. Officer-involved shootings: A guide for law enforcement leaders. *Office of Community Oriented Policing Services*. <https://cops.usdoj.gov/RIC/Publications/cops-p350-pub.pdf>

³² NPF. Use of force infographic. 2021. *National Police Foundation*. <https://www.policefoundation.org/general-resources/use-of-force-infographic/>

³³ Supreme Court. 1989. *Graham v. Connor*, 490 U.S. 386 (1989). <https://supreme.justia.com/cases/federal/us/490/386/>

³⁴ Jannell, R. 2019. Police officers convicted for fatal shootings are the exception, not the rule. *NBC News*, 14 March. <https://www.nbcnews.com/news/nbcblk/police-officers-convicted-fatal-shootings-are-exception-not-rule-n982741>

USA Today compiled records of 85,000 officers investigated for misconduct and 30,000 officers who lost their police credentials due to violating procedures or the law itself,³⁵ and this is far from comprehensive. There are also other ways in which punishments can be applied³⁶ and civil cases against departments regularly result in damages that amount to millions of dollars and ensure departments have a financial incentive to instill discipline in officers.³⁷

The direct impact on the officers themselves is far from insignificant and PTSD can be a frequent result for officers who have had to shoot people,³⁸ even when the cases are unquestionably justified. While most officers recover from the trauma within three months, for others it is a more persistent problem which can severely impact their emotional health and personnel relationships.³⁹

For every instance of perceived callousness, like that of Caroline Small (a 2010 shooting where officers joked about her death after killing her), you will see others where it is clearly evident that the last thing the officer wants to do is kill, or even hurt, someone else. This can be officers spending twenty minutes trying to talk down a man claiming he has an explosive device,⁴⁰ or a female officer doing her best to avoid shooting a much bigger man who is trying to attack her.⁴¹ In many cases, suspects are actively trying to provoke police into shooting them, what is called 'suicide by cop'. In one case a young man calls police to inform them of an armed man acting erratically but the man he describes is himself.⁴² Luckily the officer who

arrives is able to patiently talk him down. The same thing occurs when police encounter an armed military veteran who represents a real danger not only to himself but also to the officers on the scene.⁴³

Among the changes that are needed in many police departments is more training to try to give officers the skills that were on display in the previous video. However, where a moment's hesitation can cost you your life, as we will see below, it is not realistic to expect all officers to be able to constantly display the levels of self-control and acceptance of personal risk that these responses require.

2. Police are more likely to use force against black people

This was the entire focus of my previous article in this series and I believe it effectively highlighted the fact that while police violence is, in specific cases, a serious problem, it is one that very clearly affects all people with higher incidents of police shootings linking directly to higher rates of involvement in violent crime. Even if you believe that officers have an implicit bias against black suspects there is no evidence that this makes them more likely to shoot black people, in fact, the opposite has been shown to be the case with tests finding officers to be, "less likely to shoot unarmed black suspects than unarmed white suspects."⁴⁴

Despite this, you will still find media commentators arguing that, "the problem here is, it seems as though when we have suspects...that are a little bit

³⁵ Kelly, J. and Nichols, M. 2019. Search the list of more than 30,000 police officers banned by 44 states. *USA Today*, 15 October. <https://www.usatoday.com/in-depth/news/investigations/2019/04/24/biggest-collection-police-accountability-records-ever-assembled/2299127002/>

³⁶ Gross, D. 2020. When officers in shootings are cleared, families turn to civil court. *Greenville Online*, 17 June. <https://www.greenvilleonline.com/in-depth/news/local/south-carolina/2019/09/29/police-shootings-civil-lawsuits-often-follow-after-officers-are-cleared/3541860002/>

³⁷ Corley, C. 2020. Police Settlements: How The Cost Of Misconduct Impacts Cities And Taxpayers. *NPR*, 19 September. <https://www.npr.org/2020/09/19/914170214/police-settlements-how-the-cost-of-misconduct-impacts-cities-and-taxpayers>

³⁸ Gerson, P. 1989. Patterns of PTSD among police officers following shooting incidents: A two-dimensional model and treatment implications. *Journal of Traumatic Stress*, 2(3). <https://onlinelibrary.wiley.com/doi/abs/10.1002/jts.2490020302>

³⁹ NIJ. 2006. Police Responses to Officer-Involved Shootings. *National Institute of Justice*. <https://nij.ojp.gov/topics/articles/police-responses-officer-involved-shootings>

⁴⁰ Uploaded to Youtube channel NJ.com as Full video: Fatal Vineland police-involved shooting on 19 July 2019. https://www.youtube.com/watch?v=yZV0EIV0e9A&ab_channel=NJ.com

⁴¹ Uploaded to ColumbusDivisionOfPolice Youtube channel as 'Great police work/de-escalation by Officer Linda Gutierrez!' on 14 march 2019. https://www.youtube.com/watch?v=L1BTzPyi9nk&ab_channel=ColumbusDivisionofPolice

⁴² Uploaded to FontanaPoliceDepartment Youtube channel as 'Body Camera Footage_Possible Man with a gun' on 9 December 2019. https://www.youtube.com/watch?t=146&v=YOM5TQw_sYE&feature=youtu.be&ab_channel=FontanaPoliceDepartment

⁴³ Uploaded to RockyMountainPBS Youtube channel as 'Dramatic video shows Pueblo officer saving suicidal veteran' on 5 February 2020. https://www.youtube.com/watch?v=d4xUfJKA7RA&ab_channel=RockyMountainPBS

⁴⁴ James, S. 2016. The Reverse Racism Effect: Are Cops More Hesitant to Shoot Black Than White Suspects? *Criminology and Public Policy*. 14 January. <https://onlinelibrary.wiley.com/doi/10.1111/1745-9133.12187>

more melanated...they seem to not make it out of the situations alive."⁴⁵ The CNN talking head continued, "Dylann Roof...was taken into custody alive and then was taken to Burger King to get a burger." The reason Roof was taken alive was because he surrendered peacefully without incident.⁴⁶ The reason he was given food from Burger King (not brought there) was because police have to provide meals to suspects and that was the most convenient source.⁴⁷ Unsurprisingly, just like Roof, when black suspects comply with police instructions they are frequently detained without serious violence, even when it would seem as though the police might have strong preferences for not taking them in alive.

Timothy Kenner stabbed nine people, including six children as young as three, and was taken alive.⁴⁸ Kory Ali Muhammed killed four people in an anti-white racially motivated shooting, and was taken alive.⁴⁹ Malcolm Orr shot an officer and left them for dead, but was taken alive.⁵⁰ Quentin Lamar Smith succeeded in killing two officers, but was taken alive.⁵¹ Marquith Lloyd killed his pregnant girlfriend and murdered a female officer, but was taken alive.⁵² Dmetrios Montgomery killed two police officers, but was taken alive.⁵³ I could continue for much longer, Brandon Bradley, John Mill Crocum, Andre Antonio Parker, Isaiah Martin, Everett Miller, and still be only referencing the tiniest fraction of such cases. The common factor in all of them being that the suspects complied fully with police instructions and made no threatening moves. Time and again, when you look

at cases where suspects were shot, the vast majority clearly show that these two stipulations were not followed.

3. Police use force even when not in danger

Studies have found that people's disapproval of the use of *legally justifiable* force has only increased over time and such views are most likely to be influenced by a person's race and their political leaning.⁵⁴ As previously mentioned the Graham vs Connor case made an officer's subjective assessment the standard measure of when violence exists, offering them qualified immunity, i.e. freedom from prosecution in such cases. The ruling was upheld by the Supreme Court in 2018's *Kisela v. Hughes* which highlighted the important fact that these protections are not a justification of the force used, which may have been excessive, but rather a reflection of the officer on the scene's right to make that judgment, even if they sometimes makes errors.⁵⁵

In 2018 when Saheed Vassell approached multiple people and threatened them with a metallic object that appeared to be a gun, the police were called.⁵⁶ On arrival, Vassell also pointed the object at them and they fired at him killing him. The fact that the object was not actually a gun in no way diminished the legitimate threat the officers believed themselves to be in. Despite this the shooting was still framed as the unwarranted killing of an "unarmed black man" and charges were sought against the officers involved.⁵⁷

⁴⁵ Wilmouth, B. 2018. CNN's Symone Sanders Wrongly Claims Police Took Dylann Roof to Burger King. *MRC NewsBusters*, 30 March. <https://www.newsbusters.org/blogs/nb/brad-wilmouth/2018/03/30/cnns-symone-sanders-wrongly-claims-police-took-dylann-roof-burger>

⁴⁶ Dunn, A. 2015. Shelby police chief describes arrest of Charleston shooting suspect. *Charlotte Observer*, 24 June. <https://www.charlotteobserver.com/news/local/article24952345.html>

⁴⁷ Uploaded to HLN Youtube channel as 'Answered: Why Dylann Roof was given Burger King' on 25 June 2015. https://www.youtube.com/watch?v=4qKPkrrXJ3I&ab_channel=HLN

⁴⁸ Moeller, K. 2018. 3-year-old birthday girl dies after Boise stabbing, suspect charged with murder. *Idaho Statesman*. 2 July. <https://www.idahostatesman.com/news/local/crime/article214197989.html>

⁴⁹ Rodrigues, R. 2020. Kori Muhammad trial: Jury reaches verdict for mass shooter who killed four. *Fresno Bee*, 22 April. <https://www.fresnobee.com/news/local/article241374011.html>

⁵⁰ JCST. 2017. Hampton County man gets 35-year sentence for shooting police officer. *Bluffton Today*, 10 August. <https://www.blufftontoday.com/jaspersuntimes/news/2017-08-10/hampton-county-man-gets-35-year-sentence-shooting-police-officer>

⁵¹ Shaffer, C. 2019. Man accused in Westerville cop slayings had criminal history in Cuyahoga County. *Cleveland.com*, 30 January.

https://www.cleveland.com/metro/2018/02/man_accused_in_westerville_cop_1.html

⁵² Wolf, C. 2017. Accused cop killer Markeith Lloyd indicted on two first degree murder charges. *Orlando Weekly*, 15 February. <https://www.orlandoweekly.com/Blogs/archives/2017/02/15/accused-cop-killer-markeith-lloyd-indicted-on-first-degree-murder-charges>

⁵³ WIS. 2007. Man charged in killing of two Charlotte officers. *WIS News*, 1 April. <https://www.wistv.com/story/6309323/man-charged-in-killing-of-two-charlotte-officers/>

⁵⁴ Mourtgos, S. 2020. Assessing Public Perceptions of Police Use-of-Force: Legal Reasonableness and Community Standards. *Justice Quarterly*, 37(5). <https://www.tandfonline.com/doi/abs/10.1080/07418825.2019.1679864>

⁵⁵ Supreme Court. 2018. *Kisela vs Hughes*. https://www.supremecourt.gov/opinions/17pdf/17-467_bqm1.pdf

⁵⁶ Uploaded to NYPD Youtube channel as 'Video of Police involved shooting on 4/4/2018 in Brooklyn in the 71 Precinct' on 6 April 2018. https://www.youtube.com/watch?v=zWIOnciDj2w&ab_channel=NYPD

⁵⁷ Cook, L. 2019. Cops in fatal shooting of Saheed Vassell will not be charged, attorney general says. *AM NY*, 29 March. <https://www.amny.com/news/no-charges-police-shooting-saheed-vassell-1-29134627/>

Officers in Minneapolis responding to a report of shots fired ended up chasing a suspect who drew a gun from his waistband and refused repeated orders to drop it.⁵⁸ Although he was running away from the officers and had his back to them, the significant danger he posed to both the officers and members of the public made it completely lawful for officers to shoot to stop him, which they did. Once again protestors called for charges to be filed against the officers.⁵⁹

The Reality of Violence

THERE is a repeated, and in many cases understandable, failure by many members of the public to appreciate the situations which police officers can be placed in and the legitimate dangers they face that make such violent responses necessary. Three of the key elements that are most frequently misunderstood are the distance at which someone represents a threat, the need to fire multiple shots, and the speed at which a situation can turn deadly.

1. Maintaining safe distance

When a police officer tells someone to keep their distance and the other person refuses, the officer has only a short window of time to decide how much danger that person represents. Even if already aiming at the suspect, the time it takes to mentally react to movement and then trigger a weapon can mean that someone can close the distance and launch an attack from a significant distance. The standard guideline is known as the 21-foot rule, i.e. a suspect within 21 feet will be able to close and attack an officer before they can draw, aim and fire their weapon. If a suspect is holding a knife or club this can be deadly. Even if apparently unarmed, they might, as they close, draw a hidden weapon. Studies have found that even 21 feet is too short a distance to guarantee a safe response,⁶⁰ while others have shown that when officers try to close with suspects and use physical force to subdue them they receive injuries

in between 10-20% of cases.⁶¹ These factors highlight why officers prefer to control the suspect from gunpoint at a distance, issuing orders to kneel, lie flat, or interlace hands behind backs. In this case, the officer gets far too close to a suspect and is lucky that it wasn't a fatal mistake.⁶²

This is why in some instances you see officers repeatedly ordering suspects to stay put and, when they ignore those instructions and approach officers while holding a weapon, the police shoot to kill.⁶³ While it can seem brutal or appear excessive, it is framed in the context of the legitimate threat posed to officers. In this instance the man shot had recently stabbed two women to death.

2. Ending the immediate threat

In the above case the police fire several shots - more, some would say, than absolutely necessary. There are two specific reasons, however, why multiple shots are the standard response, one physiological, the other practical. Officers are trained to fire until a threat is neutralised however, once you begin firing an automatic, or semi-automatic pistol, even in laboratory conditions devoid of threat, some officers complete six additional trigger pulls before their reaction to visual stimulus can transmit the 'stop' signal to their fingers.⁶⁴ When real danger and adrenaline are in play these factors only intensify such reactions so that officers frequently 'mag-dump', that is fire off their entire magazine before they realise the threat has passed.

The other element is practical, in that multiple shots are often absolutely necessary to stop some targets. Suspects are frequently able to not only survive but continue to fight after receiving serious wounds to vital areas. The textbook case being an incident where two suspects were hit multiple

⁵⁸ Uploaded to TIME Youtube channel as 'Minneapolis Police Release Bodycam Video From The Fatal Blevins Shooting' on 30 July 2018. https://www.youtube.com/watch?v=7mdeJ4djpzk&ab_channel=TIME

⁵⁹ AP. 2018. Activists block trains, protest Minneapolis police shooting. *MPR News*, 31 July. <https://www.mprnews.org/story/2018/07/31/protesters-to-call-for-arrest-officers-blevins-shooting>

⁶⁰ Martaindale, M. and Blair, J. 2020. A scientific examination of the 21-foot rule. *Police Practice and Research*, 31 May. <https://www.tandfonline.com/doi/abs/10.1080/15614263.2020.1772785?needAccess=true&journalCode=gppr20>

⁶¹ Smith, M. et al. 2010. A Multi-Method Evaluation of Police Use of Force Outcomes. National Institute of Justice. <https://www.ncjrs.gov/pdffiles1/nij/grants/231176.pdf>

⁶² Uploaded to 11Alive Youtube channel as 'Bodycam video shows officer dodging man with machete' on 16 October 2019. https://www.youtube.com/watch?v=uj9odRbkIC8&ab_channel=11Alive

⁶³ Uploaded to 9News Youtube channels as 'RAW: Knife-wielding double homicide suspect shot 7 times in Walmart parking lot' on 3 October 2018. https://www.youtube.com/watch?v=R4302G_80Zo&ab_channel=9NEWS

⁶⁴ Lewinski, J. 2014. Police Officer Reaction Time to Start and Stop Shooting: The Influence of Decision-Making and Pattern Recognition. *Force Science Institute*. 1 August.

times in the spine, lungs and head yet continued to kill two FBI agents and wound five others.⁶⁵

Both the above issues, the importance of maintaining distance and the necessity of multiple shots can be seen in the following videos, the first involving a suspect who rapidly closes a large distance despite being hit multiple times and who regains their feet and threatens officers a second time.⁶⁶ In another incident the armed suspect also closes within stabbing distance of the officer despite receiving several wounds.⁶⁷ These factors do not justify excessive force but they should offer important context as to why the number of shots fired alone is not evidence that officers have behaved immorally or outside official protocol.

3. Moments to see, assess and react

Perhaps the hardest factor for people who have not experienced it directly to assess is how incredibly quickly a situation can turn from perfectly normal to deadly and, when that happens, how difficult it can be to alter your thoughts to react to the sudden danger. In many cases, the ability of police to respond is based entirely upon training that has been drilled into them to the point that it becomes reflexive. While in some cases this can lead to tragic errors, without it police would be unable to safely place themselves in such situations of potential danger. We all like to believe that in an emergency we would react utterly calmly and in a complete sensible manner but the reality is that we would either be too stunned to react, or responding to a

huge surge of adrenaline that would prioritise physical responses over any careful thought.

The simple fact is that other people can act faster than you can react to them. Studies have shown that if a police officer has their gun pointed at a suspect who has their own gun by their side, the suspect will be able to raise and fire their gun before the officer can fire their own.⁶⁸ This can even lead to cases of suspects being shot in the back because they are able to raise their gun, fire and turn to run, before the officers decision to fire back has been mentally processed and sent to his finger. This is the specific reason why an officer has to make a choice about whether to shoot or not once they see a suspect reach for a potential weapon, if they wait until a weapon is visible, by that stage it will be too late for them to react before they themselves are fired upon.⁶⁹ Sadly, many suspects don't seem to understand that police instructions not to reach for their belt or another area, are a final warning.

There are countless examples⁷⁰ of the fact that a police interaction⁷¹ with a citizen can become deadly dangerous⁷² in the blink of an eye.⁷³ Even seemingly calm, relatively friendly conversations can,⁷⁴ without warning, turn into an attempt to kill officers.⁷⁵ As always, traffic stops have a particular danger of suspects suddenly drawing weapons.⁷⁶ The frequency of such events is the primary reason why police officers react in such an authoritarian manner to situations that, to other people, may seem devoid of any potential danger.

⁶⁵ Solomon, M. 2018. Episode One: April 11, 1986: The bloodiest day in FBI history. *Local 10*, 28 November. <https://www.local10.com/florida-files/2018/11/28/episode-one-april-11-1986-the-bloodiest-day-in-fbi-history/>

⁶⁶ Uploaded to 11Alive Youtube channel as 'Bodycam video show deadly officer-involved shooting from two angles' on 2 July 2019. https://www.youtube.com/watch?t=55&v=0kHVe1OtD4o&feature=youtu.be&ab_channel=11Alive

⁶⁷ Uploaded to ClickOnDetroit Youtube channel as 'Body cam video released of deadly confrontation between sheriff's deputy and stabbing suspect' on 14 July 2020.

⁶⁸ Blair, J., Pollock, J. and Montague, D. 2011. Reasonableness and Reaction Time. *Police Quarterly*, 5 October. <https://doi.org/10.1177/1098611111423737>

⁶⁹ Hontz, T. 1999. Justifying the Deadly Force Response. *Police Quarterly*, 2(4). <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.549.281&rep=rep1&type=pdf>

⁷⁰ Uploaded to CNN Youtube channel as 'Police officer shot at close range' on 11 August 2017. https://www.youtube.com/watch?v=884W4l3eoQg&ab_channel=CNN

⁷¹ Uploaded to ABC7Chicago Youtube channel as 'Raw videos in fatal Chicago police shooting of Harith Augustus in South Shore released by COPA' on 17 August 2018.

⁷² Uploaded to EuroNews Youtube channel as 'Startling video footage of police shooting suspect in Kentucky' on 2 April 2018. https://www.youtube.com/watch?v=pu9klZdj7EE&ab_channel=euronews%28inEnglish%29

⁷³ Uploaded to KHOU11 Youtube channel as 'Pasadena cop's body cam shows suspect being shot' on 30 March 2018. https://www.youtube.com/watch?t=18&v=2gmaBBUaxvo&feature=youtu.be&ab_channel=KHOU11

⁷⁴ Uploaded to ABC7 Youtube channel as 'Napa County Sheriff's Dept. releases graphic video of fatal shooting' on 21 February 2019. https://www.youtube.com/watch?v=ENoiZaRrBJ4&ab_channel=ABC7

⁷⁵ Uploaded to PoliceActivity Youtube channel as 'Bodycam Captures Moment Suspect Shoots At LMPD Officer From Close Range' on 19 May 2020. https://www.youtube.com/watch?t=98&v=_GiEY4Okxwk&feature=youtu.be&ab_channel=PoliceActivity

⁷⁶ Uploaded to AssociatedPress Youtube channel as 'Video shows struggle between fugitive, officer' on 8 January 2019. https://www.youtube.com/watch?v=4H93P3rEWRM&ab_channel=InsideEdition

Reframing the Narrative

It doesn't take much exposure to simulated police training scenarios, i.e. situations devoid of any actual danger to the participant, for people to rapidly reassess the beliefs they had held over police use of force. In one instance a reporter gave a perfect example of how suspects can draw and fire before an officer who already had his gun aimed.⁷⁷ After the simulation, due to the rush of adrenaline and concurrent tunnel-vision, the reporter was unable to tell what the man had been wearing and had entirely failed to spot the presence of a second suspect. In another case the reporter shoots two unarmed men in the chest, saying afterward, "its so easy to pass judgment on an officer's decision until you are literally standing in their shoes."⁷⁸ Another exercise involved an outspoken critic of police use of force, who also ended up shooting an unarmed man saying, "I felt there was an imminent threat.⁷⁹ I didn't necessarily see him armed but he came clearly to do some harm...it's hard to make that call, it shakes you up." He added, "I didn't understand how important compliance was but after going through this, yeah, my attitude has changed."

This is the key issue that people need to bear in mind; without having experience of what police officers go through it can be very easy to make judgments that are based upon a flawed and limited understanding of the elements involved. This doesn't mean that force is always justified or that reforms are not possible. Many police officers themselves are among the strongest proponents of reforms to existing policy, whether the attitude towards weapons in general,⁸⁰ or the clarity of information provided to officers by dispatchers.⁸¹ What it does mean is that in order to effectively criticise police policy you should first be familiar with the above issues and factor them into your critique so that it can avoid becoming a partisan tirade and instead offer practical solutions that have some realistic possibility of being implemented.

⁷⁷ Uploaded to 41ActionNews Youtube channel as 'KCPD takes reporter on a lethal force simulation' on 23 September 2016. https://www.youtube.com/watch?v=gNA6hakUwmY&ab_channel=41ActionNews

⁷⁸ Uploaded to WPTVNews as 'Shoot or don't shoot? Reporters try new use of force training at Boynton Beach Police Department' on 22 November 2017. https://www.youtube.com/watch?v=kadV_eTqkWI&ab_channel=WPTVNews-FLPalmBeachesandTreasureCoast

⁷⁹ Uploaded to Fox10Phoenix as 'Activist critical of police undergoes use of force scenarios' on 7 January 2015. https://www.youtube.com/watch?v=yfi3Ndh3n-g&ab_channel=FOX10Phoenix

⁸⁰ Del Pozo, B. 2019. I'm a Police Chief. We Need to Change How Officers View Their Guns. *New York Times*, 13 November. <https://www.nytimes.com/2019/11/13/opinion/police-shootings-guns.html>

⁸¹ Taylor, P. 2019. Dispatch Priming and the Police Decision to Use Deadly Force. *Police Quarterly*, 23(3). <https://journals.sagepub.com/doi/full/10.1177/1098611119896653>