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Police Shootings: A New Problem or Business as Usual?

by

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Over the past year there has been a heightened awareness of police brutality of the ugliest form: police officers who shoot and kill unarmed citizens. It has been suggested by many that this is a new phenomenon. Others suggest that police across the United States routinely kill unarmed people and that those killed are most often young Black men. Although statistics are not readily available on this point, the best estimate is that on-duty police officers in the United States shoot and kill approximately 1,100 people each year. Almost all of those shooting are found to be justified. That is, the officer had a reasonable apprehension of an imminent threat of deadly force or serious bodily injury being imposed against the officer or some other person. Until recently, investigations into fatal police shooting have relied upon officers' veracity in making statements and writing incident reports as the basis for a determination that an officer's use of deadly force was justified.

During the calendar years 2005-2014, only 47 police officers were charged with murder and/or manslaughter as a result of an on-duty shooting where an officer killed someone. To date, only 22% of these officers have been convicted. Juries seem reluctant to second-guess the split-second life-or-death decisions of police officers to employ deadly force in street encounters. So far in 2015 there have been 12 police officers charged with murder and/or manslaughter as a result of on-duty shooting. That is more than in any single year during the prior decade (although 11 officers were charged in 2007).

When an officer is charged with murder and/or manslaughter there are often one or more factors present: another officer gave a statement indicating that the shooting was not justified, the victim was unarmed, part or all of the incident was captured on a video recording, or the victim was shot in the back. It does not appear that there is a higher incidence of police officers shooting and killing someone without justification in recent years. It does appear, however, that the citizenry, media, and even the courts are much more skeptical of police claims of justification after having shot and killed someone.

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