

3-29-2019

On-Duty Police Shootings: Officers Charged with Murder or Manslaughter 2005-2018

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Repository Citation

Stinson, Philip M.; Wentzlof, Chloe A.; and Swinehart, Megan L., "On-Duty Police Shootings: Officers Charged with Murder or Manslaughter 2005-2018" (2019). *Criminal Justice Faculty Publications*. 98. https://scholarworks.bgsu.edu/crim_just_pub/98

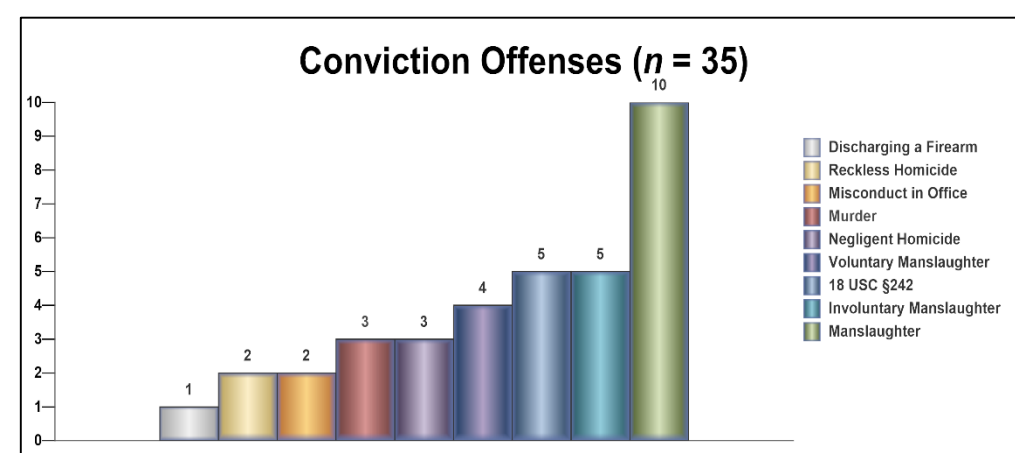
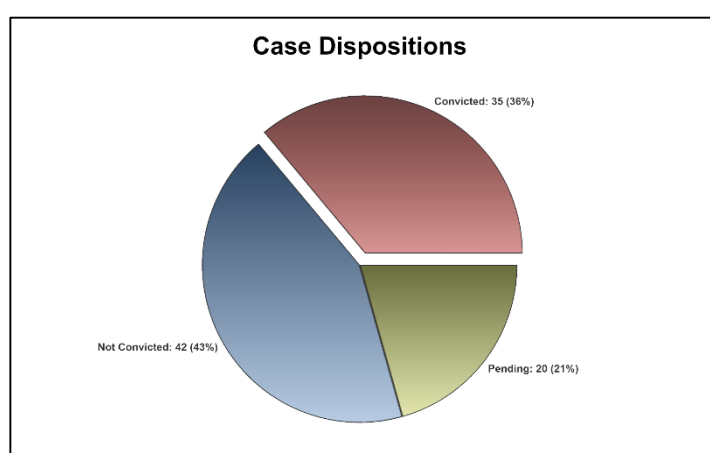
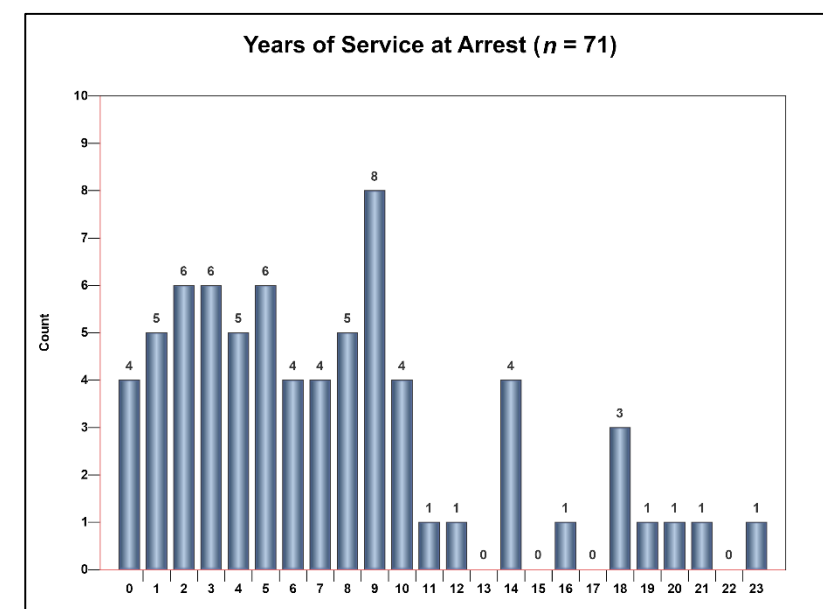
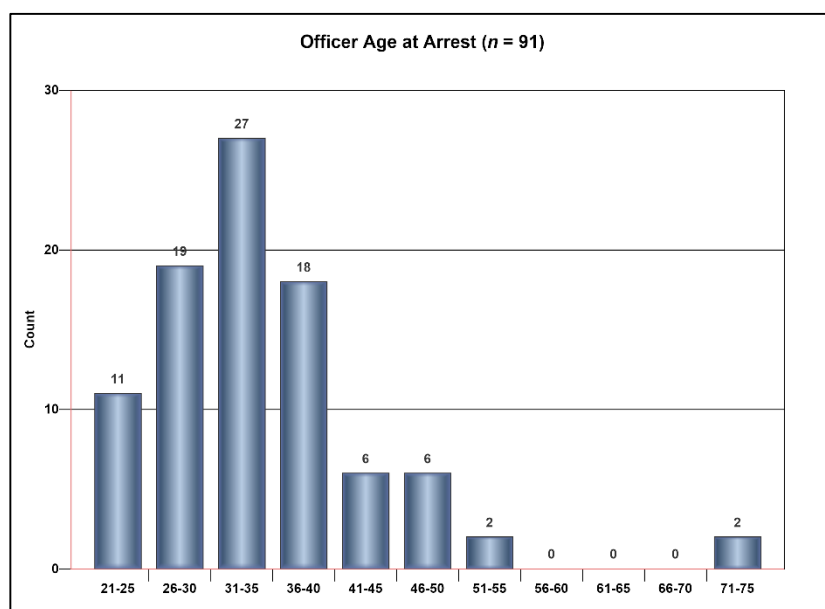
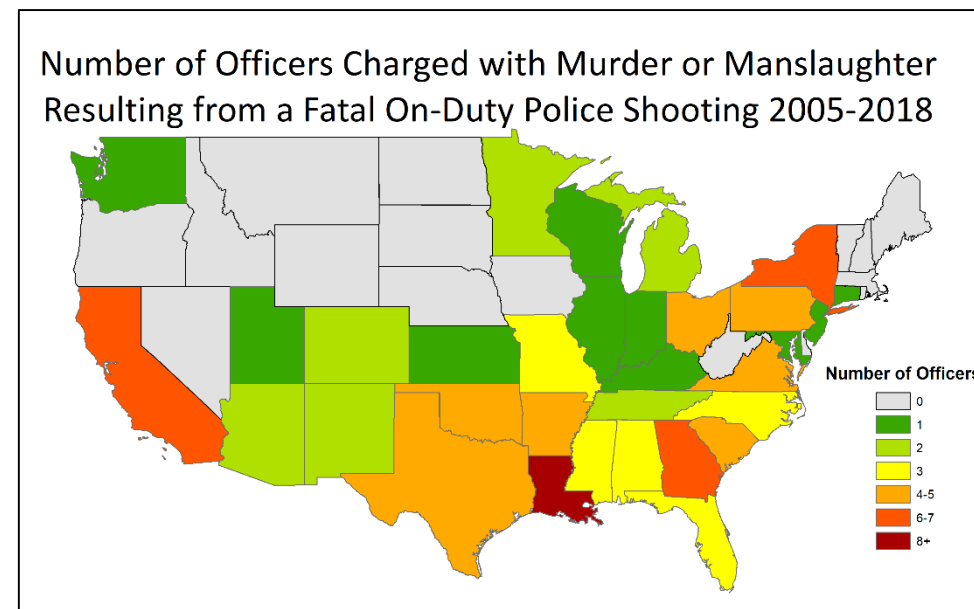
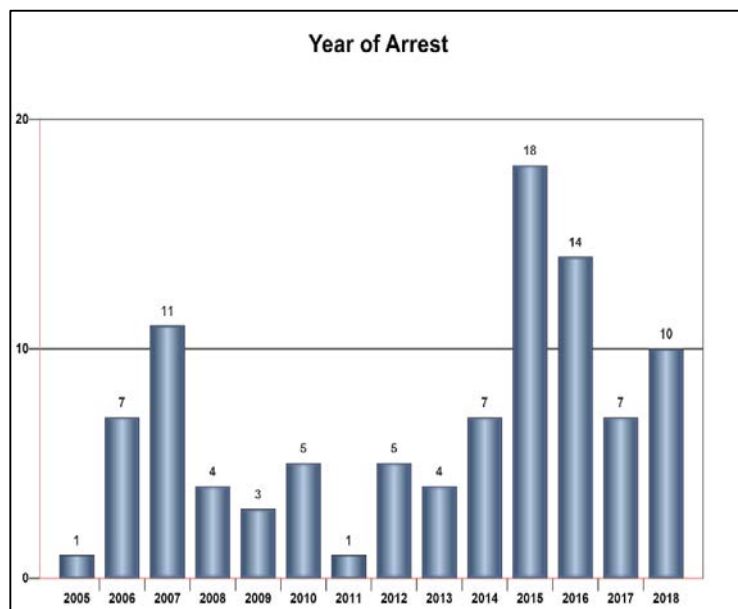
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ON-DUTY POLICE SHOOTINGS: OFFICERS CHARGED WITH MURDER OR MANSLAUGHTER 2005-2018

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ABSTRACT

There were 97 nonfederal sworn law enforcement officers with the general powers of arrest (e.g., police officers, deputy sheriffs, state troopers) arrested in years 2005-2018 for murder or manslaughter resulting from an on-duty shooting where the officer shot and killed someone at incidents throughout the United States. Of those 97 officers, to date, only 35 have been convicted of a crime resulting from the on-duty shooting. This poster presents data on the arrested officers, criminal case dispositions, race of arrested officers and their victims, weapons possessed by victims who were shot and killed by police, and related variables.

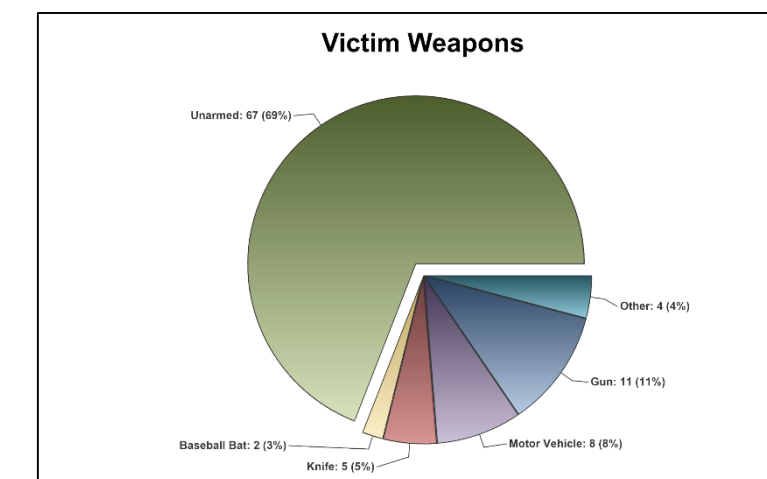


	n	(%)	n	(%)	
Convicted	35	(36.1)	Not Convicted	42	(43.2)
Jury Trial	19	(19.6)	Jury Trial	22	(22.7)
Bench Trial	0	(0.0)	Bench Trial	9	(9.3)
Guilty Plea	16	(16.5)	Dismissed by Judge	4	(4.1)
			Dismissed by Prosecutor	6	(6.2)
			No True Bill	1	(1.0)

	Convicted		Not Convicted		Pending		Total	
	n	(%)	n	(%)	n	(%)	n	(%)
Black	22	(22.7)	27	(27.8)	10	(10.3)	59	(60.8)
Nonblack	13	(13.4)	15	(15.4)	10	(10.3)	38	(39.2)
Total	35	(36.1)	42	(43.3)	20	(20.6)	97	(100.0)

	Convicted		Not Convicted		Pending		Total	
	n	(%)	n	(%)	n	(%)	n	(%)
Black	4	(4.1)	7	(7.2)	2	(2.1)	13	(13.4)
Nonblack	31	(32.0)	35	(36.1)	18	(18.6)	84	(86.6)
Total	35	(36.1)	42	(43.3)	20	(20.6)	97	(100.0)

Officer Race	Victim Race	
	Black	Nonblack
Black		
Convicted	2	2
Not Convicted	7	0
Pending	1	1
Nonblack		
Convicted	20	11
Not Convicted	20	15
Pending	9	9



	Convicted	Not Convicted	Pending	Total
	n	n	n	n (%)
Armed with Dangerous Weapon	10	14	6	30 (30.9)
Armed with Gun	3	5	3	11 (11.4)

	Convicted	Not Convicted	Pending	Total
	n	n	n	n (%)
Bodycam Video	4	7	5	16 (16.5)
Dashcam Video	6	3	1	10 (10.3)
Bystander Video	3	0	0	3 (3.1)
Other Video	1	3	5	9 (9.3)
No Video	21	29	9	59 (60.8)

METHOD

The data for this project were collected as part of a larger research study on police crime in the United States. It is a quantitative content analysis of data compiled from available news sources and court documents. Cases were identified using the Google News™ search engine and Google Alerts™ email update service. The sample for this project consists of nonfederal sworn law enforcement officers charged in years 2005-2018 with murder or manslaughter resulting from an on-duty shooting.

RESULTS

- 26 of the officers charged with murder or manslaughter resulting from an on-duty shooting had under 5 years of service as a sworn officer at time of arrest, and 18 officers had over 10 years of service (\bar{x} = 7.34 years of service).
- Officers ranged from 23 to 73 years old at the time of arrest (\bar{x} = 34.71 years old).
- The mode years for the number of officers charged were 2015 and 2016.
- 49 white officers shot and killed black victims (Table 4).
- 35 officers were convicted, 42 were not convicted, and the criminal cases for 20 of the officers are currently pending.
- As to the officers who were convicted (n = 35), 71.4% (n = 25) were convicted of murder, negligent homicide, reckless homicide, or various levels of manslaughter. Also, 28.6% (n = 10) were convicted of a lesser offense (e.g., 18 USC §242, misconduct in office, discharging a firearm).
- As to officers whose criminal cases ended in a nonconviction, 22 were acquitted at a jury trial, 9 were acquitted at a bench trial, 4 cases were dismissed by a prosecutor, and in 1 case no true bill was returned by the grand jury (Table 1).
- 30.9% (n = 30) of victims were armed with a gun or other dangerous weapon at the time of the shooting. 10 officers were convicted, 14 were not convicted, and the criminal cases for 6 of the officers are currently pending (Table 5).
- As to the cases with video evidence, 14 officers were convicted, 13 were not convicted and the criminal cases for 11 of the officers are currently pending (Table 6).

DISCUSSION

- Between 900 and 1,000 people are killed each year by on-duty police across the United States, but relatively few officers are criminally charged (Washington Post, 2019). Most on-duty fatal police shootings are found to be legally justified.
- Officers are justified in using deadly force when an officer has a reasonable apprehension of an imminent threat of serious bodily injury or death being imposed against the officer or someone else.
- Few officers are convicted because juries and courts are reluctant to second-guess split-second life-or-death decisions of police officers in potentially violent street encounters.