

X ISSUES IN THE STUDY OF POLICE USE OF DEADLY FORCE

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Back in 1971 when I first became interested in conducting a study of police officers killed in the line of duty and civilians killed by the police, there were but a handful of empirical studies on the topic. The best study at the time was by Gerald Robin published in 1963. Robin calculated fatality rates and was the first to note that blacks were being killed by the police at an alarmingly high rate. He compared black-white ratios of civilian deaths at the hands of the police across several cities. They ranged from a low of 5.8 blacks to one white in Akron, 7.4 to one in Chicago, to an incredible 25.2 to one in Boston and 29.5 to one in Milwaukee. The only southern city Robin included in his study was Miami, which killed blacks to whites on a ratio of 8.8 to one. The significance of Robin's study is that he showed cities have varying rates on police use of deadly force and that northern cities, including the city of brotherly love, Philadelphia, which killed blacks on a ratio of 21.9 to one, have much higher rates of killing blacks than at least one southern city, Miami.

Other comparative studies of cities have since been published verifying the extensive variation by city in rates of police use of deadly force (Knoohuizen, et. al., 1972; Uelman, 1973; Milton, et. al., 1977). The major problem in studying cities is that

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the researcher must rely upon police departments to supply the data, something the police are frequently reluctant to do. The FBI, however, does collect data by cities, but does not make them available to the public. As a result, we do not know whether Robin's 1963 findings on the ratio of black-white fatalities continue to hold or have changed during the past 15 years.

A serious neglect in the studies of police use of deadly force is the inadequate analysis of race as an explanatory factor. For example, Milton, et. al. (hereafter the Police Foundation report) studied police shooting victims in Birmingham, Oakland, Portland, Kansas City, Indianapolis, Washington, D.C. and Detroit. In the study, the researchers collapsed the number of black shooting victims into a percentage and compared it to the percentage of blacks arrested for the index crimes. The researchers failed to calculate the rates of black-white shooting victims. The report concluded:

The percentage of black shooting victims is disproportionately high in comparison with the percentage of blacks in the population; however, the figure corresponds quite closely to black arrest rates (sic) for Index Crimes.

There are serious problems with the conclusion. The researchers for the Police Foundation did not calculate rates, and if they had, then in order to test the conclusion quoted above, the comparison should have been made against another racial category, which they did not. Moreover, the findings reported do not

justify the implication that because blacks are more often arrested for serious crimes, there are more black shooting victims. In fact, the point becomes obvious a few pages later in the report.

The researchers for the Police Foundation discover there is no correlation between police shootings to index or violent crimes. The researchers explain that:

This is not surprising, given the fact that a sizeable number of shooting incidents occurred in conjunction with less serious offenses which are not reflected in Index or violent crime rates.

In other words, the rate of police use of deadly force, it turns out, is not related to the crime rate, index crime rate, violent crime rate, size of city, or the number of authorized police personnel per capita population.

Previous studies have shown that police shootings frequently occur during investigations of domestic disturbances or from police-civilian conflicts that arise out of minor offenses. Kobler, for example, reports that 30 percent of the civilians killed by the police were not involved in criminal activity (1975); Knoohuizen, et. al. (1972) in a study of Chicago police killings report that fully one-third occurred under highly questionable circumstances. Even the Police Foundation report admits that as many as 40 percent of the shooting victims were not involved in serious criminal conduct.

It is indeed unfortunate that the Police Foundation report is marred by shoddy scholarship; but a more serious criticism is that it perpetuates the assumption among police officials that blacks are killed by police in violent criminal situations.

To illustrate the point, I recently gave a talk in St. Louis in which I said: "The data on police killings of civilians suggest that police have one trigger finger for whites and another for blacks." A reporter for the St. Louis Post Dispatch interviewed police officials on my comment and wrote: "Police officials dismiss that attitude as preposterous. Blacks are killed because more of them are arrested than whites." (July 3, 1978)

Takagi (1974) studied national trends over time in police homicides by examining the deaths of male civilians ages ten and over by race. He discovered that black males have been killed by the police at a rate some ten times higher than white males. Between 1960 and 1972, police killed 1,899 black males and 1,914 white males in a population in which about ten percent are black. The rates of homicide due to police intervention increased over the years, beginning around 1962, but remained consistently at least ten times higher for blacks for the past 25 years.

The ratio of ten to one is a minimum because the Spanish speaking minorities - Mexican Americans and Puerto Ricans - are enumerated as whites. Kobler (1975) reported that 13 percent of the police shooting victims in his study were Spanish Americans. If the generalization can be made that Chicanos and Puerto Ricans make up 13 percent of the fatalities from police guns, then black males were killed by the police at a rate 13 times higher than white males. Thus, in examining the history of police killings

of blacks by arrest, index crime, or violent crime rates, there is absolutely no evidence to support the argument that black males commit these crimes at a rate 13 times higher than whites.

Race is a crucial variable and must be thoroughly analyzed in the study of police use of deadly force. The failure to do so results in either an apologetic for the high rate of blacks being killed by the police or worse, an enterprise in scientific racism.

Kania and Mackey studied police caused homicide by states for the period 1961-1970. The researchers calculated rates of police killings and proceeded to rank order the states. Georgia had the highest rate of police violence, Nevada was second, Mississippi, third, followed by Louisiana, New Mexico, Alabama, Missouri, California, and Florida. Illinois ranked 10th, Ohio, 13th, and New York, 14th. The states with the lowest rates of police violence were Hawaii, Maine, North Dakota, Vermont, Wisconsin, and Wyoming.

The ranking of the states were then correlated with measures of poverty and types of crime. Kania and Mackey found modest correlations between police violence and receipt of foodstamps, crude birth rates, receipt of welfare aid, homes without hot water, homes without television, homes without access to a car, and persons over 25 years of age without a high school diploma. The highest correlations were obtained with rate of violent crimes and rate of homicides. From these findings, Kania and Mackey concluded:

It can be predicted that, as the level of community

violence will fluctuate, so will that of police violence. Thus the police officer is reacting to the community as he perceives it, a perception which is usually correct.

Kania and Mackey's explanation of police use of deadly force is that communities get the number of police killings which they deserve. This is much too simple if not a gross distortion of their findings. The modest correlations on their measures of poverty need to be interpreted in their conclusions.

Kania and Mackey, unfortunately, did not examine race. If they had, that is, analyzed the percentages of blacks in the population, they would have obtained a rho of .685, a correlation that is statistically significant at the same level they found with violent crimes and homicide rates. What, then, do these findings mean? One way of proceeding is to examine the literature on homicides that include race and geographic region.

Following Wolfgang's study (1958) which showed that homicides tend to be intra-racial and occur principally among people in the lowest socio-economic stratum of American society, Gastil, in his study of homicides, hypothesized what he called "a regional culture of violence" (1971). Noting that violence and homicides tend to be concentrated in the southern states, the southern culture of violence is a tendency toward violent solutions, placing a premium upon knowledge, use, and ownership of guns, and that the culture of violence has been historically rooted since the middle of the 19th century. To explain the high homicide rates in the West and in northern industrial areas, Gastil explains that the southern culture of violence has subsequently spread over much of the country through (black?)

migration to western and northern urban centers. Gastil did examine socio-economic factors, but he argues that the historical persistence of homicides in certain geographic regions (before the occurrence of internal migration) requires a cultural explanation. (See appendix for a critique of Gastil's statistical analysis).

Gastil's "southern regional culture of violence" has been sharply criticized by Lofton and Hill (1974). Lofton and Hill show that homicides in the United States are highly correlated with measures of poverty. Taking almost the same indices of poverty as Kania and Mackey, Lofton and Hill, following the lead from Wolfgang's early study that homicides occur principally among the lowest socio-economic stratum, employed variables that measured the lower ends of the distribution of inequality and poverty. Lofton and Hill found that their poverty index was the most powerful predictor of state homicide rates and the regression analysis they employed washed out the index of southern regional culture employed by Gastil. (Lofton and Hill note the problems in applying regression analysis to state homicide rates. See their excellent discussion on pp. 722-723).

The implication from these studies on homicide is that police violence may turn out to be highly correlated with Lofton and Hill's poverty index, which, in turn, is related to percentages of blacks in the population (see Gastil and Lofton and Hill). All of these studies show that among the realities of being poor and black in the United States are interpersonal violence,

including black on black homicides and death from police guns.

The central issue, however, still remains: Blacks and whites experience different homicide rates as well as different rates of fatality from police use of deadly force. Gastil has shown that there is a strong relationship between race, age, income, education and homicide rates. Lofton and Hill confirm the existence of a high correlation between socio-economic factors and homicide rates. And Kania and Macky have also established a relation between police caused homicides, homicide rates and socio-economic variables. The research task that remains is that these findings need to be integrated into a single non-contradictory coherent analytic framework.

The homicide studies suggest that there is a close relation between poverty and the proportion of blacks in the population. While the researchers agree that poverty and race are related to homicide rates, there is no concensus on how the variables interact to directly or indirectly affect the black and white homicide rates. Despite their divergent conclusions, Gastil, and Lofton and Hill show that poverty and race are critical determinants of state homicide rates.

The relative effects of poverty and race may be evaluated by examining the different rates of homicides for blacks and whites. Simply put, is the black homicide rate higher because they are black, or is it because they are black and poor? It may be the case that blacks and whites of comparable poverty levels experience similar rates of homicide. If this were to be true, then one is forced to conclude that the structural



conditions of poverty are more crucial than race in understanding homicides. Alternatively, it may be that when we compare blacks and whites of similar socio-economic backgrounds, blacks still experience much higher homicide rates than whites. If so, it would then be necessary to conclude that race is the major variable in an explanation of homicides. In this way, we could also examine police caused homicides to elaborate the relationships reported in Kania and Mackey's study and to explain Takagi's findings that blacks are killed by the police at a rate 10 to 13 times higher than whites. While it is possible to study police caused homicides in this fashion, there is another problem that needs to be addressed.

In order to get at race (and racism) in the analysis of police caused homicides, it would be necessary to codify the circumstances of each death similar to what Knoohuizen, et. al. did in their study of Chicago police killings. The reason for this is that most studies collapse into a single category unarmed victims shot in the back with armed robbers who shoot it out with the police. For example, the police killings of Joe Campos Torres and Richard Morales in Texas, or the police killings of black ten year old Clifford Glover and black 15 year old Randolph Evans in New York City, or what the Washington Post called the "incompetence and the poor judgment (not to say the racism)" of the police in Prince George County in the killing of William Ray and the beating of Raymond Braxton (Jan. 4, 1978), can only be construed as attacks on a racial group.

Since being black and being poor are highly correlated, it is essential to study what is happening to the poor in American society. We have some clues from Brenner's recent study on the long range impact of unemployment (1976). He found that an increase of unemployment by a mere one percent sustained over a period of six years results in a subsequent 30 year period increases in the following social pathologies: homicides, suicides, cirrhosis of the liver (alcoholism), cardiovascular diseases, penal commitments and mental hospital commitments. We know from other studies in medical sociology that race and poverty are related to these pathologies. It is important to note that Brenner is not saying that unemployment is related to, for example, homicides. He is saying that unemployment over a period of time has long term consequences.

The official unemployment rates of anywhere from 6 to 8 percent conceal the subemployed, the discouraged job seekers, and the pauperized layers of the population. From Brenner's study and from studies of families during the Great Depression, there are clues which indicate that unemployment and subemployment have serious impact upon intr-family relations. Because the problems of "just barely making it" require more family members to work, children go unsupervised, and the families do not have the energy or time for cooperative human endeavors; the pressures of urban life permeates the most private domain of personal life. The tensions and frustrations set husband against wife, children against parents, neighbor against neighbor, and an increasing reliance upon secondary institutions, for example, the police,

to intervene in areas that were previously family and neighborhood functions. The very institution that is feared the most is relied upon in these poor communities.

A study of urban communities can have enormous implication for police practices and in the formulation of policy. Today, well meaning police scholars focus upon tighter gun control policies to deal with the high rate of police shootings. While a tighter gun control policy is a step in the right direction, it should be pointed out that the Police Foundation report noted that the rate of police use of deadly force is not related to the amount or type of police training or gun policy, including such provisions as a firearm review board. As the Police Foundation report admits: "...no study has yet extensively documented the impact of formal policies on the rate or nature of police shootings of civilians."

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## APPENDIX

Gastil's regional culture of violence thesis is at odds with the studies reporting a relationship between poverty and homicide. For this reason, we examine in greater detail Gastil's research procedure.

Gastil sets out to explain why the homicide rates among blacks and southern whites tend to be above the national averages. He argues that differential homicide rates are to be explained by differences in regional culture. In his view, economic and social status factors do not adequately explain the different homicide rates between whites and blacks or between northerners and southerners. Gastil hypothesizes on historical grounds the existence of a regional culture of violence born out of the ante bellum South. Internal migration since the Civil War diffused the southern culture of violence, and that the "differences between sections of the country in homicide rates can still be related to an inferred degree of Southernness based on migration patterns."

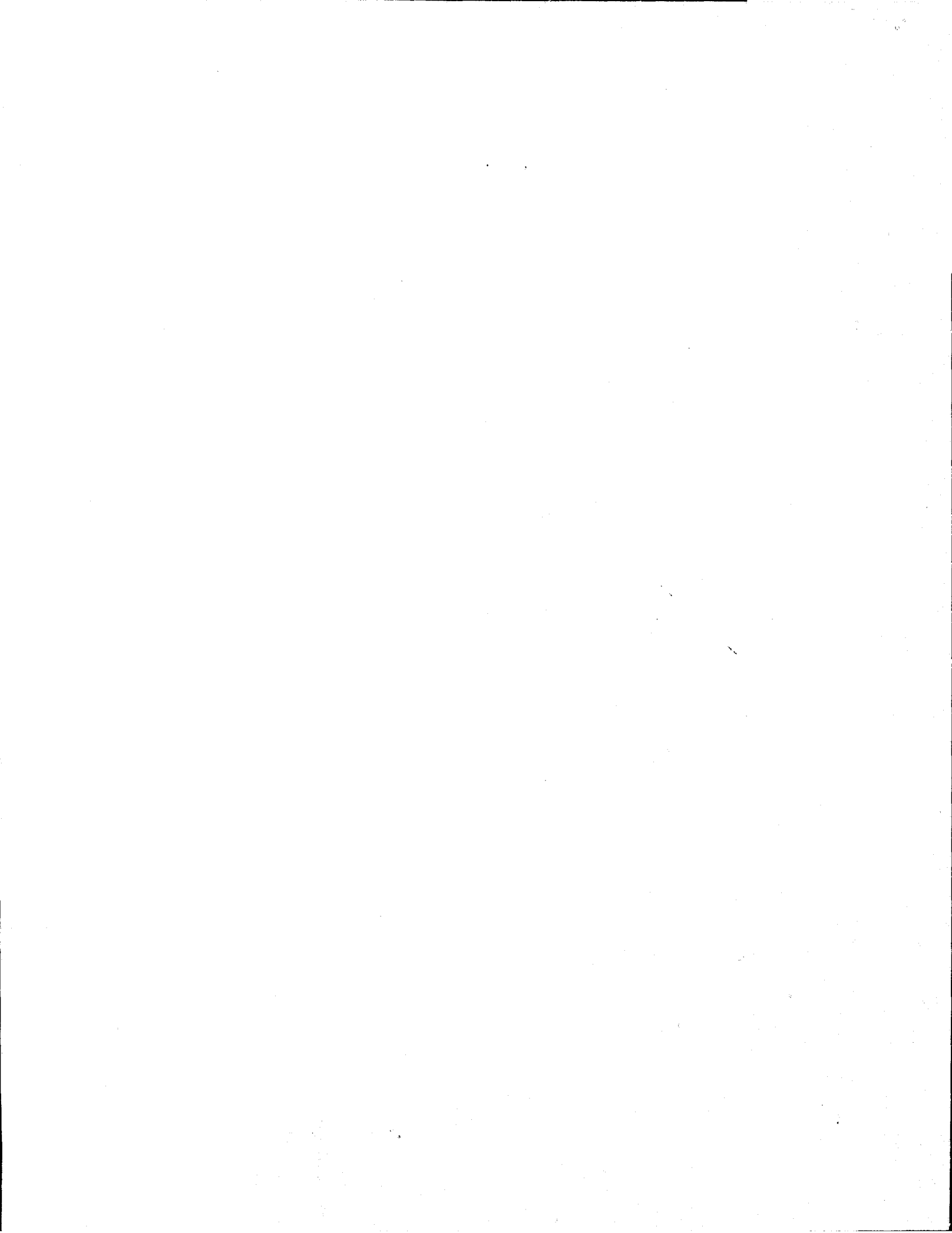
To measure the degree of Southernness Gastil constructed a Southernness Index (SI), having a range from 5 to 30. A score of 30 represents a high degree of Southernness while a score of 5 represents those states with no southern influence or a white southern population. He assigned only the scores 5, 10, 15, 20, 25, and 30 to the 50 states. SI is therefore a six point index reflecting the effect of migration. The other variables in the study are based upon the 1960 census - percentages of blacks, age, income, urbanicity, etc. Gastil describes his income and education variables as "median units." Two measurement problems become immediately apparent to the reader. Median income or median education mean that the great dispersions of actual income and education have been averaged out. Averaging income or education creates a problem because they are not properly coded variables for input into a regression analysis employed by Gastil. To assess correctly the relation of income to homicide, income needed to be coded in dollars. Moreover, to measure the effects of social status and, therefore, poverty, one cannot assume a

continuous variable; one is either poor or not poor.

In the first regression, Gastil finds that SI accounts for 74.6 percent of the variation in homicide rates. The proportion of blacks in the population explains an additional 7.9 percent, age explains an additional 4.8 percent, and income, 1.1 percent (Table 4, 421). Gastil notes that "it is characteristic of this form of regression that the relative influence of the first variable entered appears to be more than it is, even if there are low inter-correlations." In an effort to show the importance of SI, Gastil runs another regression where the SI is forced to enter the equation last. He finds that proportion of blacks in the population accounts for 66 percent of the variation, and SI adds only 3.65 percent of the explained variation (Table 4a). An explanation of this contradiction is supplied by Lofton and Hill (723). They correctly argue that SI is not independent but is strongly related to the other structural variables, namely, race, education, income, etc.

Aside from the problems in Gastil's regression analysis, it is important to note that Gastil reports a very large correlation of .86 between SI and state rates of homicides. Such an unusually high correlation between homicide and a "cultural" variable deserves careful scrutiny. SI, as constructed by Gastil, is actually a measure of geographic distance from the South and not a measure of "regional culture." Recall that Gastil's original research question was to explain why homicide rates are higher in the South than in other areas of the country. The correlation between SI and state homicide rates can be simply explained without using the computer. Southern states have higher homicide rates than non-southern states! Gastil admits that a factor analysis was not performed; if it was performed, it is highly likely that homicides rates and states would have combined to form a single factor.

SI is therefore not a measure of regional culture. Moreover, that SI is a near identical measure of homicide rates means that to use SI in a multiple regression to explain homicide rates is like proving boiling water is hot.



**END**