

HFG RESEARCH AND POLICY IN BRIEF

"Who Got the Camera?"

Bringing Race and Police Killings into Focus

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Introduction

On May 25, 2020, George Floyd, an unarmed 46-year-old Black man, died after lying under the weight of a Minneapolis police officer's knee for a reported eight minutes and 46 seconds. Before succumbing, Floyd writhed in pain on the pavement and pled with the assembled officers for lifesaving aid, repeatedly uttering that he could not breathe. Ghastly images of the encounter were captured on a bystander's smartphone and quickly went viral, reigniting smoldering racial tensions concerning an ever-expanding list of Black lives lost as a result of questionable police actions.

The unsettling facts surrounding Floyd's death have resulted in a steady stream of nationwide and global street protests. Moreover, several civil rights leaders have proclaimed that public backlash surrounding Floyd's death seems different than after preceding high-profile tragedies. Floyd's murder mobilized a racially diverse coalition of social justice advocates, who have demanded sweeping public safety, economic, and political changes. Further, shortly after Floyd's killing, rallying cries to defund the police or outright dissolve departments gained traction with several groups pushing police reform, including some quarters of the Black Lives Matter (BLM) movement. While activists' initial demands understandably might have stemmed from profound anger, fear, and emotional fatigue regarding historical racial oppression, shared definitions of divestment or abolition and clear strategies for pursuing them were often lacking. The early calls to defund police eventually coalesced around the idea of tactically redirecting public funds to social service organizations so that rank-and-file officers would no longer shoulder responsibility for public safety functions that might best be handled by other trained professionals.

Interestingly, a recent Pew Research Center survey demonstrates waning support for the BLM movement (since June 2020) among White and Hispanic adults. On the other hand, Black and Asian adults' backing has held firm. Against the backdrop of public upheaval, some police union leaders have asserted that officers are increasingly reluctant to carry out their sworn duties, fearing that lawful enforcement actions might result in unwarranted public scrutiny, harsh departmental discipline, and even politically motivated criminal prosecutions. Moreover, the longstanding mistrust of police among many Black citizens and their renewed impassioned pleas for justice have been cited by some defenders of the police as evidence of irrevocable disdain for the profession.

Black residents of distressed urban communities are sometimes inaccurately portrayed as tolerant of persistent crime and disorder (Brunson and Wade 2019). To the contrary, people of color living in challenging conditions often implore municipal leaders for more effective public safety initiatives, including increased police presence. In addition to reporting grave concern about their physical safety, Black citizens often simultaneously lament that those responsible for implementing crime-control strategies lack requisite compassion (Brunson and Miller 2006).

Mischaracterizations of lawful protest against longstanding biases in the criminal justice system as unpatriotic potentially deepen our nation's partisan and racial divides, undercutting opportunities for meaningful police reform. The harm resulting from unsupported claims of pervasive anti-police sentiments in Black communities and appeals to White citizens' racialized fear that increased crime will result from "de-policing" (Rosenfeld and Wallman 2019) is especially dangerous for law-abiding residents of disadvantaged Black communities, places where violent crime is disproportionately concentrated and effective policing desperately needed. Police relations with Black citizens are historically complex and fragile, requiring a nuanced analysis that humanizes both parties – an approach sorely missing from contemporary public discourse. An improved understanding of this relationship is possible by exploring the attitudes and expectations that members of each group bring to emotionally charged encounters.

More than fifty years ago, reflecting on the 1965 Watts Riots, Municipal Judge Loren Miller cast light on the wellspring of tensions between police and Black residents: "The people distrust the police and the police distrust the people. They [both] move in a constant atmosphere of hate" (*Time* 20 Aug. 1965). Judge Miller's sobering observations still ring true. In the absence of research-informed initiatives to change this relationship, inhabitants of urban Black communities will continue to feel both unprotected *and* aggressively policed. And police will continue to feel threatened, especially as their legitimacy further erodes with each publicized incident in which a Black citizen dies at the hands of the police.

Over- and Under-Policing Threaten Police Legitimacy

Research has consistently found that officers' perceptions of potential danger, shaped by neighborhood social and physical conditions, have important implications for understanding the intricacies of police work (Klinger 1997; Kane 2002). Further, scholars have repeatedly demonstrated how the ethnic make-up of communities matters for rolling out policing strategies borne of order-maintenance approaches, initiatives predicated on the belief that serious crime (e.g., gun violence) might be prevented if officers devoted greater attention to arresting persons who commit minor offenses (e.g., graffiti, panhandling, loitering) (Wilson and Kelling 1982). Critics of such "proactive policing," however, warn that rounding up scores of low-level offenders exacerbates racial disparities in the criminal justice system, worsening already precarious police relations with minority communities.

A sizeable body of scholarship indicates that when officers are perceived as executing their duties in a procedurally just manner, citizens are prone to view them as legitimate. This important finding makes sense on the assumption that people are more likely to obey the law when they are convinced

that officers truly possess moral authority. This process-based model of policing suggests that citizens might even tolerate unfavorable outcomes (e.g., traffic tickets, arrests, summonses) if they believe that the means officers used to reach decisions were impartial (Hollander-Blumoff and Tyler 2008). Conversely, hostility, resentment, and mistrust of police are foreseeable byproducts when citizens believe that they are frequently targeted for needless police attention.

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Confirming the complex nature of police relations with minority communities, many of the same environmental conditions related to over-policing also contribute to weariness with ineffective policing among residents of high-crime neighborhoods, leading to complaints that disadvantaged Black neighborhoods are simultaneously over- and under-policed. Allegations of under-policing center around perceptions of poor service delivery (e.g., slow response times, discourtesy, displays of apathy, unsolved murders) and a belief that the police are either unable or unwilling to control crime in impoverished Black communities but are seemingly adept at doing so in affluent White neighborhoods (Leovy 2015).

Race, Place, and Officer-Involved Killings

The decision-making calculus that police officers use to distinguish between law-abiding and law-violating individuals is imperfect (Brunson and Miller 2006) and further complicated by officers' shared views of where and within whom dangers most likely lie (Terrill and Reisig 2003). As well, a growing body of research demonstrates that young Black males bring distinct opinions about officers to their interactions with them. In particular, young Black men report more police harassment and mistreatment than their White counterparts, who describe being subjected to unwelcomed police attention in a narrower set of circumstances: "(1) while in the company of Black males, (2) when in racially mixed or majority Black neighborhoods, or (3) while dressed in hip-hop apparel" (Brunson and Weitzer 2009:866).

Research examining the impact of race and place on urban Black youths' attitudes toward the police reveals that Black male adolescents view police wrongdoing as "multi-faceted, intimately tied to their status as young men in disadvantaged communities, but nonetheless ultimately, inescapably, about race" (Brunson and Miller 2006, 634). Given aggressive law enforcement strategies and beliefs that both officers and Black citizens bring to tense encounters, we are perhaps fortunate that lethal clashes between them do not occur more often.

It is well established that Black parents and other elders often feel compelled to discuss law enforcement etiquette with Black youths in the hope of keeping them safe during involuntary police encounters. In addition to reports from civil-rights organizations, research confirms that careful instructions for dealing with the police are a staple of many Black youths' socialization processes (Brunson and Weitzer 2011). That is, Black parents strategically forewarn their children about what they consider looming and inescapable racial animus, particularly in the form of police brutality. It is perhaps telling that there is no corresponding indication that White elders warn their youth about the likelihood of police violence.

Knowledge gaps concerning whether, and if so how, suspect race operates in dubious police actions should be expected given the warning issued in 1968 by President Lyndon B. Johnson's Kerner Commission that, "our nation is moving toward two societies, One Black, One White – separate and unequal" (National Advisory Commission on Civil Disorders, 1968, p. 1). Simply put, Black and White citizens historically and presently live in vastly different social worlds. Therefore, sociologists have faced a difficult challenge when attempting to disentangle the impact of race from that of attributes of disadvantaged communities in general (e.g., poverty, female-headed households, joblessness, incarceration) in explaining unsettling police practices. This is because the urban disadvantage found in the poorest Black neighborhoods is ecologically unmatched (see Sampson and Wilson 1995; Sampson and Bartusch 1998; Weitzer 1999). That is, a poor Black person typically lives in conditions of concentrated disadvantage that most equally poor White persons do not experience. The national unmasking of the volatile relationship between police and Black citizens in the summer of 2020 confirms that the Kerner Commission's dire premonition about growing racial strife and inequality was apt.

Tracking Police Use of Deadly Force

On August 9, 2014, Officer Darren Wilson shot and killed unarmed, 18-year-old Michael "Mike" Brown in Ferguson, Missouri, a majority Black municipality in North St. Louis County. The incident became a flashpoint for simmering U.S. race relations and for many Blacks Americans represented an all-too-familiar racial dyad of officer-involved killings: White officer/Black suspect. The continuing disproportionate deaths of Black Americans at the hands of police since then—George Floyd, Eric

Garner, Freddie Gray, Walter Scott, Breonna Taylor, and others—have served as a catalyst for collective action. The movement that has come to be known as Black Lives Matter has been at the forefront of this activity. It preceded the Michael Brown killing, arising in 2012 and 2013 from grassroots activism after George Zimmerman, a neighborhood-watch volunteer in Sanford, Florida, fatally shot an unarmed young Black man, Trayvon Martin, a killing for which Zimmerman was acquitted at trial. BLM has a considerable social media presence and political platform, employing revolutionary language and impromptu acts of civil disobedience. BLM protestors intentionally seek to disturb the peace in the hope of heightening their social justice agenda, asserting that without such actions, mainstream America will continue to ignore issues disproportionately and adversely impacting Black lives (Hockin and Brunson 2018).

In response to public shock over the lack of accurate national data on deadly police killings, in 2015 the *Washington Post*¹ and *Guardian*² newspapers both began gathering and sharing statistics on fatal police killings. There are also independently maintained websites that collect and make publicly available data on police killings (e.g., killedbypolice.net and fatalencounters.org). In 2015, the U. S. Department of Justice (DOJ) announced that it too would begin compiling national data on officer-involved shootings. Despite launching a pilot program in 2017, the DOJ's promise of a nationwide, standardized database remains unfulfilled.

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The disproportionate use of lethal force against Black Americans (and, to a lesser degree, against Hispanic Americans) is a problem within a problem. With a remarkably stable yearly toll of just over 1,000 victims per year, American police kill *all* citizens, including White ones, at a rate at least a dozen times that of police in (for example) England, Western Europe, and Scandinavian countries (Hirschfield 2015a, 2015b).

¹ A WASHINGTON POST ANALYSIS REVEALED THAT FBI DATA UNDERCOUNTED POLICE FATAL SHOOTINGS BY AS MUCH AS 50% BECAUSE INDIVIDUAL DEPARTMENTS ARE NOT MANDATED TO REPORT. MANY DO NOT.

² THE POST'S ANALYSIS INCLUDES POLICE FATALITIES ONLY BY SHOOTING—WHICH MAKE UP THE GREAT MAJORITY OF POLICE KILLINGS—WHEREAS THE GUARDIAN'S INCLUDED ALL FORMS OF POLICE KILLINGS. HOWEVER, THE GUARDIAN ONLY BRIEFLY COLLECTED DATA, FOR THE YEARS 2015 AND 2016.

This difference from other advanced industrial countries in police killings undoubtedly has to do, at least in part, with another striking difference between the U.S. and comparable nations: the abundance of guns in private hands in the United States—more than one per person—by contrast with their rarity in other nations. In this country, it is not unreasonable for a police officer to worry that a citizen he or she stops will have a gun. The fact that state rates of police killings of civilians are correlated with state rates of gun ownership (Hemenway et al. 2018; Nagin 2020) may be evidence of this concern.

Racial disproportionality is the problem *within* that problem. It is quantified in the facts that, according to the *Washington Post*'s database of police shootings since the beginning of 2015 (5,865 victims as of December 2020), 26% of the people fatally shot by a police officer were Black but Black Americans are only 13% of the U.S. population. Whites, on the other hand, constitute about 60% of the U.S. population but only 51% of those killed by police. These statistics correspond to rates of death by police gunfire of 14 per million for Whites and 34 per million for Blacks, nearly 2.5 times the White rate.

Contrary to a widely held belief about police killings, most people killed by police are armed at the time of the incident. In the *Post* data, 60% of both Black and White victims were reported to have a gun at the time of the incident, and nearly 90% of victims had some sort of weapon (gun, knife, vehicle, toy weapon, or "other"). Here again, though, a racial discrepancy is evident: Of the 1,407 Blacks shot by police in this period, 9% were unarmed, by contrast with 5.8% of the 2,697 Whites killed.

Beyond the consistent finding that Black Americans are disproportionately represented among those fatally killed by police, it has proven especially tough for scholars to establish how this disproportion arises. At a minimum, three factors must be considered: 1) the rate at which police kill Black versus White citizens *within* police encounters, 2) a possible disproportion in the rate at which police *have* encounters with Black as compared to White citizens, and 3) how much of *that* disproportion—if it exists—can in turn be ascribed to Black-White differences in rates of offending and how much to unconscious or conscious police biases.

This area of research is heavily dependent upon administrative data gathered, maintained, and contextualized by police departments themselves, making it difficult to unmask the complex dynamics of possible racial bias underway during deadly force incidents (Klinger et al. 2015; Fryer 2019). Without reliable, systematic data on the frequency of police-citizen encounters and lethal force usage, scholars can offer only limited scientific guidance regarding how much of the disparity in police killings of Black citizens can be attributed to racial bias. And, in turn, limitations on social science research greatly hinder the efforts of policymakers who are so inclined to respond in an effective way to the reverberating calls for wholesale police reform.

These data limitations are complicated by the proliferation of handheld smartphones that allow bystanders to record dubious police encounters and live stream or immediately post them to social media (Hockin and Brunson 2018). While such independent documentation may provide increased police accountability, it may also inadvertently distort public opinion regarding how often, and under what conditions, officers are most likely to use lethal force.

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While heightened public interest in determining how often and under what circumstances citizens are killed by police is understandable, the limited focus on fatalities obscures the fact that, similar to civilian-on-civilian shootings, officers' bullets often miss their intended targets and, even when struck, the majority of those wounded by police survive. Without systematic and comprehensive official data regarding lethal *and* nonlethal officer-involved shootings, however, we cannot fully explore whether there are differences in how often officers discharge their weapons at Black versus White citizens. But given the case-fatality rate of gunshot wounds—about 22% (Cook et al. 2017)—it is reasonable to estimate that, even if police shooting incidents tend to be more deadly than others, police shoot at least 3,000 people each year.

Officers in some jurisdictions may exhibit greater restraint in the use of deadly force than their counterparts in other locales. The organizations where officers appropriately dispense their duties should be modeled, while those engaging in patterns and practices of excessive use of force should be held accountable. Again, however, these determinations are not possible without compulsory collection of standardized data.

A Path Forward

The American public has grown increasingly interested in addressing allegations of widespread racially biased policing practices, a troubling matter for a society that tirelessly promotes, but repeatedly falls short of honoring, a commitment to the equitable treatment of all its citizens. Patterns of discriminatory policing strike an especially raucous chord with those Black citizens who view contemporary policing strategies through a historical lens. Historians and legal scholars have established that, in addition to functioning as slave patrols, surveilling and limiting Black Americans' physical movement, early law-enforcement officers were instrumental in a wide range of illegal activities: mob action, torture, and countless killings of freed Black people.

In Ice Cube's 1992 song referenced in the title of this brief, the rapper decries various forms of police brutality that he did or might have experienced during a traffic stop involving the Los Angeles Police Department before sadly concluding "...but if I had a camera, the shit wouldn't matter." The artist's sentiment is one routinely expressed by the many Black Americans who have come to view the criminal justice system as yet another White supremacist regime that not only has routinely failed but was never intended to protect Black citizens and deliver justice to their communities.

Pundits have frequently referred to George Floyd's murder as a critical inflection point for beleaguered U.S. race relations. Mr. Floyd's gut-wrenching death, with its resulting barrage of corporate statements condemning racism, together with new leadership in Washington that unapologetically campaigned on meaningful criminal-justice-system reform, offers a crucial opportunity for change. The Biden-Harris administration could reform the Department of Justice by focusing on buoying citizen confidence in several ways: (1) more firmly embracing evidence-based crime policy, (2) mandating effective police-accountability measures, and (3) seriously developing a nationwide database, based on mandatory police reporting, documenting a wide range of police-citizen encounters.

Our gravely fractured nation is at a crossroads and does not have the luxury of waiting for yet another blue-ribbon panel to issue policy recommendations that, like nearly all of the 59 guidelines issued by the 2015 President's Task Force on 21st-Century Policing, were ignored by the next administration. "The camera" has made vivid to the whole nation a reality that has too often been known directly by our Black and Brown communities. The raft of police-related laws enacted by state legislatures in the wake of George Floyd's killing reflects this growth in the public's recognition of the need for reform, even if we lack consensus on the details of that reform. High-quality research by social scientists can and should play a central role in providing those details.

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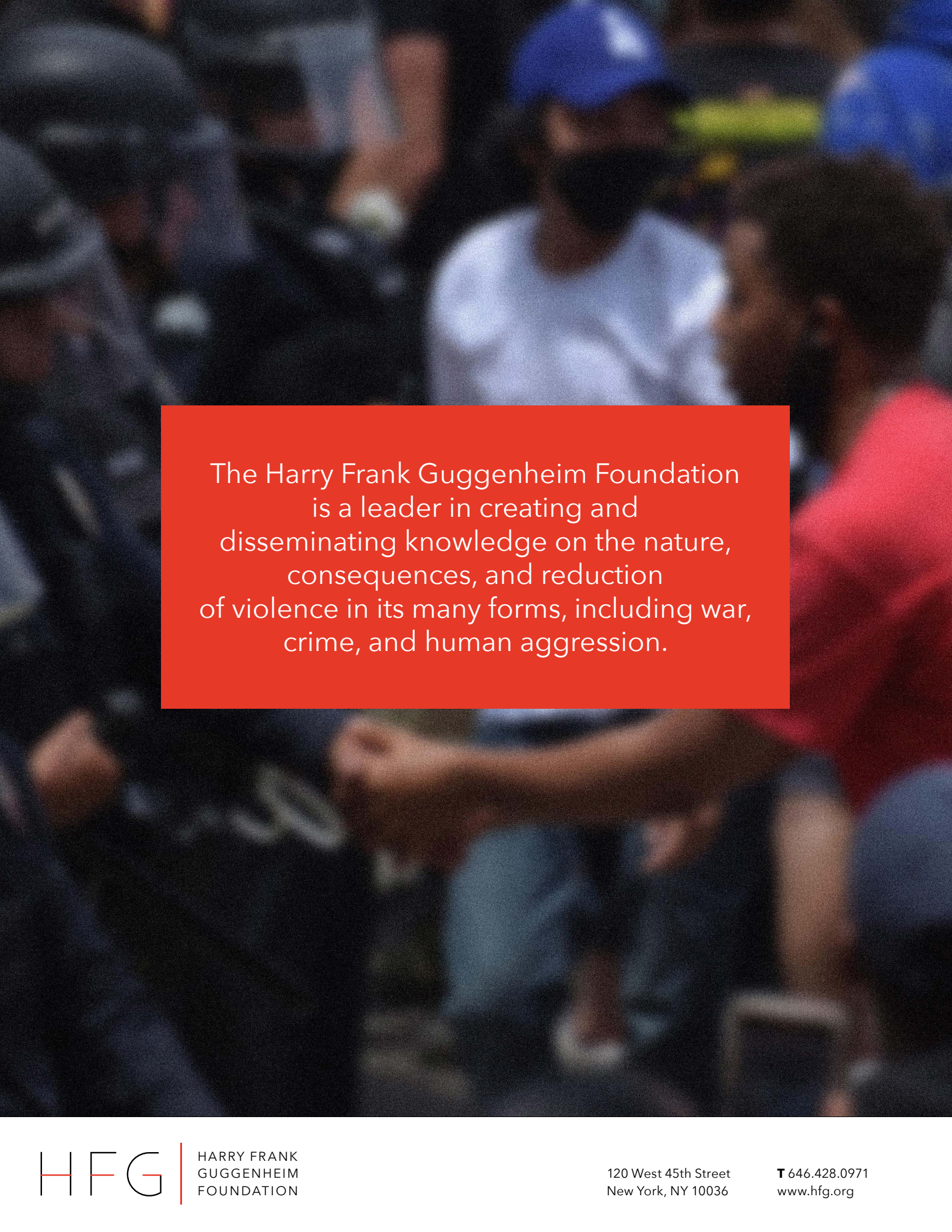
The author affectionately borrows the title phrase, "Who Got the Camera?," from a song on Ice Cube's 1992 album, *The Predator*.

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