

CURBING COP'S USE OF DEADLY FORCE

By Vernon E. Jordan, Jr.

News reports of deaths and serious injuries inflicted by police officers on suspected felons occur with depressing regularity. Throughout the 1970's an average of almost one person per day was slain by police officers.

This is a festering sore that undermines effective law enforcement, subverts community cooperation with police, and endangers the lives of civilians, especially those in minority groups.

Disproportionate numbers of the victims of police use of deadly force have been minorities -- roughly half are black and Hispanic. And there is evidence that white victims most often have been armed and facing the officer, while minority victims have been unarmed and shot in the back while fleeing.

In almost every case, the officer doing the shooting has been white. An examination of deadly force in New York City reveal that no black officer has ever mistakenly shot a white youth whom the officer thought was armed. The reverse though, has been all too common.

Incidents have been piling up in recent months. In Texas, the Hispanic community has demanded federal investigation of persistent police abuses. Over the past two years, 15 Hispanics have been killed and there have been more than 150 instances of police brutality charged.

In New York, a policeman shot and killed a 15-year old black youth whom he said had pulled a gun on him. Other officers present at the scene testified it was not true -- that the youth had not threatened the officer. Until the courts intervened, it looked as if the officer would be released from confinement in a mental institution. He was also trying to get a disability pension.

At the very moment you are reading these lines, somewhere in the U.S. a community is being shaken by an incident of police use of deadly force -- it is that common an occurrence.

The pattern too, is pretty well established. A killing is followed by an investigation which often clears the officer. If the case is too blatant to cover up, the officer may be brought to trial, often on a lesser charge. The case most often ends with acquittal or, at best, a very light sentence which itself is often suspended.

Many police departments are setting strict rules on the use of weapons. But in many cases the rules are flexible enough to allow continued incidents. Even mild rules are often fought by police officers who charge they are exposed to threats to their own lives if they are not given greater leeway in using their own judgment on the use of firearms.

The police and the public are captivated by the myth that policemen use their guns because their own or other people's lives are threatened, or because they are trying to capture a dangerous armed criminal.

But the facts are otherwise. The Police Foundation studied seven major cities over a two-year period. It found no relation between police shootings and serious crimes. In fact, about two-fifths of the police shootings occurred during routine traffic stops and disturbance-of-the-peace calls.

So self-defense is no explanation for the use of deadly force, nor is the need to capture a dangerous criminal a valid explanation for many shootings. Further, many incidents involve off-duty, out-of-uniform policemen.

The time for strict, universal standards on the use of force and weapons is long overdue. Where standards have been applied, the number of incidents decreases. In one city that barred officers from shooting at juveniles except in self-defense, the number of police victims nose-dived.

Policemen are law-enforcers. Their duty is to apprehend law-breakers. It is up to the courts to punish, within the limits set by the law. When a policeman shoots, or when he kills, he becomes judge, jury and executioner.

The Justice Department should consider taking the initiative by drafting a model code for the use of firearms that local forces should adopt. And another positive step would be to increase the number of minority officers. Their very presence could well serve to inhibit their fellow-officers who are so free with their weapons when incidents involve black and brown suspects.

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