

## **POLICE SHOOTINGS: UNDERSTANDING THE DYNAMICS**

### **Richard B. Parent**

By the very nature of their profession, police may at times be confronted with a potentially lethal threat. In most of these instances, police personnel will have no other option but to discharge their firearm in order to protect their life or, the life of others. A recent study of police shootings in British Columbia revealed that several factors have played a significant role in the *outcome* of a shooting incident. These factors include:

#### **1). The Commission Of A Serious Criminal Offence**

During five fatal shootings, the deceased had just committed a serious criminal offence. In one additional incident, the deceased was wanted by the police as he had recently committed several serious criminal offences. These offences include murder, attempted murder, robbery, aggravated assault and drug trafficking.

In the majority of these cases, members of the public had been victimized and had requested that the police attend to deal with the perpetrator of the crime. On occasion, the suspected individual(s) had completed their criminal activity and were fleeing from the scene when police officers arrived. In all of these instances, the police officers were required by law and profession to arrest and detain the suspected individual for court purposes as well as to ensure that the offence would not be re-committed. However, upon recognizing the interveners as police officers, the suspect(s) reacted with a lethal threat to the officer(s) or innocent bystanders.

- During one incident, two plain-clothes police officers were engaged in a stake-out, attempting to locate an individual who had committed several serious crimes. As a result of the individual's criminal activities, there was an outstanding nation-wide warrant issued for his arrest. Upon locating the wanted individual, the police officers identified themselves. This immediately prompted the suspect to produce a loaded hand gun and level it at one of the officers. The two police officers responded with deadly force as they feared that their lives were in imminent danger.
- During one incident, the attending police officer observed what appeared to be a hostage taking that took place after the commission of a serious criminal offence. The suspect had committed a robbery and had escaped from police officers at the scene. While being pursued on foot by a

police officer, the suspect was observed by a second officer. The second police officer observed what appeared to be a weapon in the possession of the fleeing suspect and believed that the suspect was about to take a hostage. In response, the officer discharged his firearm owing to the perception that an innocent by-stander was about to face a lethal threat.

- During one incident, the Emergency Response Team was summoned to deal with an armed drug trafficker who had barricaded himself in his residence. As the team members attempted entry to the suspect's fortified residence, a gunfight ensued. The suspect had responded to the intervention by shooting and killing a police officer. After the incident was over, the suspect also succumbed to a fatal wound.
- During two incidents, uniformed police officers were routinely patrolling their respective areas when they were suddenly dispatched to a reported crime in progress. Shortly after arriving at the designated location, the officers faced a perceived lethal threat. Upon suddenly confronted by the police, during the commission of a crime, the suspect(s) responded by threatening the lives of the police officers or an innocent bystander. During both of these incidents, the suspect(s) were in possession of loaded hand-guns while committing their crimes.
- During one incident, two police officers were summoned to deal with three suspicious males. One of the three appeared intoxicated and as a result was arrested. During the arrest, the two police officers were overpowered. The suspect took each of the officers' guns and began shooting at the police officers. One of the officers was able to obtain a shot gun from his vehicle. The police officer, fearing for his life, shot and killed the suspect before the latter could discharge any further rounds at him and his partner.

In summary, during five of these six incidents, *the suspect(s) had attempted to kill the apprehending police officer(s)*. The deceased individuals either levelled a gun at the officers or had actually fired their weapon at the police. In one of these incidents, a police officer was killed. In another incident, a police officer was hit and wounded by the assailant's bullet.

## **2). Alcohol/Drugs**

In addition to the commission of a serious criminal offence, the *significant* consumption of alcohol and or drugs by the deceased suspect is believed to be present in over half of those cases

involving the police use of deadly force. It was frequently reported that the deceased had a *very high level* of impairment at the time of his or her death.

### **3). Mental Disorder/Irrational Behaviour**

Mental disorder, or characteristics consistent with that of a deranged and irrational person, were displayed by roughly half of the individuals who were shot and killed by the police. These findings are based upon the actions and behaviour of the suspect during his/her encounter with the police. Also noteworthy is that, in roughly one third of these instances, the deceased had a recorded history of mental disorder. Most frequently, schizophrenia was cited as the primary condition in the deceased's documented history of mental disorder.

### **4). Mistaken Facts**

During one incident, police officers entered a residence during the execution of a search warrant for narcotics. Upon entering the residence they were suddenly confronted by an individual pointing a rifle. In response one officer fired a single shot, killing the individual. It was later learned that the firearm was in fact a non-lethal pellet rifle and that the individual had been target practicing inside his residence moments before the police unexpectedly entered.

A subsequent police investigation and a Coroner's Inquest determined that, although the shooting was an unfortunate incident, it was legally justified due to the circumstances. The evidence indicated that the police officer who fired the fatal shot feared that his partner was going to be shot by the deceased. It was only *after the fact* that it was possible to determine that the rifle was a pellet gun.

### **5). Victim-Precipitated Homicide**

The term victim-precipitated homicide refers to those killings in which the victim is a direct, positive precipitator of the incident. Victim-precipitated homicide, that is essentially an act of suicide refers to those incidents in which an individual, determined on self-destruction, engages in a **calculated** life-threatening criminal incident in order to **force** a police officer or another individual to kill him or her. The characteristics associated with victim-precipitated homicide include the existence in the individual of a desire to die that is accompanied by a direct and conscious role in his or her own death and, the fact that the death was primarily a consequence of the decedent's own actions.

The psychological characteristics on the part of the individual include a general sense of depression, hopelessness and low self-esteem. This condition may be accompanied by actions that include self-inflicted wounds, statements of suicide or statements reflecting the desire to die. It is within this context that the suicidal individual confronts the police officer, with a real or perceived lethal weapon, thereby forcing the latter to respond with deadly force.

In eight separate cases, individuals displaying irrational or bizarre behaviour had engaged the police in a life-threatening manner, prior to being shot and killed. In addition to their bizarre behaviour, these suspects often displayed several of the characteristics associated with a disposition towards taking one's own life. These suicidal characteristics were readily apparent in the suspect's actions, statements, and demeanour immediately prior to his/her death.

Sources: Parent, Richard B. (1996) *Aspects Of Police Use Of Deadly Force In British Columbia: The Phenomenon Of Victim-Precipitated Homicide*. Masters Thesis. Simon Fraser University.