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The Shooting of Michael Brown in Ferguson, Missouri

Two Sets of Questions

1. **Policing in the US at large.** *Do police officers disproportionately target blacks? Do police officers disproportionately kill blacks? How often do police officers abuse their power if at all? When is a police officer justified in killing a citizen?*

2. **Specific to the Ferguson shooting.** *Was officer Wilson justified in killing Michael Brown? Was it necessary to fire as many as 9 bullets? Did officer Wilson exercise excessive force? Had officer Wilson been adequately trained not to overreact in difficult and stressful situations? What was Michael Brown doing at the time of the incident or before? Was Michael Brown a threat for officer Wilson?*

Today We'll Look at Some General Issues Regarding Policing in the US

Wednesday We'll Look
More at the Specifics of
the Ferguson Incident

A Critical Commentary of Bill O'Reilly's *Talking Points* and His Statistics

NOTA BENE:

This is not a comprehensive examination of policing in the US.

O'Reilly's *Talking Points* are a starting point for discussion.

Police Don't Kill People Often

"In 2012, the last stats available from the FBI there were about 12 million arrests in the U.S.A. That averages out to 34,000 arrests per day. In 99.9 percent of those cases, the perpetrator was not killed by police. In fact, just over 400 fatal police shootings a year are recorded in this country, according to the FBI. So let me restate -- **12 million arrests a year, 400 fatal shootings, many of them justified.** And Al Sharpton has the nerve to insult the American police community, men and women risking their lives to protect us."

–O'Reilly, Fox News

Given the context, O'Reilly is using the FBI statistics to attack the race-based claim that police are disproportionately targeting blacks and that, as Al Sharpton put it, "*we have had enough*".

But Let's Look Closer

O'Reilly's FBI Statistics

According to FBI statistics for 2012, there were 12 million arrests of which 400 involved fatal shooting. (That's 0.0033 percent of 12 million)

The FBI statistics are **self-reported**. It is the police deciding whether to report a fatal arrest or not. Because of the self-reporting, the FBI statistics are **biased in favor of the police**, so the 400 number is probably lower than the actual number.

Still, Let's Assume the FBI Statistics
Given by O'Reilly Are Accurate

According to FBI statistics for 2012, there were 12 million arrests of which 400 involved fatal shooting. (That's 0.0033 percent of 12 million)

O'Reilly is telling us that police officers kill citizens only rarely.

But are these statistics at all relevant?

Are they relevant for the question
whether the officer was justified in killing MB?

Are they relevant for the question
whether police officers disproportionately kill blacks?

An Imaginary Dialogue

Protester: A white police officer killed a black kid, Michael Brown.

O'Reilly: That's terrible. But, you know, statistics show that police officers do not kill citizens very often, only very, very, very rarely they do so.

Protester: It doesn't usually happen, but it happened. Why do you cite statistics about what *usually* happens if we're talking about a *specific case*?

O'Reilly: Well, it might be that the officer was justified. We should give the officer the benefit of the doubt. Innocent until proven guilty.

Protester: Well said.

O'Reilly: So, what's your point?

Protester: If your concern is whether the officer was justified or not in killing Michael Brown, I do not see why you mentioned these statistics. The fact that — *usually* — police officers do not kill people has no bearing on whether the officer — *in this particular case* — was justified in killing. So, again, what's the point of the statistics you mention?

(A) Consider This Argument

- (1): Police officers do not kill people often (FBI stats)
- (2): Officer Wilson killed only one black kid, Michael Brown
- (C): Therefore, Wilson was justified in killing Michael Brown

Is this argument deductively valid?

Is this argument inductively valid?

NO

Are the FBI statistics relevant for the question *whether Wilson was justified in killing Michael Brown?*

NO

The Imaginary Dialogue Continued

O'Reilly: True, the statistics have no bearing on the particular case, but still, the statistics show that police officers do not usually kill. They are no monsters as the leftist media want them to depict.

Protester: No one in her right mind says that police officers kill people all the time! Those who protest are angry at the police because **police officers disproportionately kill blacks**.

O'Reilly: So, what's your point?

Protester: My point is that your statistics do not help us address the question whether police officers disproportionately kill one racial group, blacks, compared to another, whites. They are useless and misleading statistics!

The Issue Isn't How Often Police Officers Kill People, but Whether They Kill Some More Than Others



(B) Consider This Argument

- (1): Police officers do not kill people often (FBI stats)
- (2): Officer Wilson killed only one black kid, Michael Brown
- (C): Therefore, police officers do not disproportionately kill blacks

Is this argument deductively valid?

Is this argument inductively valid?

NO

Are the FBI statistics relevant for the question *whether police officers disproportionately kill blacks?*

NO

What Are the FBI Statistics for?

According to FBI statistics for 2012, there were 12 million arrests of which 400 involved fatal shooting. (That's 0.0033 percent of 12 million)

The FBI statistics cannot help us answer the question *whether the officer's shooting was justified.*

The FBI statistics cannot help us answer the question *whether the police disproportionately kill blacks.*

Why did O'Reilly mention these statistics if they are irrelevant for the most important questions in the shooting of Michael Brown?

O'Reilly's Second Set of Statistics

The truth is that
91 % of black
homicide victims
are killed by other
blacks

Let's assume the reported
statistics are correct.

Blacks are Often Killed by Other Blacks

“Black boys being murdered in the context of Ferguson. Are you kidding me?

The truth is that 91 percent of black homicide victims are killed by other blacks -- 91 percent. Yet, that woman tries to mislead folks by accusing American law enforcement of shooting down young black men in the streets.”

—O'Reilly, Fox News

Given the context, O'Reilly is using the black-on-blacks murder statistics to attack the claim that police officers are disproportionately killing young blacks (“black boys being murdered”)

But Let's Look Closer

Another Imaginary Dialogue

Protester: A white police officer killed a black kid, Michael Brown.

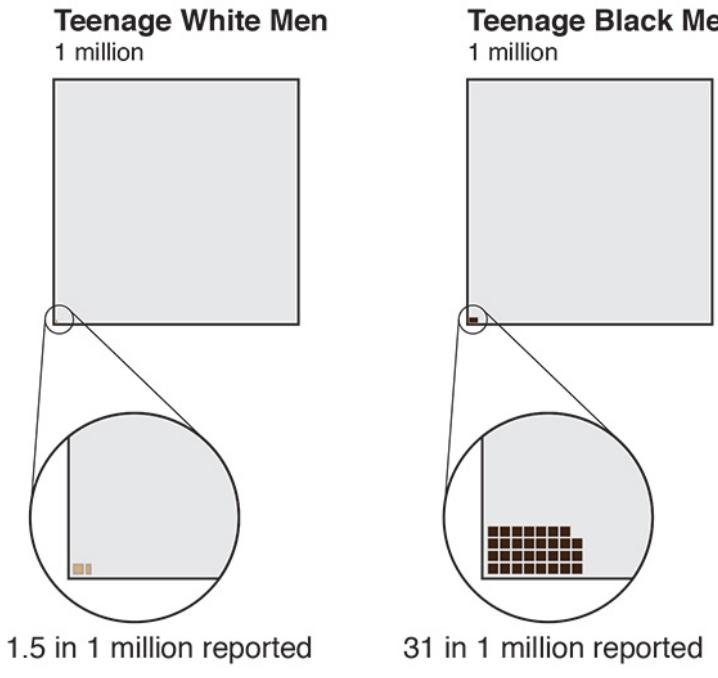
O'Reilly: That's terrible. But, you know, statistics show that most of the time blacks are killed by other blacks.

Protester: But —*in this case*— it was a white officer who killed a black kid. So, what are your statistics good for in our discussion?

O'Reilly: They show that officers do not kill black kids often. Other blacks do.

Protester: If your concern is how often officers kill black kids, you should tell us *how often officers kill black kids compared to white kids.*

The Statistics O'Reilly Ignored



Reported killings by police during 2010-2012

21 times as likely for black vs. white teenage men

(Jonathan Stray/ProPublica)

*—Deadly Force, in Black and
White, PRO PUBLICA*

http://www.propublica.org/article/deadly-force-in-black-and-white#disqus_thread

“The 1,217 deadly police shootings from 2010 to 2012 captured in the federal data show that blacks, age 15 to 19, were killed at a rate of 31.17 per million, while just 1.47 per million white males in that age range died at the hands of police.”

By dividing 31.17 by 1.47, one gets 21. This value can be interpreted as saying that **young blacks are 21 times more at risk of being killed by the police than whites**.

To Recapitulate — O'Reilly's Statistics

According to FBI statistics for 2012, there were 12 million arrests of which 400 involved fatal shooting. (That's 0.0033 percent of 12 million)

The truth is that 91 % of black homicide victims are killed by other blacks

Both are irrelevant for answering the crucial questions in the Michael Brown case.

Why does Fox News feed Americans with irrelevant statistics?



Two Things to Keep in Mind About Statistics

1. Are they relevant?

Statistics can be intimidating because we feel they are like facts we cannot dispute. What we can dispute, however, is whether they are relevant for the issues on the table. O'Reilly's statistics did not seem to be relevant.

2. Are they “absolute” or “comparative”?

There is a difference between (a) the crime rate in the US is low (*absolute*) and (b) the crime rate has increased since last year (*comparative*).

There is a difference between (a) officers do not usually kill people (*absolute*) and (b) officers kill more blacks than whites (*comparative*).

Comparative statistics are often more relevant than absolute statistics.

Some More Statistics O'Reilly Did Not Mention About Policing in the United States

Data are from

“Special Report – Contacts Between Police and the Public, 2008”

The Bureau of Justice Statistics, US Department of Justice

TABLE 13**Enforcement actions taken by police during traffic stops, by demographic characteristics of drivers, 2008**

Demographic characteristic	Number (in thousands)	Percent of drivers who were—					
		Total	Arrested	Ticketed	Issued a written warning	Given a verbal warning	Allowed to proceed with no enforcement action
Total	17,596	100%	2.6%	55.4%	17.0%	9.7%	15.3%
Sex							
Male	10,287	100%	3.5%	55.9%	16.4%	9.0%	15.3%
Female	7,309	100%	1.4	54.9	17.8	10.6	15.3
Race/Hispanic origin							
White ^a	12,873	100%	2.4%	53.1%	17.7%	11.2%	15.6%
Black/African American ^a	1,841	100%	4.7	58.3	14.8	6.0	16.2
Hispanic/Latino	2,034	100%	2.6	62.9	15.0	4.5	15.0
Other ^{a,b}	710	100%	0.9!	65.0	15.7	7.5!	10.8
Two or more races ^a	137	100%	4.2!	74.4	12.7!	2.4!	6.2!
Age							
16–19	1,294	100%	2.1%!	56.7%	21.2%	9.2%	10.7%
20–29	4,840	100%	4.4	57.1	15.5	9.3	13.5
30–39	3,665	100%	2.9	60.9	15.4	7.7	13.1
40–49	3,452	100%	1.5	54.8	18.2	9.3	16.3
50–59	2,587	100%	1.3!	50.9	17.6	12.3	18.0
60 or older	1,758	100%	1.5!	46.4	17.7	12.1	22.4

Note: Data on the types of enforcement actions taken by police were reported for 99.6% of traffic stop cases. Detail may not sum to total due to rounding. Separate statistics on the racial categories that make up the other race category are not shown due to too few sample cases to obtain reliable estimates. See appendix table 13 for standard errors.

! Interpret data with caution; estimate based on 10 or fewer sample cases, or coefficient of variation is greater than 50%.

^aExcludes persons of Hispanic origin.

^bIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

TABLE 14

**Stopped drivers who were searched by police,
by demographic characteristics, 2002, 2005, and 2008**

Demographic characteristic	2002	2005	2008
Total	5.0%	4.7%	5.0%
Sex			
Male	7.1%	6.7%	7.4%
Female	1.8	1.5	1.6
Race/Hispanic origin			
White ^a	3.5%	3.6%	3.9%
Black/African American ^a	10.2	9.5	12.3
Hispanic/Latino	11.4	9.1	5.8
Other ^{a,b}	2.9!	4.5!	2.1!
Two or more races ^a	~	7.9!	8.6!
Age			
16–19	8.9%	9.8%	7.0%
20–29	6.6	7.9	9.0
30–39	6.4	3.3	4.5
40–49	3.4	3.2	2.5
50–59	1.5	2.2	2.5
60 or older	--	0.2!	1.6

Note: Data on whether police searched a stopped driver or vehicle in 2002 were reported for 98.2% of traffic stops, in 2005 for 96.2%, and in 2008 for 99.5%. Persons of Hispanic origin were excluded from all other race categories. See appendix table 14 for standard errors. Separate statistics on the racial categories that make up the other race category are not shown due to too few sample cases to obtain reliable estimates.

! Interpret data with caution; estimate based on 10 or fewer cases, or coefficient of variation is greater than 50%.

~Not applicable. The 2002 PPCS did not separately identify persons of other races or those of two or more races.

--Less than 0.05%

^aExcludes persons of Hispanic origin.

^bIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

TABLE 15

Type of search conducted by police during traffic stop and the outcome, 2008

Characteristic of search	Driver only	Vehicle only	Both driver and vehicle
Total	100%	100%	100%
Type of search			
With consent	57.7%	60.0%	50.8%
Without consent	42.3	40.0	49.2
Outcome of search			
Criminal evidence found	2.1%!	1.6%!	14.3%
No criminal evidence found	97.9	98.4	85.7
Driver's perception of legitimacy			
Search perceived as legitimate	36.1%	20.7%!	21.7%
Search perceived as not legitimate	63.9	79.3	78.3
Number (in thousands)	187	226	458

Note: Data on whether the driver consented to the search were reported for 100% of driver-only searches, 100% of vehicle-only searches, and 94.6% of both driver and vehicle searches. Data on whether evidence was found were reported for 100% of driver-only searches, 96.0% of vehicle-only searches, and 98.9% of both driver and vehicle searches. Data on whether the driver felt that police had legitimate reason for search were reported for 84.2% of driver-only searches, 92.0% of vehicle-only searches, and 91.3% of both driver and vehicle searches. In the "both driver and vehicle" column, drivers who consented to one type of search but not the other were classified as a search without consent. Drivers who experienced a search of both driver and vehicle and felt police had a legitimate reason for one search but not the other were classified as search perceived as not legitimate. See appendix table 15 for standard errors.

! Interpret data with caution; estimate based on 10 or fewer sample cases, or coefficient of variation is greater than 50%.

TABLE 18**Contacts with police in which force was used or threatened, by demographic characteristics, 2002, 2005, and 2008**

Demographic characteristic	Residents experiencing use or threat of force during most recent contact					
	Number (in thousands)			Percent ^a		
	2002	2005	2008	2002	2005	2008
Total	664	716	574	1.5%	1.6%	1.4%
Sex						
Male	520	514	390	2.2%	2.2%	1.8%
Female	144	202	184	0.7	1.0	1.0
Race/Hispanic origin						
White ^b	374	406	347	1.1%	1.2%	1.2%
Black or African American ^b	173	183	130	3.5	4.3	3.4
Hispanic/Latino	103	105	68	2.5	2.6	1.6
Other ^{b,c}	15!	3!	19!	1.1!	0.2!	1.1!
Two or more races ^b	~	19!	11!	~	4.0!	2.4!
Age						
16–19	152	168	78	3.6%	4.0%	2.4%
20–19	230	271	253	2.1	2.5	2.5
30–39	117	135	122	1.2	1.6	1.5
40–49	95	66	61	1.0	0.7	0.8
50–59	50	39	33!	0.8	0.6	0.5!
60 or older	21!	38	27!	0.4!	0.8	0.6!

Note: Table is based on the resident's most recent contact with police that year. Data on use of force by police during most recent contact in 2002 were reported for 99.3% of police contact cases, in 2005 for 99.6%, and in 2008 for 99.8%. Detail may not sum to total due to rounding. See appendix table 18 for standard errors. Separate statistics on the racial categories that make up the other race category are not shown due to too few sample cases to obtain reliable estimates.

! Interpret data with caution; estimate based on 10 or fewer cases, or coefficient of variation is greater than 50%.

~Not applicable. The 2002 PPCS did not separately identify persons of two or more races.

^aSee *Methodology* for distribution of U.S. population who had contact with police.

^bExcludes persons of Hispanic origin.

^cIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

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^dIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

TABLE 19

Persons who felt the threat or use of force against them by police was excessive, by demographic characteristics, 2008

Demographic characteristic	Percent who felt force was excessive
Total	74.3%
Sex	
Male	76.2%
Female	70.6
Race/Hispanic origin	
White*	72.8%
Black/African American*	70.0
Hispanic/Latino	78.9
Age	
16–29	69.6%
30 or older	80.8

Note: Table is based on the residents most recent contact with police in 2008. Data on police use of excessive force in 2008 were reported for 97.5% of use-of-force cases. The total includes estimates for persons identifying with other races or with two or more races, not shown separately. See appendix table 19 for standard errors.

*Excludes persons of Hispanic origin.

TABLE 20

Types of force used or threatened by police, 2008

Type of force police used or threatened	Percent of contacts with police in which—	
	Force was used or threatened	Excessive force was used or threatened
Pushed or grabbed	53.5%	60.2%
Kicked or hit	12.6	17.2
Sprayed chemical/pepper spray	4.9!	5.6!
Electroshock weapon (stun gun)	4.1!	5.6!
Pointed gun	25.6	28.4
Threatened force	76.6	84.9
Shouted at resident	75.5	76.6
Cursed at resident	39.1	44.0
Number (in thousands)	574	417

Note: Table is based on the residents most recent contact with police in 2008. Percentages do not sum to total because respondents could have reported that police both threatened and used force or that police used more than one type of force. See appendix table 20 for standard errors.

! Interpret data with caution; estimate based on 10 or fewer cases, or coefficient of variation is greater than 50%.

TABLE 21

Persons who felt police threat or use of force against them was excessive, by type of force used or threatened, 2008

Type of force used or threatened	Contacts with police in which force was used or threatened	
	Number (in thousands)	Percent who felt it was excessive
Total	562	74.3%
Police used force*	344	80.6%
Police only threatened force	141	74.3
Police only shouted/cursed at resident	72	42.9!

Note: Table is based on the residents most recent contact with police in 2008. Data on use of excessive force by police in 2008 were reported for 97.5% of use-of-force cases. Total includes respondents who did not report the type of force they experienced, not shown separately. See appendix table 21 for standard errors.

! Interpret data with caution; estimate based on 10 or fewer sample cases, or coefficient of variation is greater than 50%.

*Includes police actions such as grabbing, hitting, using chemical spray, or pointing a gun at the respondent.

TABLE 22

Conduct of residents during police contacts in which force was used or threatened, 2008

Conduct of resident during contact involving force	Percent
Resident—	
Engaged in at least one type of behavior*	28.4%
Argued with, cursed at, insulted, or verbally threatened the police	21.9
Disobeyed or interfered with officer(s)	11.6
Resisted being handcuffed, arrested, or searched	4.8!
Tried to get away from police	3.4!
Pushed, grabbed, or hit officer(s)	0.6!
Number (in thousands)	574

Note: Table is based on the residents most recent contact with police in 2008. See appendix table 22 for standard errors.

! Interpret data with caution; estimate based on 10 or fewer sample cases, or coefficient of variation is greater than 50%.

*Detail does not sum to total because some respondents reported more than one type of behavior.

Strangely Enough, The Report Does Not Contain Statistics about How Many Blacks Police Officers Kill Compared to Whites.

— Why?

NOTA BENE:

Recall the earlier claim that blacks kids are 21 times more likely to be killed by the police than white kids. This claim is based on the FBI statistics about homicide rates in the US. The data was analyzed by RES PUBLICA, not BFJS.

Statistics about Stop-and Frisk in NYC

May 2013



STOP AND FRISK AND THE URGENT NEED FOR MEANINGFUL REFORMS

A Report by:



Office of
Bill de Blasio
PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

AN ANALYSIS OF STOP & FRISK DATA

The following data analysis was produced by the Office of the Public Advocate based on raw data provided by the NYPD in their Stop, Question and Frisk Database.³

Summary of Stop and Frisk Encounters, 2011-2012

	2011⁴	2012⁵
Stops	685,724	532,911
<i>Black</i>	350,743	284,229
<i>Latino</i>	233,740	165,140
<i>White</i>	61,805	50,366
Hit Rate	11.70%	11.21%
Innocence Rate	88.30%	88.79%
Guns Found	768	729

¹ Intro 0881-2012. See: <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1138391&GUID=46EF84F3-F4D4-4B84-BCB2-042A5AC7E674&Options=ID%7CText%7C&Search=police+inspector+general>

Differences in the use in stop and frisk by race

Though differences in the rate of contraband and weapons recovery are small, stops of white New Yorkers are more likely to result in weapons or contraband recovery.

When measured by how many stops it took to recover contraband, African American and Latino New Yorkers are stopped at a rate 40% more frequently than white New Yorkers:

Ratio of contraband recovery compared to stops, by race		Total number of stops, by race	Total stops resulting in contraband recovery
Black	1 : 61	284,229	4,639
Latino	1 : 57	165,140	2,877
White	1 : 43	50,366	1,172

Similarly, it took nearly two times the amount of stops of black New Yorkers to find a weapon when compared to stops of white New Yorkers:

Ratio of weapon recovery compared to stops, by race		Total number of stops, by race	Total stops resulting in weapon recovery
Black	1 : 93	284,229	3,066
Latino	1 : 71	165,140	2,315
White	1 : 49	50,366	1,036