

**RICK PARENT**

*Manager, Research and Academic Development at the Justice Institute of British Columbia, Police Academy*

## **THE POLICE USE OF DEADLY FORCE: INTERNATIONAL COMPARISONS**

While the societies of the United States of America and Canada are similar in many ways, recent research has noted significant differences in the rates of extreme violence between the two nations. Extreme violence includes the police use of deadly force, the murder of police officers by an assailant, the homicide rate of the general population and violent crime such as firearm robberies. Despite the differences in crime rates, trends in crime in the two countries are quite similar. The findings of this study illustrate that the perceived threat and calculated risk for police officers in the United States is substantially higher than for police officers in Canada, and in many other nations. This may explain why police officers in the United States utilise deadly force in greater frequency than in most western nations.

When police officers in western society use firearms against individuals, it may be assumed that they are using lethal force. Generally, officers who discharge a firearm or utilise other forms of potentially deadly force are attempting to immediately incapacitate a perceived lethal threat to themselves or another individual. This decision-making process will usually transpire at a time when the individual officer is under considerable stress and in perceived danger, leaving him or her open to the influence of a variety of physiological and psychological factors.

It is within this setting that roughly 300 individuals are shot and killed by US law enforcement personnel each year (UCR, 2002). In the neighbouring nation of Canada, roughly 250 individuals have been shot and killed by police personnel during the period from 1980 through to 2000, approximately 10 per year (Parent, 2004).

In Australia, 41 deaths were attributed to gunshot wounds inflicted by police personnel from 1 January 1990 through to 30 June 1997 (AIC, 1998). In New Zealand, there have been approximately 20 fatal police shootings in the past 60 years. The vast majority of these shootings have occurred since the mid- 1970s (New Zealand Police, 2002).

In Europe, the United Kingdom recorded 23 incidents involving the discharge of a firearm by police in England and Wales during the period from 1991 to 1993. In seven of these incidents, an individual was killed (PSDB, 1996). A more recent review of police shootings in England and Wales during the period from 1998 to 2001 indicates that 24 incidents occurred. Eleven of these firearm incidents were fatal (PCA, 2003). In the nearby Netherlands, 67 fatal police shootings were recorded from 1978 through to 1999. During this same period, a total of 288 individuals were wounded by police (Timmer, 2002).

In addition to New Zealand, the police in England and Wales do not typically carry firearms while on duty. However, specially trained police personnel may be authorised to carry a firearm that is locked in a weapons box inside their police vehicle. In addition, firearms are available for issue from all police stations.

In North America, the eastern Canadian province of Newfoundland remained the last bastion of 'unarmed policing' on the continent until as recently as 1998. This was due to the fact that Canada's most eastern province entered into a confederation with Canada in 1949, becoming the nation's tenth province. Prior to 1949, Newfoundland was under the guidance of Great Britain and distinct from the rest of North America in many ways, including policing.

The former British Colony had created its own independent police force using the Royal Irish Constabulary as a model, drawing upon the best features of Irish and British Policing. Upon joining with Canada, Newfoundland maintained their tradition of having an unarmed police force

while the rest of North America had armed their police. For over 120 years, the 'Royal Newfoundland Constabulary' (RNC) continued to be the only policing jurisdiction within Canada and the United States where day-to-day street-level policing was conducted without police having immediate access to firearms, a fact that was long considered to be a source of pride by the local population of Newfoundland. While the police had access to firearms that were kept either secured in the boot of their vehicles or at their police station, members of the RNC rarely, if ever, utilised firearms. A recent review of police shootings revealed that RNC personnel had been involved in only one shooting incident during the 20-year period from 1978 to 1998. This single shooting incident was non-fatal. However, owing to a changing society and the influx of visitors from the United States and the rest of Canada, members of the Royal Newfoundland Constabulary lobbied to have immediate access to firearms like their Canadian and American counterparts. In June 1998, the RNC was granted its request, but not without incident. Shortly after being equipped with firearms the RNC became involved in two shooting incidents. Of particular interest is that the circumstances surrounding the recent fatal shooting are strongly linked to the dynamics of a 'suicide by cop'. In this particular case, two armed members of the RNC were dispatched to deal with a despondent and suicidal male. Upon approaching the individual, the officers were confronted by the male who was armed with a knife and provoked the police to kill him.

While it is too soon to draw conclusions regarding the recent arming of North America's last 'unarmed police force', it appears that the RNC will now be facing the same issues, and controversies, that surround armed police and the use of deadly force.

### **Issues Unique to the United States of America**

While the societies of Canada and the United States of America are similar in many ways, a recent study (Parent, 2004) noted significant differences in the rates of extreme violence between the two nations. Crime rates between Canada and the United States, for the year 2000, note that the US has much higher rates of violent crime, while Canada generally has higher rates of property crime. Despite the differences in crime rates, trends in crime between the two countries have been quite similar over the past 20 years (Statistics Canada, 2001).

In Canada there were 542 homicides in 2000 resulting in a national rate of 1.8 homicides per 100,000 population. In comparison, there were 15,517 homicides in the US in 2000, resulting in a national rate of 5.5 per 100,000 population: a figure that is roughly three times higher than Canada's. However, while the homicide rate in Canada is roughly three times lower than the rate in the neighbouring United States, it nonetheless remains many times higher than the homicide rates in many European countries (Statistics Canada, 2001).

It is also interesting to note that, in the United States, private citizens (non-police) 'justifiably' kill roughly 200 individuals each year. The vast majority of these individuals are shot and killed with a handgun. In Canada, private citizens are rarely, if ever, involved in a 'justifiable' shooting incident largely due to the unavailability of handguns as well as the restriction of firearms in general.

In the United States, justifiable homicide is defined as, and limited to, the killing of a felon by a law enforcement officer in the line of duty, or the killing of a felon by a private citizen during the commission of a felony (UCR, 2002). This phenomenon, unique to the United States, is apparent in the following cases.

During one incident, the owner of a watch and jewellery store shot and killed a potential robber after they fell to the floor and struggled over a handgun. The 24-year-old robber, who had placed a gun to his head during the attempted robbery, threatened the 50-year-old owner. Believing that he was going to be shot, the owner reached for the gun and the two men struggled on the floor. The owner eventually grabbed his own gun from the desk and shot the would-be robber dead.

In another incident, two males in their late teens went on a crime spree, conducting eight armed

robberies in a 90-minute period. They had stolen a vehicle and robbed several individuals at gunpoint before embarking upon what would be their final robbery, a 7-Eleven convenience store. Upon entering the store, one of the suspects aimed his 9mm handgun at the clerk and demanded money. The storeowner, who was in the back of the store, heard the altercation and obtained his own firearm. The storeowner then confronted the suspect, firing two shots and killing the would-be robber. In both of these cases the store-owners were exonerated, with the shooting incidents ruled as 'justified killings'.

Finally, in addition to a substantially higher homicide rate and the justifiable use of firearms by civilians, this study also revealed that it was not uncommon for 'off-duty' police personnel to be involved in a shooting incident. For example, in some instances off-duty US police officers in their civilian attire were alerted to shots fired outside their personal residence, or at the location that they happened to be at, while away from their place of work. These off-duty officers were typically enjoying their time off at a restaurant, public place or at home with their family and, although off-duty, they remained armed with their issued police service weapon. In contrast, Canadian police officers rarely, if ever, carry their issued police service firearm on their days off. Most Canadian police agencies encourage police personnel to leave their firearm at work, or secured at the police officer's residence.

However in the US, when the lone off-duty officers were alerted to a shooting or altercation on their time off they were often the first to attend the scene and the first to confront an assailant with their firearm in hand. These officers were not in uniform but were wearing casual plain clothing, further adding to the dynamics of the shooting incident between civilian and police personnel.

An off-duty police officer working a second job witnessed an 18-year-old male career through a fence in his car. The suspect tried to escape from the scene and the off-duty officer told him to stop. When the suspect did not comply, the officer pulled out his firearm and shot at the suspect resulting in a non-fatal wound to the shoulder.

In another incident, a suspect was accosting a female in a residential area. He beat her repeatedly and was sexually assaulting her. An off-duty officer heard a female screaming and came out of his house with his police-issue firearm in hand. The officer ordered the male off the female and the suspect lunged at the officer. The officer fired two shots at him resulting in the suspect's death. The shooting was ruled as a justifiable homicide.

### **Danger-Perception and the Risk to Police Personnel**

Added to the circumstances surrounding a police shooting are numerous documented incidents where law enforcement personnel in the United States and Canada have faced a potentially lethal threat, but the death of a suspect did not occur. This category includes those incidents in which a police officer utilised potentially deadly force by discharging his or her fire-arm, but death did not result. In these instances, the suspect either survived his or her wounds or, in other instances, the police missed, so the suspect was not shot.

Finally, it must be emphasised that there are also countless incidents of lethal threats to law enforcement personnel that are resolved each year without the discharge of a firearm. During these instances, the officers utilised alternative tactics or less-lethal compliance tools such as pepper spray or Taser guns to subdue the individual who was posing a lethal threat. Often, this method of resolution has occurred with an increased risk to the police officer. This increased risk to police officers has at times resulted in their deaths. Owing to the very nature of their day-to-day duties, operational police personnel routinely face the real possibility of being assaulted or murdered.

On average, approximately 70 police officers are murdered each year within the United States (BJS, 2001). In Canada, during the period from 1980 through to 2000, an assailant has murdered a total of 47 police officers, reflecting a rate of roughly two police murders per year (ODMP, 2004). These figures

illustrate that the risk of a police officer being murdered by an assailant is roughly three times greater in the United States than in Canada.

In regard to accidental deaths in the line of duty, it was noted that approximately 60 police officers are accidentally killed each year in the United States due to mishaps such as motor-car and aircraft accidents (BJS, 2001). In Canada, roughly five police officers will die each year, accidentally, in the line of duty (ODMP, 2004). These figures illustrate that the risk of accidental death for a police officer in both the United States and Canada is relatively similar.

Researchers have suggested that the police use of deadly force is best explained by the exposure of police personnel to dangerous persons and places. It can be stated that the number of criminal homicides and instances of extreme violence in an area is correlated with the police use of deadly force (Jacobs & O'Brien, 1998). Simply put, police officers are more likely to utilise deadly force during situations when they encounter increased levels of violence or when they perceive their duties to be particularly dangerous. The 'perceived threat' directly applies to police work as there is a calculated risk associated with policing. This is unlike other occupations, where workplace homicide is accidental or self-inflicted.

Interestingly, there are very few differences in relation to the dynamics and circumstances of police use of deadly force in Canada and the United States. The issues pertaining to police use of deadly force are for the most part very similar. The major difference that was noted between these two nations was in relation to the *frequencies of incidents* and not the individual characteristics of a police shooting. As stated, roughly 300 individuals are shot and killed by US law enforcement personnel each year, in contrast to Canada where roughly 10 fatal police shootings occur per year.

These figures represent a frequency of fatal police shootings that are roughly three times greater in the United States than in Canada. *Significantly, instances of extreme violence in the United States tend to be three times greater, per capita, than instances of extreme violence in Canada.* Extreme violence includes the police use of deadly force, the murder of police officers by an assailant, the homicide rate of the general population and violent crime such as firearm robberies. In summary, the findings of this recent study illustrate that the perceived threat and calculated risk for police officers in the United States is substantially higher than for police officers in Canada and in many other nations. As a result, police officers in the United States utilise deadly force in greater frequency than in most western nations. Further research of extreme violence and the risk of violence perceived by police personnel in their policing jurisdiction may assist in understanding the patterns of police shootings from both a national and international perspective.

#### **Further Reading**

Best, David and Quigley, Anna (2003) 'Shootings by the Police: What Predicts when a Firearms Officer in England and Wales Will Pull the Trigger?' *Policing and Society* 13(4): 349–64.

Bureau of Justice Statistics (2001) *Sourcebook of Criminal Justice Statistics 2000*, ed. Maguire, Kathleen and Pastore, Ann L. Washington, DC: US Department of Justice, Bureau of Justice Statistics.

Geller, William A. and Scott, Michael S. (1992) *Deadly Force: What We Know – A Practitioners Desk Reference on Police-Involved Shootings*. Washington, DC: Police Executive Research Forum.

Parent, R. B. and Verdun-Jones, Simon (1998) 'Victim- Precipitated Homicide: Police Use of Deadly Force in British Columbia' *Policing: An International Journal of Police Strategies and Management* 21: 432–48.

Statistics Canada (2003a) cat. no. 84–208–X1E, 'Causes of Death, 2002', Ottawa;  
<http://www.statcan.ca/>.

Statistics Canada (2003b) cat. no. 85–002, vol. 23, no. 8, 'Homicide In Canada, 2002', Ottawa;  
<http://www.statcan.ca/>.

US Department of Justice (2003) *Local Police Departments, 2000*. Washington DC: Office of Justice

Programs, Bureau of Justice Statistics.

## References

- Australian Institute of Criminology (AIC) (1998) *Police Shootings 1990–9*, No. 89 Trends and Issues in Crime and Criminal Justice. Canberra: Australian Institute of Criminology.
- Bureau of Justice Statistics (BJS) (2001) *Policing and Homicide, 1976–98: Justifiable Homicide by Police, Police Officers Murdered by Felons*. Washington, DC: US Department of Justice.
- Jacobs, D. and O'Brien, R. (1998) 'The Determinants of Deadly Force: A Structural Analysis of Police Violence' *American Journal of Sociology* 103(4): 837–62.
- New Zealand Police (2002) 'Fatal Police Shooting Incidents 1941–2001'. New Zealand Police National Headquarters Document. Wellington: New Zealand Police.
- ODMP (2004) Officer Down Memorial Page <http://www.odmp.org/canada/index.php>
- Parent, Richard (2004) 'Aspects of Police Use of Deadly Force in North America: The Phenomenon of Victim-Precipitated Homicide'. Burnaby, BC: Simon Fraser University (unpublished doctoral dissertation).
- Police Complaints Authority (PCA) (2003) *Review of Shootings by Police in England and Wales 1998 to 2001*. Report to the Secretary of State for the Home Department, [www.pca.gov.uk/](http://www.pca.gov.uk/).
- Police Scientific Development Branch (PSDB) (1996) *A Review of the Discharge of Firearms by Police in England and Wales 1991–1993*. Joint Standing Committee on the Police Use of Firearms. St Albans, UK: Home Office Police Scientific Development Branch.
- Statistics Canada (2001) 'Crime Comparisons between Canada and the United States'. cat. no. 85–002 – XPE, vol. 21, no. 11, Ottawa, Ont; <http://www.statcan.ca/>
- Timmer, Jaap (2002) *Police Work in Dangerous Situations*. Amsterdam: Vrije Universiteit Centre for Police Studies.
- Uniform Crime Reports (UCR) (2002) *Crime in the United States*. Federal Bureau of Investigation. Washington, DC: US Department of Justice.