



POLICING AND RACE:

The Debate Over Excessive Use of Force

Jim Gallagher



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The Militarization of Police

Shortly after midnight on March 13, 2020, Breonna Taylor and her boyfriend, Kenneth Walker, were watching a movie when they heard a noise at her apartment door in Louisville, Kentucky. Walker, who is licensed to carry a firearm, took his handgun and went to investigate. He called out, asking who was at the door, but heard no answer. Suddenly, a man wearing a black bulletproof vest burst into the apartment. Walker fired a warning shot at the unidentified intruder, hitting him in the leg. The wounded man and two others immediately fired back, spraying more than thirty bullets into the apartment. Panicked, Walker called 911 and told the dispatcher that armed men had broken into his apartment.

When the firing stopped, Walker learned that the intruders were not burglars, as he believed, but members of the Louisville Metro Police Department's Criminal Interdiction Division (CID), a paramilitary unit that investigates "violent street gangs, armed career criminals [and] criminal enterprises involving gang members,"¹³ according to its website. The CID was investigating two drug dealers who were operating out of another home several miles away from Taylor's apartment. The police had been granted a warrant to

search Taylor's home because she had previously dated one of the suspected drug dealers. The "no-knock warrant" allowed officers to enter the apartment without warning.

The Louisville police did not find drugs when they searched the apartment. Instead, they found Taylor, a twenty-six-year-old Black woman who worked in the emergency room of a local hospital, dying in a hallway. She had been hit by eight police bullets.

The death of Breonna Taylor, as well as hundreds of other deaths that occur during police raids each year, have raised concern about the "militarization" of local and state police forces. Over the past five decades, civilian police departments have increasingly adopted tactics, equipment, and attitudes originally developed for battlefield combat. Data indicates this new approach to fighting crime—in particular, offenses related to drug smuggling and distribution—predominantly targets Black, Hispanic, or Native Americans. The residents of these communities see the effects of militarized policing every day, while more affluent White communities may only notice it in news reports in which police departments respond to protests in armored vehicles while wearing riot gear.

Paramilitary Police

As law enforcement agencies began intercepting smugglers and arresting drug users and dealers, concerns about well-armed drug gangs led police departments to upgrade their own arsenals. Police departments in major cities used federal funding to equip and train elite special weapons and tactics (SWAT) teams. The federal government also allowed police departments to purchase surplus military weapons (including semiautomatic rifles, grenade launchers, and bayonets), armored vehicles, computers, and other equipment from the US Department of Defense for a nominal cost. Since the late 1990s, more than \$7 billion worth of military weapons and equipment have been turned over to police departments across the country.

Well-armed SWAT teams were initially intended to respond to domestic terrorism, hostage situations, bank robberies, or active shooter incidents. Both police and community leaders agree that these units are highly effective at handling such events. But because such incidents are relatively rare, many police chiefs have assigned paramilitary units to other tasks, in order to justify the high cost of their training and equipment. Today paramilitary units are often deployed to raid the homes and businesses of suspected drug dealers. Local governments and state or federal courts facilitated this change in their use, upholding the legality of no-knock warrants for drug raids that permit police officers to enter homes without previously warning those inside.

According to recent estimates, fifty thousand to eighty thousand paramilitary-style police raids are conducted each year. Unfortunately, these types of raids have made it more likely that an encounter will escalate to violence or end with a fatal shooting. Drug raids involving heavily armed police officers, like the one conducted on Breonna Taylor's apartment,

A sheriff's department SWAT team takes part in a drill. SWAT teams were originally intended for use in situations involving domestic terrorists, hostages, and active shooters.



introduce violence and danger into non-emergency situations that might be handled with minimal confrontation. Indeed, police knew that the suspected drug dealer was not at Taylor's apartment at the time of their raid; he was already in police custody. "American policing today has become increasingly aggressive and, at times, even predatory," writes Jonathan Blanks, a scholar at the Foundation for Research in Equal Opportunity. "Police are incentivized to initiate unnecessary contact with pedestrians and motorists, and they do so most often against ethnic and racial minorities. Such over-policing engenders resentment among minority communities and jeopardizes public safety."¹⁴

"American policing today has become increasingly aggressive and, at times, even predatory."¹⁴

—Jonathan Blanks, a scholar at the Foundation for Research in Equal Opportunity

The Impact on Minority Communities

As Blanks points out, the effects of militarized policing are disproportionately seen in low-income, urban communities where large numbers of Blacks or Hispanics live. This effect can be seen in the wide racial disparity in arrests and incarceration rates between Blacks and Whites. Decades of data shows that Blacks are five times more likely to be imprisoned for violating drug laws or for low-level drug dealing than Whites are, even though the rate of drug use is similar among young people of both racial groups. This is due in part to the heavy focus on policing minority communities—more arrests mean more convictions on drug charges. But it is also the result of laws that require mandatory minimum sentences for nonviolent drug offenses or that assign different penalties for possessing certain kinds of drugs. "Thousands of black men have disappeared into prisons and jails, locked away for drug crimes that are largely ignored when committed by whites,"¹⁵ writes civil rights attorney Michelle Alexander.

Black Americans make up about 13 percent of the US population today yet account for 34 percent of the total prison

Police Work Is Inherently Dangerous

Being a law enforcement officer can be stressful and dangerous. According to data collected by the FBI, in 2019 there were nearly 60,000 assaults against police officers, with over 18,000 of those resulting in injuries. That year, 135 law enforcement officers were killed in the line of duty. Over the period from 2009 to 2019, a total of 1,627 officers were killed while on duty.

“On the whole it’s much more dangerous to be a police officer than not to be a police officer,” writes journalist Justin Fox. “The Bureau of Labor Statistics’ occupational fatality statistics back this up: police and sheriff’s patrol officers suffered 13.7 job-related fatalities per 100,000 full-time equivalent workers in 2018, compared with 3.5 for the U.S. workforce as a whole and 0.7 for those of us in professional and related occupations.”

However, the number of police officers killed annually while on the job has been falling since the mid-1970s, according to a 2019 study published in the *Journal of Criminology and Public Policy*. The study’s authors attributed the decline in fatalities to increased use of body armor, as well as improvements in trauma care. Enhanced training, better supervision, and new technologies were also credited for contributing to the reduced fatality rate.

Justin Fox, “How Dangerous Is Police Work?,” Bloomberg Opinion, June 23, 2020. www.bloomberg.com.

population. Some try to justify this disparity by arguing that the high percentage of Black Americans living in high-crime areas means there will be more Black criminals. However, research has consistently shown that criminal activity is more closely linked to poverty than to race. In the United States low socio-economic status is the leading predictor that a person will be involved in a violent crime. The federal Bureau of Justice Statistics reports that Americans whose family incomes are below the federal poverty level, regardless of their race, are about twice as likely to commit a violent crime as higher-income Americans are. Most of the people who live below the poverty line are Black Americans, but social scientists and civil rights advo-

SOURCE NOTES

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2. Frank Edwards et al., “Risk of Being Killed by Police Use of Force in the United States by Age, Race-Ethnicity, and Sex,” *Proceedings of the National Academy of Sciences*, August 2019. www.pnas.org.

Chapter 1: When Police Officers Use Force

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5. Quoted in Rob Canning and Chad Lempe, “KY Police Officers Refer to ‘Use-of-Force Continuum’ When Subduing Subjects,” WKMS, December 8, 2014. www.wkms.org.
6. Joseph Loughlin and Kate Flora, “Everything You Know About Police Shootings Is Wrong,” *New York Post*, October 21, 2017. <https://nypost.com>.
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9. Quoted in German Lopez, “Police Can Use Deadly Force If They Merely Perceive a Threat,” Vox, November 14, 2018. www.vox.com.
10. Quoted in Lopez, “Police Can Use Deadly Force If They Merely Perceive a Threat.”
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ORGANIZATIONS AND WEBSITES

American Civil Liberties Union (ACLU)

www.aclu.org

Founded in 1920, the ACLU focuses on pursuing legal actions on civil rights issues and most recently has been campaigning for police reform. By accessing the link for Racial Justice on the organization's website, visitors can learn about court cases the ACLU has filed against city police departments seeking justice for victims of police misconduct.

Communities United for Police Reform

www.changethenypd.org

Communities United for Police Reform is an organization of residents and activists from the five boroughs of New York City dedicated to ending discriminatory policing practices. The site includes links to news articles as well as resources to help people understand their rights when observing police misconduct.

Fraternal Order of Police

www.fop.net

The Fraternal Order of Police is the world's largest organization of sworn law enforcement officers, with more than 355,000 members. The organization is committed to improving the working conditions for law enforcement officers and the safety of those they serve. The website includes information on FOP programs and training.

FOR FURTHER RESEARCH

Books

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Radley Balko, *Rise of the Warrior Cop: The Militarization of America's Police Forces*. New York: Perseus, 2013.

Paul Butler, *Chokehold: Policing Black Men*. New York: New Press, 2018.

Christopher J. Lebron, *The Making of Black Lives Matter: A Brief History of an Idea*. New York: Oxford University Press, 2017.

Joseph Loughlin and Kate Flora, *Shots Fired: The Misunderstandings, Misconceptions, and Myths About Police Shootings*. New York: Skyhorse, 2017.

Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America*. Cambridge, MA: Harvard University Press, 2019.

Barbara Ransby, *Making All Black Lives Matter: Reimagining Freedom in the Twenty-First Century*. Oakland: University of California Press, 2018.

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ABOUT THE AUTHOR

Jim Gallagher is the author of more than twenty books for young adults. The titles, written for various publishers, include *The Johnstown Flood*, *Causes of the Iraq War*, *Illegal Immigration*, and *Refugees and Asylum*. He lives in central New Jersey with his wife, LaNelle, and their three children.