

On-Duty Shootings: Police Officers Charged with Murder or Manslaughter, 2005-2019

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Background

This research is part of a larger study of police crime—that is, crime committed by nonfederal sworn law enforcement officers with general powers of arrest—across the United States. In 2014, after several fatal on-duty police shootings garnered national media attention, our principal investigator, Philip Stinson, conducted a joint research project with *The Washington Post* to count the number of police officers charged with murder or manslaughter resulting from an on-duty shooting where the officer shot and killed someone. The results of the joint research project were published in *The Washington Post* on April 12, 2015, and *The Washington Post* was awarded the 2016 Pulitzer Prize for National Reporting, in part, for this project. The Police Integrity Research Group at Bowling Green State University continues to keep the information current, and new cases are added periodically to the count of officers charged with murder or manslaughter resulting from an on-duty shooting.

Findings

Since the beginning of 2005 (through June 24, 2019), there have been 104 nonfederal sworn law enforcement officers with the general powers of arrest (e.g., police officers, deputy sheriffs, state troopers, etc.) who have been arrested for murder or manslaughter resulting from an on-duty shooting where the officer shot and killed someone at incidents throughout the United States. Of those 104 officers, to date only 35 have been convicted of a crime resulting from the on-duty shooting (15 by guilty plea, 20 by jury trial, and none convicted by a bench trial).

In the cases where an officer has been convicted, it is often for a lesser offense. Only 4 officers have been convicted of murder (there were four officers whose murder convictions were overturned, but the officers were later convicted of federal crimes arising out of the same incident). The 4 officers convicted of murder received incarceration sentences that ranged from 81 months to 192 months in prison, with an average length prison sentence of 150.75 months. As to the other officers, 9 were convicted of manslaughter, 4 were convicted of voluntary manslaughter, 5 were convicted of involuntary manslaughter, 2 were convicted of official misconduct, 2 were convicted of reckless homicide, 3 were convicted of negligent homicide, 5 were convicted of federal criminal deprivation of civil rights (including the four officers whose murder convictions were overturned), and one was convicted of reckless discharge of a firearm. The 18 officers convicted of manslaughter received incarceration sentences that ranged from zero months to 480 months in prison, with an average sentence of 78.5 months in prison.

The criminal cases for 45 of the officers ended in a non-conviction: 23 were acquitted at a jury trial, 9 were acquitted at a bench trial, 4 were dismissed by a judge, 7 were dismissed by a prosecutor, one received a deferred adjudication, and in one instance no true bill was returned from a grand jury.

Out of the 104 officers charged since the beginning of 2005 with murder or manslaughter resulting from an on-duty shooting, the criminal cases have been concluded for 80 of the officers (35 convicted and 45 not convicted). The criminal cases for 24 of the officers are still pending today.

RACE DATA FOR COMPLETED CASES:

Non-Black Officers:

29 convicted (victims in these cases: 19 Black, 10 Non-Black)

38 not convicted (victims in these cases: 21 Black, 17 Non-Black)

Black Officers:

6 convicted (victims in these cases: 3 Black, 3 Non-Black)

7 not convicted (All 7 victims were also Black)

Note that there have been 35 officers convicted in one of these cases. The victims in 22 of those 35 cases were Black.

VICTIMS WITH DANGEROUS WEAPONS:

When looking at the cases of the 104 officers who were charged with murder or manslaughter resulting from an on-duty shooting, 33 (31.7%) involved a victim who was actually armed with a dangerous weapon (e.g., gun, bat, scissors, screwdriver, automobile) when they were shot and killed by the police.

To date, only 35 officers have been convicted of a crime, and just 10 (28.6%) of those cases involved a victim who was actually armed with a dangerous weapon when they were shot and killed by the police. When looking at the 45 cases that ended in a nonconviction for the officer, 14 (31.1%) of those cases involved a victim who was actually armed with a dangerous weapon when they were shot and killed by the police. When looking at the 24 cases still pending in court, 9 (37.5%) of those cases involve a victim who was actually armed with a dangerous weapon when they were shot and killed by the police.

VICTIMS WITH GUNS:

When looking at the cases of the 104 officers who were charged with murder or manslaughter resulting from an on-duty shooting, 12 (11.5%) involved a victim who was actually armed with a gun when they were shot and killed by the police.

To date, only 35 officers have been convicted of a crime, and just 3 (8.6%) of those cases involved a victim who was actually armed with a gun when they were shot and killed by the police. When looking at the 45 cases that ended in a nonconviction for the officer, 5 (11.1%) of those cases involved a victim who was actually armed with a gun when they were shot and killed by the police. When looking at the 24 cases still pending in court, 4 (16.7%) of those cases involve a victim who was actually armed with a gun when they were shot and killed by the police.

This research brief will be updated periodically.

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