

Commentary on: Gill JR, Pasquale-Styles M. Firearm deaths by law enforcement. *J Forensic Sci* 2009;54(1):185–8.

Sir,

I have read with great interest the article by James R. Gill, M.D. and Melissa Pasquale-Styles, M.D. (1) regarding Firearm Deaths by Law Enforcement. However, as an author of that subject myself (2), I must say that the article was lacking in certain areas: first, it is my observation (2) that the number of police shootings that occur are directly correlated to the number of police calls to a certain geographic area or neighborhood. This is an especially important point for minority groups that allege that police may be unjustifiably killing minority groups more than other races. The study by Gill and Pasquale-Styles (1) fails to address that issue. Second, the experience of the Police officer doing the shooting should have been included in their study (1). In other words was the police officer a “rookie”/novice or was the police officer an experienced veteran. This is important as to the judgment of the policeman as to whether deadly force was or was not justified. Third, in modern times the use of the TASER or stun gun should be considered in a situation in which the policeman confronts a “wild man” and the use of subduing the person has to be considered rather than using deadly force. Fourth, the authors (1) failed to consider the justifiability of the shooting. In my own studies (2), I found that the shooting was justified by all of those inquiring as to the case (e.g., formal legal hearing before a magistrate, review by internal affairs, or departmental review, etc.) approximately

one-third of the time, it was considered a “judgment call” about another one-third of the time, and it was considered not justified in the remaining cases. In other words, a more seasoned police officer would not have used deadly force in the situation. The authors made a point of the number of shots fired. While it is realized that there are celebrated media cases in which a fusillade of shots were fired, usually it is of no importance. The number of shots has to do with subduing the individual. This also correlates to whether something else (i.e., a TASER) should have been used for a suspect that was under the influence of drugs or mentally aberrant (i.e., a “wild man”). Other factors as to the visibility of the suspect, the lighting of the surroundings (after dark or daylight) should have also been discussed. Also in other geographic areas, the use of solo police patrols versus two person units must be factored into the likelihood of the shooting. Society must balance the use of deadly force with the safety of the citizens and also the safety of the police officer.

References

1. Gill JR, Pasquale-Styles M. Firearm deaths by law enforcement. *J Forensic Sci* 2009;54(1):185–8.
2. Copeland AR. Police shootings. The Metropolitan Dade County experience from 1956 to 1982. *Am J Forensic Med Pathol* 1986;7:39–45.

Arthur Copeland,¹ M.D.
¹Medicolegal Consultation
1800 El Paseo, No. 2211
Houston, TX 77054