

Why Police Kill Black Males with Impunity: Applying Public Health Critical Race Praxis (PHCRP) to Address the Determinants of Policing Behaviors and “Justifiable” Homicides in the USA

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ABSTRACT *Widespread awareness of the recent deaths of several black males at the hands of police has revealed an unaddressed public health challenge—determining the root causes of excessive use of force by police applied to black males that may result in “justifiable homicides.” The criminalization of black males has a long history in the USA, which has resulted in an increase in policing behaviors by legal authorities and created inequitable life chances for black males. Currently, the discipline of public health has not applied an intersectional approach that investigates the intersection of race and gender to understanding police behaviors that lead to “justifiable homicides” for black males. This article applies the core tenets and processes of Public Health Critical Race Praxis (PHCRP) to develop a framework that can improve research and interventions to address the disparities observed in recent trend analyses of “justifiable homicides.” Accordingly, we use PHCRP to offer an alternative framework on the social, legal, and health implications of violence-related incidents. We aim to move the literature in this area forward to help scholars, policymakers, and activists build the capacity of communities to address the excessive use of force by police to reduce mortality rates from “justifiable homicides.”*

KEYWORDS *Black men’s health, Health inequalities, Police brutality, Critical race theory, Public Health Critical Race Praxis, Intersectionality, #BlackLivesMatter*

“We claim the right to speak with peculiar emphasis for freedom and for fair treatment... without regard to differences of race, fortune, creed or color... The nation, like the individual, cannot commit a crime with impunity. If we are guilty of lawlessness and brutal violence, whether our guilt consists in active participation therein or in mere connivance and encouragement, we shall assuredly suffer later on because of what we have done... Where we permit the law to be defied or evaded, whether by rich or poor, by black or white, we are by just so much weakening the bonds of our civilization”—President Theodore Roosevelt, 1903 Addresses and Presidential Messages of Theodore Roosevelt, 1902-1904. 1904. The Knickerbocker Press: New York.

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INTRODUCTION

Despite the violent crime rate decreasing since the early 1990s (Fig. 1), the number of deaths due to legal intervention is reaching an all time high in the Post-Civil Rights Era (Fig. 2). Death by legal intervention is defined as the killing of a person by a law enforcement officer or other peace officer with specific legal authority to use deadly force acting in the line of duty, excluding legal executions. Data from the Surveillance for Violent Deaths National Violent Death Reporting System (reporting deaths from 16 states) suggests that death by legal intervention is the third leading cause of violence-related deaths accounting for 24.4 % of the more than 16,000 violence-related deaths in those states.¹ A recent study found that black males are 21 times more likely to be killed by a police officer than white males.² Examining trends from 1960–2010 for death by legal intervention by race and social class, Krieger and colleagues find that high-income blacks are just as likely to be killed by police officers as low-income blacks.³

In the following sections, we address how over-policing in the twenty-first century is simply a continuation of sociohistorical, legalized, and structured ways that black males are criminalized. We then discuss how Public Health Critical Race Praxis (PHCRP) and intersectionality theory can contribute to addressing determinants of policing behaviors and “justifiable homicides” as well as speak to policy prescriptions and future data collection efforts to reduce the racial disparity in police killings.

AN UNMET CHALLENGE TO PUBLIC HEALTH: ADDRESSING ROOT CAUSES AND HEALTH IMPLICATIONS OF OVER-POLICING AMONG BLACK MALES

The recent deaths of several black males* at the hands of police officers reveal an unaddressed public health challenge—determining the root causes of excessive use of force by police applied to black males that may result in homicides that are deemed to be justified or excused and classified by CDC as death by legal intervention. This cause of death is commonly referred to as “justifiable homicides.” This manuscript applies a combined critical race and intersectional approach to demonstrate how the roles of race, gender, and the law can be applied by public health scholars and social scientists to understand how police behaviors are more likely to lead to “justifiable homicides” for black males.

Focusing on “justifiable homicides” contributes to an understanding of the persistent lower life expectancy of black males and the leading causes of death that feed these trends. Black men die on average, 7 years earlier than women of all races and all other groups of men except Native American men in the USA.^{4–7} The larger public health impact of this pattern is that 1.5 million black men between the ages of 25 and 54 are considered “missing” either because they died, are incarcerated,⁸ or are *invisible*.⁹ Because so many black males are “missing,” they are not present in their families and communities, or actively seeking health-care services. Their *invisibility* is often a result of their criminalized status with the state, which renders them less likely to participate in civic and social life, such as voting or employment.¹⁰ These men go in hiding to try to avoid contact with law enforcement or the criminal justice system.¹¹

*This manuscript uses the terms black males/men and not African-American males/men, to convey that the threat of so-called justifiable deaths is not limited to native-born black males; it also applies to those of African and Caribbean descent.

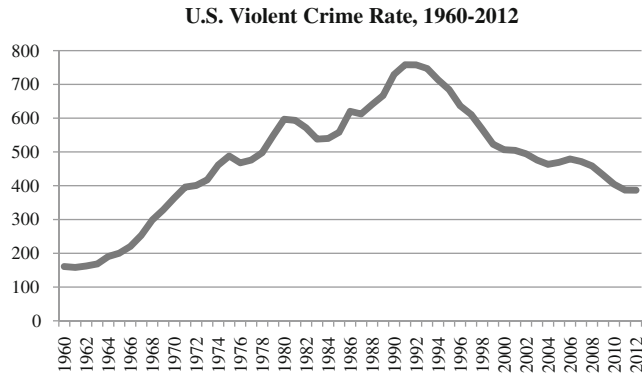


FIG. 1 US violent crime rate, 1960–2012. Sources: FBI, Uniform Crime Reports, prepared by the National Archive of Criminal Justice Data; per 100,000 residents.

When black males turn 15 years of age, the number 1 cause of death is homicide and the second is unintentional injury. This remains the case until they reach age 35. Homicide is the fourth leading cause of death for black males across the life course.¹² As evidenced by Sewell and Jefferson’s article in this special issue, there are health consequences to living in environments that are highly policed. Cardiovascular disease (CVD) becomes the leading cause of death for black males in their 40s.^{13–15} The stress and psychological costs of trying to escape social discrimination may increase the likelihood of CVD and other deleterious health outcomes that contribute to black men’s risk of an early death¹⁶—a classic determinant of John Henryism.¹⁷ John Henryism suggests that black men experience chronic stressors shaped by poverty and discrimination. Aiming to overcome social discrimination, some black males may then overcompensate at work by trying to re-write negative racialized and gendered stereotypes. These factors collectively contribute to higher rates of CVD among black men. Though some public health efforts have focused on black men and chronic diseases⁶ such as CVD,^{18,19} prostate cancer,^{20,21} and HIV^{22,23}, violence-related deaths such as death by legal intervention and the practices of informal and formal policing that lead to “justifiable homicides” as well as influence other deleterious health outcomes for black males are less understood. Below, we draw upon PHCRP and the intersectionality framework to address this gap in the literature.

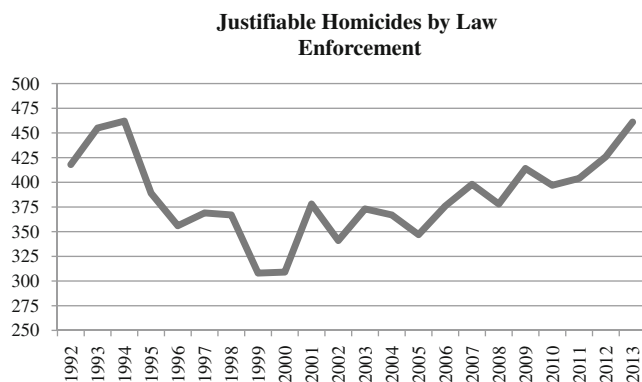


FIG. 2 Justifiable homicides by law enforcement. Source: Federal Bureau of Investigation, Uniform Crime Reports. The killing of a felon by a law enforcement officer in the line of duty.

PUBLIC HEALTH CRITICAL RACE PRAXIS

This article applies the core tenets and processes of PHCRP^{24–26} to develop a framework that can improve research and interventions to address the disparities observed in recent trend analyses of “justifiable homicides.” We use PHCRP to offer an alternative framework on the social, legal, and health implications of violence-related incidents by integrating it with the intersectionality framework. We aim to move the literature forward in this area by providing a series of theoretical and policy recommendations to build the capacity of communities to address the excessive use of force by police to reduce mortality rates from “justifiable homicides.”

Integrating PHCRP and Intersectionality for Black Males

PHCRP is a framework that builds upon critical race theory and public health theories and methods to articulate how best to understand and address social and health issues to achieve social justice for marginalized groups.^{24–26} Specifically, PHCRP addresses four focal areas that encompass several principles: (1) contemporary patterns of racial relations, (2) knowledge production, (3) conceptualization and measurement, and (4) action. We apply these constructs of PHCRP in Table 1 to how crime, policing, and the intersection of race and gender are framed in the USA. We aimed to integrate all principles that span each of the four focal areas: (a) race consciousness, (b) the primacy of racialization, (c) race as a social construct, (d) gender as a social construct (author’s addition to the original model), (e) ordinariness of racism, (f) structural determinism, (g) social construction of knowledge, (h) critical approaches, (i) intersectionality, (j) inter-disciplinary self-critique, and (k) voice. In doing so, we offer suggestions on how future research across several disciplines might better approach crime, policing, and the intersections of race and gender to improve data surveillance and the development of interventions to address this public health challenge.

PHCRP makes three main contributions to understanding policing behavior and the increase in “justifiable homicides.” First, by utilizing the primacy of racialization principle to illuminate how racial stratification leads to unequal life chances, PHCRP calls into question extant research that criminalizes black males across the life course, justifies over-policing of black communities, reinforces stereotypes that black communities are dangerous and crime-ridden, and supports policies that further disinvest in these communities. Second, by utilizing the race as a social construct and gender as a social construct principles, PHCRP provides researchers with a lens to consider how criminalizing black males limits healthy racial and gender identity formations and poses a threat and risk to healthy lifestyles for black males. Third, by utilizing the race consciousness and inter-disciplinary self-critique principles, PHCRP requires those who research, actively police, are involved in the criminal justice system, and set policies to better understand five key components that lead to justified homicides: (1) racial biases, (2) racial and gender consciousness, (3) ways to provide more equitable policing practices, (4) the enforcement of legal remedies for those who abuse power, and (5) the prevention of acts of discrimination by holding individuals culpable who informally police black males.

Drawing attention to PHCRP principle of voice, the intersectionality framework is useful for unmuting marginalized voices and broadening the breadth of research on intersectional identities.^{27–29} Although intersectionality is normally applied to black women, it is also applicable to black men.⁶ Similar to black women, black

TABLE 1 Applying PHCRP Principles to police brutality

Principle ^a	Affiliated focus ^a	Definition ^a	Conventional approach ^a	PHCRP approach
Race consciousness	All	Deep awareness of one's racial position; awareness of racial stratification processes operating in colorblind contexts	Using crime statistics to "hot spot" police, to racially profile individuals and communities	Researchers, practitioners, policymakers, and police departments clarify their racial biases before collecting and analyzing data and develop strategies that are not based on negative racial perceptions. This includes training new police officers and other law enforcement agents and including research on racial prejudice in ongoing training
Primacy of racialization	Contemporary racialization	The fundamental contribution of racial stratification to societal problems; the central focus of CRT scholarship on explaining racial phenomena	Racial attributes become the dominant feature to develop policies and policing practices and dismiss systemic discrimination	Studies that understand the contexts and structures that lead to high crime in some communities and unequal life chances within those communities. Data collected from these studies should highlight differences by race and gender as well as focus on social determinants that make those communities unhealthy
Race as a social construct	Contemporary racialization, conceptualization and measurement	Significance that derives from social, political, and historical forces	Biological determinism—that posits race is meaningful because it provides insight about one's alleged biology and propensities, such as black men are biologically predispositioned	A study that assesses race not as a risk factor for crime, but identifies individuals of a racial/ethnic group, like black men, who may be considered high risk for racial profiling and a specific group who

TABLE 1 *Continued*

Principle ^a	Affiliated focus ^a	Definition ^a	Conventional approach ^a	PHCRP approach
Gender as a social construct	Contemporary norms of masculinity, conceptualization and measurement	Significance of gender constructions that derive from social, political, and historical forces	to commit crimes and their presence requires more severe control and force Being a biological male and understanding that manhood is an identity constructed through intrapersonal and interpersonal relationships	has experienced racial profiling to unpack their experiences Understanding the factors that contribute to male identities, self-presentations, and performances within contexts such as families, schools, workplaces, public settings, and health-care settings that may increase levels of policing and enhance morbidity and mortality A study on the mental and physical health impacts of everyday policing behaviors formally by police and informally by shop owners, restaurant owners, teachers, and health-care professionals
Ordinariness of racism	Contemporary racialization	Racism is embedded in the social fabric of society	Racial exceptionalism that defines race as a set of rare, discrete, and overtly egregious incidents	A multilevel study that considers how policy factors such as racial residential segregation and profiling laws promote and legalize policing. A study that empirically tests physiological, psychological, and behavioral responses to black men in different scenarios, contexts, clothing and speech use
Structural determinism	Contemporary racialization	The fundamental role of macro-level forces in driving and sustaining inequities across time and contexts; the tendency of dominant group members and institutions to make decisions or take	Emphasizing individual or interpersonal factors (e.g., how black males wear their clothes—hoodies, sagging pants; how they speak)	

Social construction of knowledge	Knowledge production	actions that preserve existing power hierarchies The claim that established knowledge within a discipline can be re-evaluated using antiracism modes of analysis	The belief that empirical research is impermeable to social or political influences (e.g., crimes are mostly committed by black people, especially black men)	A systematic review and meta-analysis of studies that criminalize blacks and black men positing that race is a biological determinant
Critical approaches	Knowledge production, action	A social psychological approach to develop a comprehensive understanding of how individual biases develop prejudice and discrimination in social interaction	Accepting phenomena or explanations at face value	Researchers examine patterns and trends of crime by race, ethnicity, and gender and offer social psychological explanations about patterns of crime, racial profiling, and policing
Intersectionality	Conceptualization and measurement, action	The interlocking and multiplicative approach to co-occurring social categories (e.g., race and gender) and the social structures that maintain them	Additive models of separate and distinct social categories and identities (e.g., race, gender, sexual orientation, social class)	Efforts to address racial and gender stereotypes about black men that negatively characterize them within a pathological framing, which may negatively impact their ability to obtain educational achievements, be legitimate participants in the labor market, access and use health-care services, and develop positive coping behaviors
Disciplinary self-critique	Action	The systematic examination by members of a discipline of its	Limited critical examination of how a discipline's norms might influence the knowledge on a topic	Forging inter-disciplinary research teams to work collaboratively and overcome the inability of disciplines to recognize "death by legal intervention" or

TABLE 1 *Continued*

Principle ^a	Affiliated focus ^a	Definition ^a	Conventional approach ^a	PHCRP approach
Voice	Knowledge production, action	conventions and impacts on the broader society Prioritizing the perspectives of marginalized persons; privileging the experiential knowledge of outsiders within	Routine privileging of majority voices, priorities, policies and practices (e.g., Ferguson Police Department generating revenue from traffic and court fines and fees) that may lead to policing behaviors	“justified homicide” as a public health problem and to develop comprehensive solutions that address social and behavioral determinants Providing black men who are at a high risk for being policed and have been policed informally and formally in multiple settings to discuss their experiences and to express potential solutions

^aPublic Health Critical Race Praxis principles, foci, definitions, and conventional approaches remain in their original form as described in ¹⁸⁻²¹ or adapted to reference police brutality and black males

men's identities straddle the intersection of race and gender. While black women are more likely to be sexualized,²⁹ black men are more likely to be criminalized. This is a particularly salient point, as it relates to highlighting how gendered racialization and its consequences have existed since the earliest days of the USA.^{30,31} Criminalization may lead to divergent health outcomes—in the most extreme cases, mortality differentials—for black versus non-black males. Collectively, the intersectionality framework suggests that race- and gender-based experiences affect health differently across groups. If experiences are racialized and/or gendered, health may diminish for certain groups and improve for others. If scholars fail to acknowledge and act upon these differentials based on both race and gender, the gaps in morbidity and life expectancy for black males will continue to lag behind other groups.

An integration of PHCRP and intersectionality acknowledges the difficulty to remedy the roots of prejudice and discrimination embedded in the criminal justice system due to how the social psychology of criminalization transfers cumulative disadvantages onto black male bodies. The practice of criminalizing black males in order to monitor and control their bodies in contexts such as schools, stores, neighborhoods, public roads, highways, and college campuses is orchestrated not only by formal agents of law enforcement (e.g., municipal, county, and state peace and police officers) but also by informal agents of law enforcement (e.g., neighborhood watch program participants, store owners, and everyday citizens). The presence of black males in predominately white spaces may lead to higher risks of being policed or experiencing racial and gender discrimination.^{32–35}

SOCIOHISTORICAL ORIGINS OF POLICING AND CRIMINALIZING BLACK MALES

The criminalization of black males has a long history in the USA, which includes both legal and informal social laws that can lead to death or incarceration. We focus on three sociohistorical threats to black male identities following the Civil War that speak to PHCRP principles of race consciousness, primacy of racialization, and ordinariness of racism. First, the prison industrial complex created a new form of enslavement through the convict lease system.⁴ This involved arresting many of the recently freed men and women for minor violations and punishing them with hefty fines, long prison sentences, and working on former slave plantations.³⁶

The second threat to black males was socially sanctioned lynchings. Lynchings were systematically used to intimidate and control the black community as well as position blacks as social problems.³⁷ They also were one way that black male deaths were deemed as “justifiable homicides.” Of the more than 4000 people lynched between 1881 and 1968, over 70 % were black males.^{2–3} Their deaths, which occurred by being burned, shot, hanged, castrated, and/or tortured, were often part of public events and documented in scores of photos and postcards. In most incidents, no person was brought to justice for these deaths.³⁸

Into the Post-Civil Rights, colorblind, and Obama eras, the third threat allows police officers to use legal authority to regulate black male bodies through traffic stops, stop and frisk, and zero-tolerance policies. These policies create legal entrapments, which systematically ensnares black males into the criminal justice system. There is a litany of legal cases support policing activities and practices (see Table 2). Some of these cases give legal authority for police to stop, question, pursue, and arrest individuals without probable cause or the presence of suspicious behaviors, even during minor traffic violations. These cases demonstrate how

TABLE 2 Case examples that support policing behaviors

Year	Case title	Legal authority granted
1985	Tennessee v. Garner	Police are prohibited to use deadly force for incidents where individuals are unarmed and engaging a nondangerous fleeing suspect. There are several violations of this statute by municipal and state authorities
1999	Brown v. City of Oneonta	Police are allowed to stop and question every black resident in Oneonta, NY
1996	Whren v. United States	Police are allowed to use minor vehicle infractions to stop motorists with or without probable cause and investigate them for crimes that are alleged to be currently occurring
1999	Wyoming v. Houghton	Allows police officers to ask all vehicle passengers to exit vehicle during traffic violation, even without probable cause that they have broken laws
2000	Illinois v. Wardlow (U.S. Supreme Court)	Police are allowed to pursue anyone running in their presence either away from them or in their presence

policing behaviors across the USA are legally structured to produce institutional entrapments that often disproportionately target and affect black males. They also raise the question of civil rights violations and direct racial biases.

These legal precedents provide the broader context for other laws that systematically allow police officers and everyday citizens to stand their ground and use justifiable deadly force if they perceive their life is in danger.³⁹ Social scientists suggest that these laws are often applied differently by race. Examples of notable homicides of black males by the police over the past 20 years include Oscar Grant, Irvin Landrum, Jr., Tyron Lewis, Demetrius DuBose, Amadou Diallo, and John Crawford III. However, there are black males such as Robbie Tolan, Joseph Sushak, and Levar Jones who did not experience death by legal intervention but suffer mental and physical scars from police brutality. Michael (Mike) Brown Jr.'s story is one of the recent chapters in this ongoing saga and provides an empirical example to explore how the social psychology of criminalization leads to health-related police encounters.

The Social Psychology of Criminalization as PHCRP

Critical Approaches Principle

On August 9, 2014, Mike Brown was shot and killed by Officer Darren Wilson following an altercation. In the case of Mike Brown, Officer Wilson described Brown as demonic and compared Brown's height, stature, and perceived strength to that of famed wrestler Hulk Hogan, while describing his own stature and presence as that of a 5-year-old child.⁴⁰ Evidence from the grand jury hearing reveals that both men are larger than average-sized men (6'4, 210 lb for Wilson; 6'4, 290 lb for Brown). Further, Wilson is a decade older than the 18-year-old, recent high school graduate Brown. So why would Officer Wilson view Brown as so much larger and stronger than himself? Social psychological research shows that whites "superhumanize" blacks and attribute extraordinary physical, super natural, and magical powers to their person.^{41,42} Research also shows that whites believe that blacks have a higher pain tolerance than whites.⁴³ These studies suggest that some whites, potentially even officers, perceive that a higher level of force (such as shooting multiple shots into a body) are required to "stop" black males. Wilson shot

at Brown a total of 12 times at close range. This form of racialization occurs much earlier in age as whites perceive black children as being older, more physical, and less innocent.⁴⁴ These findings help explain why black preschoolers represent 42 % of the suspensions and only 18 % of the preschool population for engaging in similar toddler-like acts as white preschoolers.⁴⁵ Consequently, most black males are criminalized throughout the life course, even black men and their young children who live next door to whites in middle-class neighborhoods.⁴⁶

The criminalization and profiling of black males occur in a broader social context where longstanding sociological and psychological factors play powerful, yet rarely mentioned, roles. Feagin examined the social relations between whites and blacks in the twenty-first century and found that whites have limited social class cues to tell differences among black men (i.e., professor, lawyer, delivery man, criminal).⁴⁷ Feagin states, "Many whites have fearful reactions to a black man encountered on streets, in public transport, and in elevators"(p.108).⁴⁷ McConaughy and White find that whites perceive black men as violent, unpleasant, promiscuous, unintelligent, and less ambitious and nurturing.⁴⁸ Psychologists have found that whites are more likely to perceive black men as aggressive, describe having a similar fear of black men as they do of snakes and spiders, and are more likely to quickly pull the trigger of a gun on an unarmed, black man compared to an unarmed, white man, and even at times an armed white man.⁴⁹⁻⁵¹

Social psychological research finds that majority group members are more likely to perceive undesirable characteristics exhibited by minority group members as innate and integral to their personality.⁵² In other words, negative behaviors of blacks are perceived to be biological or rooted in their culture. Due to the high level of racial segregation in the USA, 91 % of individuals encompassing whites' social networks are also white.⁵³ This means whites have limited social interactions with blacks, often as the result of living in highly segregated neighborhoods. Most social interactions that whites have with blacks may occur in public spaces heightening their level of subjective uncertainty, which is the inability to categorize people accurately due to limited information about the ideals, values, and social mores of other groups.⁵⁴ This means that majority group members may see most black males as having criminal intent and justify the enactment of formal and informal policing practices even when these practices are unnecessary. Collectively, these perceptions lead to a justification for the physical harm bestowed unto black male bodies. Lastly, when black males are viewed through a lens suggesting that a majority of them display behaviors that are negative or criminal, it becomes difficult for others to accept positive or non-criminal behavior as part of black males' normative behavior.⁴⁶ As a result, the vast majority of black males who are not criminal or engage in more positive behaviors, such as pursuing educational success or working, are considered tokenized exceptions when their status is known.

As more details of Brown's death became public (e.g., his body lying in the street for more than 4 hours, the police leaking the purported shoplifting, perceived slow investigative process), they further spurred an ongoing social movement characterized in social media as #BlackLivesMatter. Brown's death has ignited more than 365 days of ongoing protests in Ferguson, MO, and across the country. Brown's death stirred a collective memory of excessive violence and racism, which punctuated police mistrust, a lack of control and mastery over one's body and community, and the unfortunate reality that unarmed blacks are more likely than whites to suffer violent ends at the hands of those sworn to protect them as citizens.

Over time, the narrative remains the same: black males who die from excessive force at the hands of police officers become *involuntary martyrs* for the sustained legacy of institutional and interpersonal racism. Those who do not die carry significant health threats displayed by physical scars and mental stress that may shorten their telomeres⁵⁵ and increase their risk of CVD, cerebrovascular disease, and hypertension.⁷ The concept of involuntary martyrdom suggests that some black males are persecuted not by choice or because they advocate for a particular belief, but because the visibility of their bodies in a particular space pose a threat to the normative social order. The social reality of involuntary martyrs is that these black men become representations of the most restrictive and constrained sense of democratic ideals, which are juxtaposed against the sensibilities that America is post-racial and colorblind.

Ferguson Could Be Anywhere, USA

Ferguson, Missouri, the home of Mike Brown, becomes an example of the primacy of racialization and the ordinariness of racism PHCRP principles. The city is more than 65 % black, nestled in the northern section of St. Louis County where many blacks migrated to seek work opportunities outside of the city. As more black residents moved in, white residents moved outward to the west of the city but did not relinquish political and economic control, which is evidenced by the 94 % white Ferguson police force. This police force helps generate half of Ferguson's municipal revenue in the form of traffic tickets and associated court fees, which are disproportionately given to black residents.⁵⁶

The St. Louis, Missouri metropolitan area is an example of many communities in America that are deeply segregated including Baltimore, Maryland, and Memphis, Tennessee. According to the U.S. Census Bureau, St. Louis is the ninth most segregated city in the USA, exhibiting conditions that gave rise to both lynchings, convict leasing, and the prison industrial complex. The state of Connecticut recently released data documenting that black drivers were twice as likely to be stopped and have their vehicles searched than whites.⁵⁷ Similar patterns are seen in Boston,⁵⁸ Iowa City,⁵⁹ and Durham,⁶⁰ to name a few. Blacks who live in impoverished communities with fewer economic opportunities, poor access to education, and little access to health care and recreational outlets are frequently subjected to over-policing.

New York City is notoriously known for its stop and frisk program and has some of the most comprehensive data on this policy.⁶¹ In 2011, New York City police officers performed nearly 700,000 pedestrian stops. Blacks represented over one half of these stops, compared to one third for Latinos and less than 10 % for whites. Over one half of all stops involved frisks. Of the nearly 140,000 times that force was used, blacks represented roughly 55 %. Our societal norms would allow us to assume from these statistics that the overwhelming majority of individuals who were stopped, frisked, and exposed to force were engaged in criminal activity. Yet, only 2 % of these stops resulted in the discovery of contraband.⁶¹ This means that over 9 out of 10 black males stopped by the police were innocent and engaging in no wrongdoing. A recent study shows racial bias in homicide convictions when the victim is non-white in cases where "stand your ground" was applied as a defense in Florida.³⁹

When police use stop and frisk and excessive force, and/or commit acts of "justifiable homicide," communities suffer the negative impacts.⁶² These communities are frequently labeled as high-crime areas and become subjected to predatory

lending, economic disinvestment, social isolation, and political disenfranchisement.^{63,64} These factors concentrate poverty, reduce educational attainment, and limit employment and earning opportunities, which institutionalize and replicate social biases that systemically seal the fate and fortune of many local residents. These social phenomena go virtually unnoticed until the (social) media highlights the ways that police killed black males like Eric Garner, Michael Brown, Tamir Rice, Walter Scott, Freddie Gray, and Samuel DuBose. Within 1 year, between August 9, 2014, and July 19, 2015, public attitudes shifted about police treatment of blacks. A recent Pew poll found that whites in 2015 were much more likely to say that blacks are treated unfairly by the police than in the past. Nonetheless, many incidents of police brutality go unreported and are not reflected in homicide and unintentional injury mortality rates because there is no mandate to report them to the Federal Bureau of Investigation.

POLICY PRESCRIPTIONS AS PHCRP STRUCTURAL DETERMINISM PRINCIPLE

Addressing this public health challenge goes beyond individual attitudinal and behavioral change; it demands a life course approach to alter the ways that systems and institutions disproportionately disengage black males through policies such as zero tolerance in schools, disproportionate sentencing for non-violent drug offenses, and negative media portrayals.^{65,66} Communities like Ferguson and the Sandtown neighborhood of Baltimore lack sustained community development to achieve the capacity that can provide individual, community, and economic resilience. These efforts should be orchestrated by grassroots organizations to build indigenous sources of social, economic, organizational,⁶⁷ and physical capital. Aligning with PHCRP principle structural determinism, these initiatives may provide black males with equal rights and resources when being criminalized and help attenuate racial profiling and the criminalization of black males.

With these goals in mind, we believe there are a number of concrete steps policymakers can take almost immediately, even with limited resources. First, researchers and policymakers need readily accessible valid and reliable data that disaggregate homicides by law enforcement officers across region, state, and municipal census tracts. We need better and more comprehensive data about killings and violent force to make better policy-orientated decisions about how to more equitably safeguard diverse communities to prevent the mental and physical trauma that occurs as a result of excessive policing. Classifying a death as a “justifiable homicide” does not provide the qualitative information to properly understand the incident. Accordingly, we need data about the threshold law enforcement officers employ when deciding when and how to use violent force against a citizen. Perceptions of fear as a viable defense need to be re-evaluated. In addition, state and federal repositories should work with hospitals and medical examiner offices to synchronize the evaluation of killings and violence incidents involving the police. In line with the PHCRP social construction of knowledge principle, researchers can collect and analyze these important forms of data to better inform policymakers about future directions.

Second, similar to the state of New York, we suggest that stop and frisk laws need to be repealed. Similarly, “stand your ground” laws need to be re-evaluated based on evidence showing pervasive racial biases in how these laws are implemented,

applied, and utilized.³⁹ These disparities suggests that the racial bias embedded in our judicial system, in particular the ways that lawyers use preemptory challenges, leads to glaring differences in who is ultimately selected to serve on juries. Finding unique forms of data, such as the death records from local newspapers, is one way that public health researchers and social scientists can begin to contribute more meaningfully to this line of inquiry.³⁹

Third, we recommend that police officers be required to use body cameras to document incidents with the general public. On December 1, 2014, President Obama requested \$263 million to fund body cameras and additional training for police following the unrest in Ferguson after the grand jury's decision not to indict Officer Wilson for Mike Brown's death. Body cameras provide video and audio recordings of violent incidents, which will allow for more objectivity, give voice to the dead, and increase accountability and transparency between police officers and the community. Since Rialto, California, mandated that police officers wear body cameras in 2012, the city has seen an 88 % decrease in citizen complaints and a 66 % decrease in the use of police force.³⁶ New York City, Albuquerque, Fort Worth, Oakland, and Prince George's County, MD also have precincts implementing body cameras for officers. Researchers can use body cameras as a natural experiment to compare cities that do and do not have body cameras.

In addition to body cameras, local jurisdictions, similar to Chicago, Oakland, Houston, and the state of Wisconsin, can implement community review boards to improve relations between the police department and local residents, hold local officials more accountable, and assist in decisions about officer-involved killings. There are four related principles that should be implemented as it relates to these review boards: (1) *Formation*, the formation of these boards should be independent and not linked to any political figure or party in control at the time of their formation; (2) *Composition and Focus*, the composition, focus, and purpose of these boards should be diverse, community-oriented, and not serve the political figure or party in control; (3) *Function*, roles of boards should focus on internal reviews of police shootings and use of excessive force, provide easy ways for residents to report occurrences, make policy recommendations, and make findings publicly available; and (4) *Evaluation*, every review board should base recommendations on existing evidence and best practices to establish benchmarks to denote how their actions indicate change and capture their own effectiveness. Researchers can qualitatively examine the content and makeup of community review boards to investigate their effectiveness in reducing health disparities and improving transparency.

However, body cameras and community review boards are not enough. The power imbalance between police officers and community members also need to be addressed. Cameras and review boards do little good if decision-makers who control the cameras and allocate authority to community review boards make decisions regarding when and where to activate and utilize them. In fact, cameras on police officers might be better served being controlled by a third party. Furthermore, in line with the mounting social psychological evidence on criminalization and the PHCRP principles critical approaches and race consciousness, police and peace officers need to be retrained to understand their own racial biases and formulate more equitable approaches to the treatment of individuals who they have not readily encountered during their upbringing.⁵¹ Finally, in line with the PHCRP ordinariness of racism principle, more mental and preventive health services should be offered to communities plagued with high levels of violence and policing. These efforts are

aligned with the goals of the Affordable Care Act, which emphasizes a partnership between preventive care and efforts to address population health issues.

CONCLUSION

The deaths of the black males mentioned in this article have two things in common—they were all black males who experienced death by legal intervention. In recent decades, there has been a renewed interest among health service researchers, public health scholars, social scientists, and policymakers in reducing racial disparities by expanding access to health care and building healthy communities. However, law enforcement can thwart these pursuits for black males. As a fundamental social institution, the criminal justice system may perpetuate the preponderance of legal interventions that lead to poor mental and physical health outcomes for black males. While the field of public health has made some headway in addressing the causes of health disparities, as framed by health inequalities and social determinants of health, research on the prolific and constitutive criminalization of black males and its impact on the health trajectories of black males has fallen short. In this article, we laid out future research agendas and policy prescriptions to reduce racial disparities in “justifiable homicides.” Although we focus exclusively on black males, recently, the Sandra Bland incident, the death of Tanisha Anderson, as well as the McKinney, Texas, pool party and the Spring Valley High School assault of a female student by a School Resource Officer show that black girls and women are also criminalized. Socially accepting and legally sanctioning the criminalization of black bodies obstruct the principles of democracy and human rights efforts. In order for health equity to be achieved in the twenty-first century, researchers and policymakers can draw upon PHCRP and intersectionality to help equalize the public interactions of all citizens and end the era of involuntary martyrdom.

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This manuscript is dedicated to the memories of the black boys and men as well as black girls and women, who have been injured or died and having their deaths ruled as a “justified homicide.” This manuscript cannot capture nor fill the void many family, friends, neighbors, and community members experience when one of these incidents occurs. We hope this manuscript will inspire active steps of academics, practitioners, community organizers, and policymakers to remedy the negligent acts of some police officers, so that no community will have to mourn the loss of one of its members and engage in reconciliation after a “justifiable homicide.” The work of Dr. Gilbert is supported by the Robert Wood Johnson Foundation’s New Connections Grant and the Saint Louis University Faculty Research Leave Program.

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