

How Reasonable are Police Officers?

How prior experiences and jury instructions affect Americans' judgments



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Background:

The Graham v. Connor Supreme Court decision established that, when a police officer is accused of using excessive force against a citizen, a jury must decide if their actions were “objectively reasonable”.¹ Given that officers are indicted less than 1% of the time,² we wondered:

- How the divides in our social lives may impact the priors we hold towards police officers
- If the invocation of the reasonable standard may inadvertently bias jurors in favor of officers by cueing positive exemplars

Main Questions:

The goal of the present study was to directly examine:

- 1) whether Black and White Americans’ priors regarding police officers differ in the absence of the objectively reasonable standard,
- 2) if all participants’ judgements of the officer shift to be more favorable towards the officer under the invocation of the objectively reasonable standard,
- 3) if Black Americans show a significantly larger shift in their judgements of the officer than White Americans under the invocation of the objectively reasonable standard (interactive effect).

Conclusions

The observed difference in the Average condition indicate that Americans from different demographic backgrounds start with different priors about officers. The invocation of the objectively reasonable descriptor shifts all groups’ judgments to be more favorable toward officers. This shift is most prominent for Black Americans.

Study 1 (N = 968 Jury-eligible Americans)

Three Conditions:

- Objectively Reasonable Police Officer
- Average Police Officer
- Police Officer

Free Response Prompt:

Describe the actions and/or conduct that comes to mind when you imagine a _____ police officer.

- Assessed the percentage of **positive** and **negative** terms used to describe the officer

Person-Perception Ratings³:

Please indicate the extent to which you would consider a _____ police officer to be...

- **Competent:** Competent, Confident, Intelligent, Competitive, Independent
- **Warm:** Warm, Tolerant, Sincere, Good-Natured

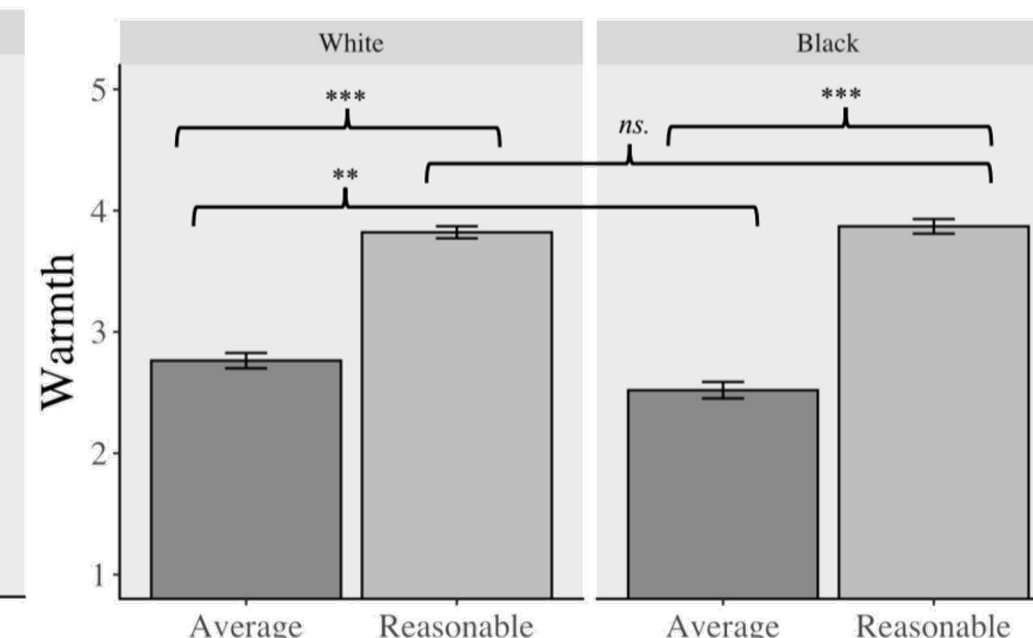
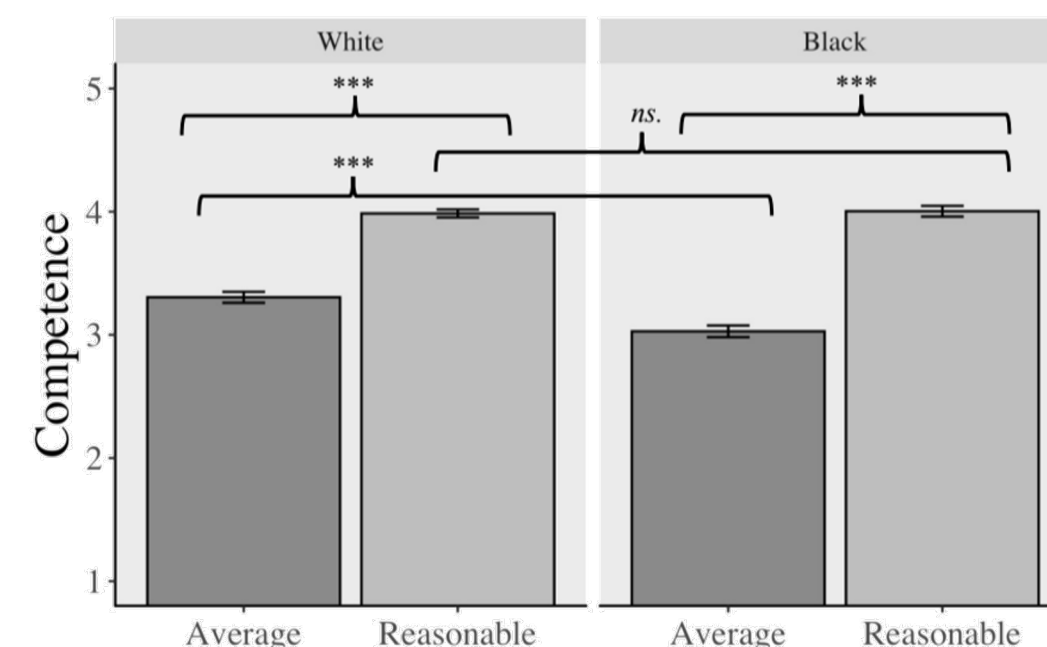
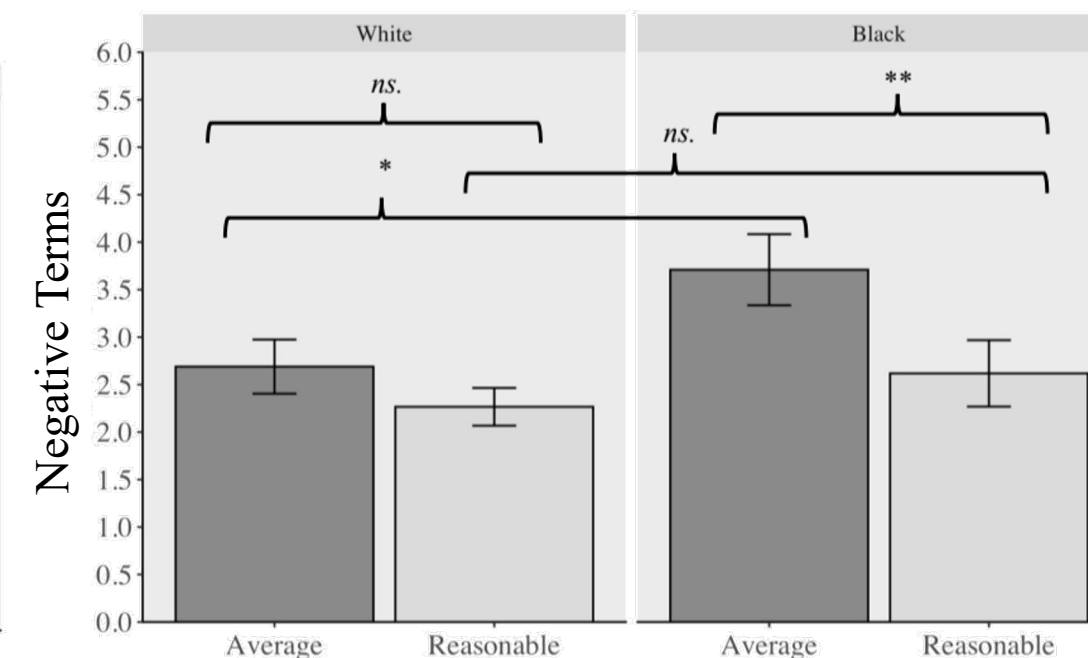
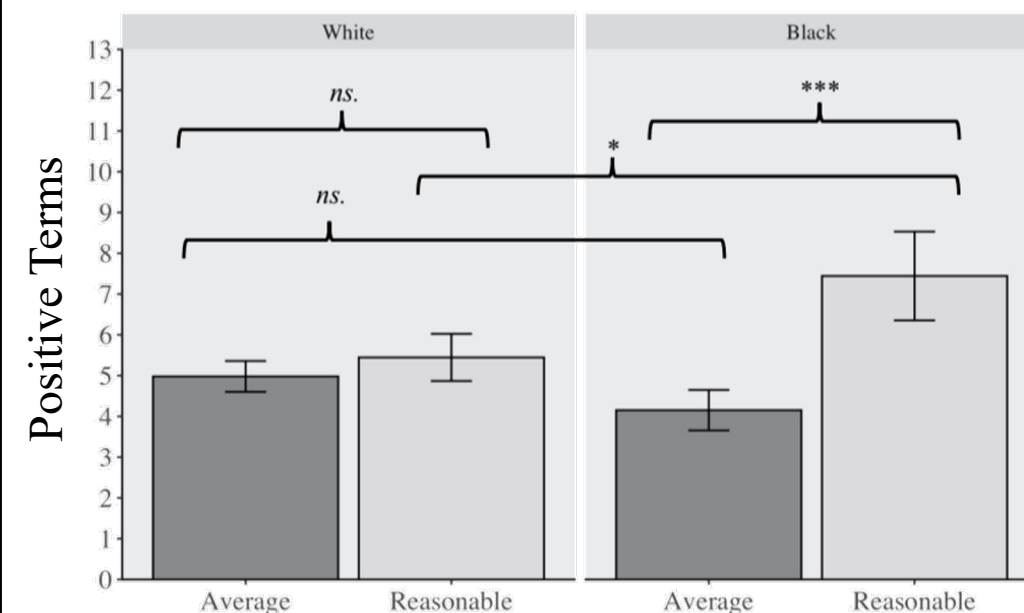
Study 2 (N = 454 Black & 463 White Jury-eligible Americans)

Two Conditions:

- Objectively Reasonable Police Officer
- Average Police Officer

Free Response & Person-Perception Ratings

Identical procedure as Study One



Results

Analysis of the free-responses, revealed that the **responses were moderated by race.**

- **Non-white Americans wrote more positive things** about the officer when they were described as objectively reasonable, $t(962) = 2.08, p = 0.04$.

Further, participants rated the objectively reasonable officer as **substantially warmer** ($F(2,965) = 100.40, p < 0.001$) and **more competent** ($F(2,965) = 60.97, p < 0.001$) than when the officer was described as average or just an officer

The broader legal systems that we are all embedded in shapes how we as citizens form judgments and those judgements carry implications for our society.

In the future we will assess how the invocation of the reasonable standard impacts judgments of accountability and indictment decisions.

Learn more:

Materials & Preregistration:
osf.io/g2d54/

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References:

1. Graham v. Connor. (1989). Oyez. Retrieved from <https://www.oyez.org/cases/1988/87-6571>
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