

Police Killings of Native American People: Examining Variation Across Space, Time, and Status Characteristics

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INTRODUCTION

Each year, over 1,000 people die in the United States during encounters with police officers. Research has demonstrated that Native Americans are more likely to be killed by police than white Americans.

- Native American men and women have about a 45 in 100,000 and 4 in 100,000 chances of being killed by U.S. police during their lifetime, respectively, compared to a 39 and 2 in 100,000 chance for white men and women. (Edwards et al. 2018)
- Police use of force is responsible for approximately 1.2 percent of all deaths involving Native American men between the ages of 20 to 24 years old. (Edwards et al. 2018)
- Native American women have the highest risk of mortality due to police violence among all ethnoracial groups of women.

Police are one the most visible parts of the criminal justice system, and the consequences of their actions as extensions of the state against Indigenous people warrant scholarly attention. While a burgeoning literature has identified patterns of police killings against Black and Latinx men and women, experiences among Native Americans remain understudied.

Foregoing research has tended not to clarify variation in police killings of Native American populations across space, time, and dimensions of status including age, gender, and ethnic identity. This study represents one of the first descriptive assessments of deadly police encounters for Native American men and women.

THEORETICAL FRAMEWORK

This study is informed by theories of colonization, colonial legacies, formal social control, and racialization. The key contributing factors to this issue include settler colonialism, ethnic ambiguity and racialization, and the police system's foundations.

In particular, these foundations lie in regulations of stolen land through America's first organized law-enforcement, which was colonial New England's model of appointing "Indian Constables" to regulate and police Native people and encourage vigilante violence against them. Eventually, elaborate slave patrols were developed in the U.S. South, and the United States' early civilian law-enforcement systems were patrol networks to police Black and Native people via the authority of white elites.

Today, environmental causes of crime are identical between white people and people of color, yet disparities in the justice system far exceed racial differences in offending. In many ways, legal bias also subjects communities of color to a broad range of worsened conditions exacerbated by poorer labor and housing options and disparate education and health care.

DATA AND METHODS

Data for this project was extracted from three commonly used, large crowdsourced databases that document lethal policing events in the United States: Fatal Encounters, Mapping Police Violence, and The Counted.

These databases cover all fifty states and Washington, DC, and were compiled by collating news reports and public records requests. The strategy of capturing police violence deaths using publicly available information is known as an open-source methodology. The data used in this study collectively covers approximately 21 years of events from 2000 to 2021.

RESULTS

- 338 Native people were victims of fatal encounters from 2000-2021.
- 29.3% of incidents took place on reservations and 70.4% of incidents took place off reservations. The other 0.3% accounts for one incident that took place on Native settlement land that is not considered reservation land.
 - About 22% of Native people live on reservations, and about 78% of Native people live off reservations.
- 10.7% of incidents had female victims, and 89.1% of incidents had male victims. The other 0.3% accounts for one case in which demographic information was withheld by police.
- In 71.0% of incidents, the intended use of force was lethal force.

Figure 1. Count of Reasons for Police Encounter in Incidents of Fatal Encounters

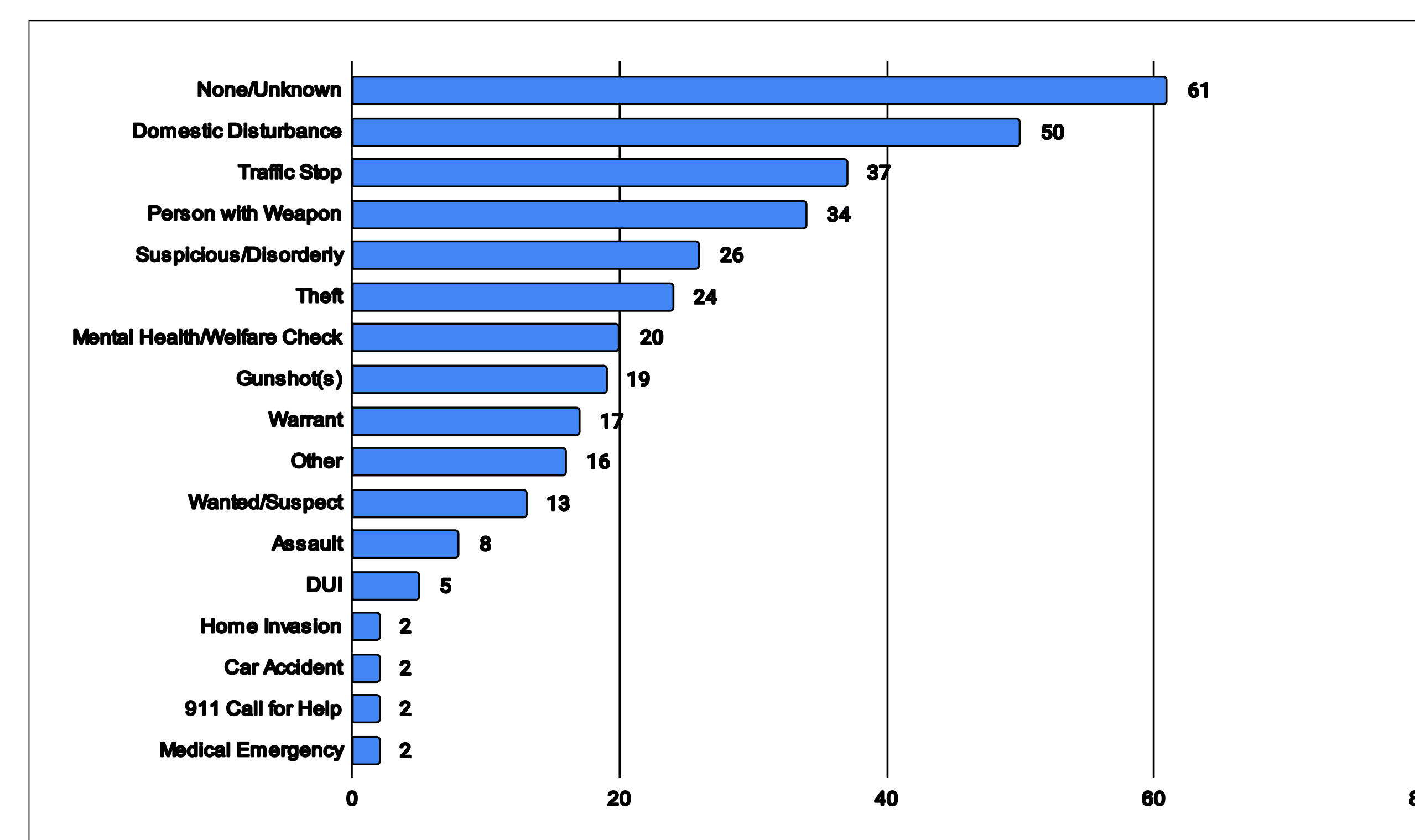


Figure 2. Armed or Unarmed Status of Victims in Incidents of Fatal Encounters

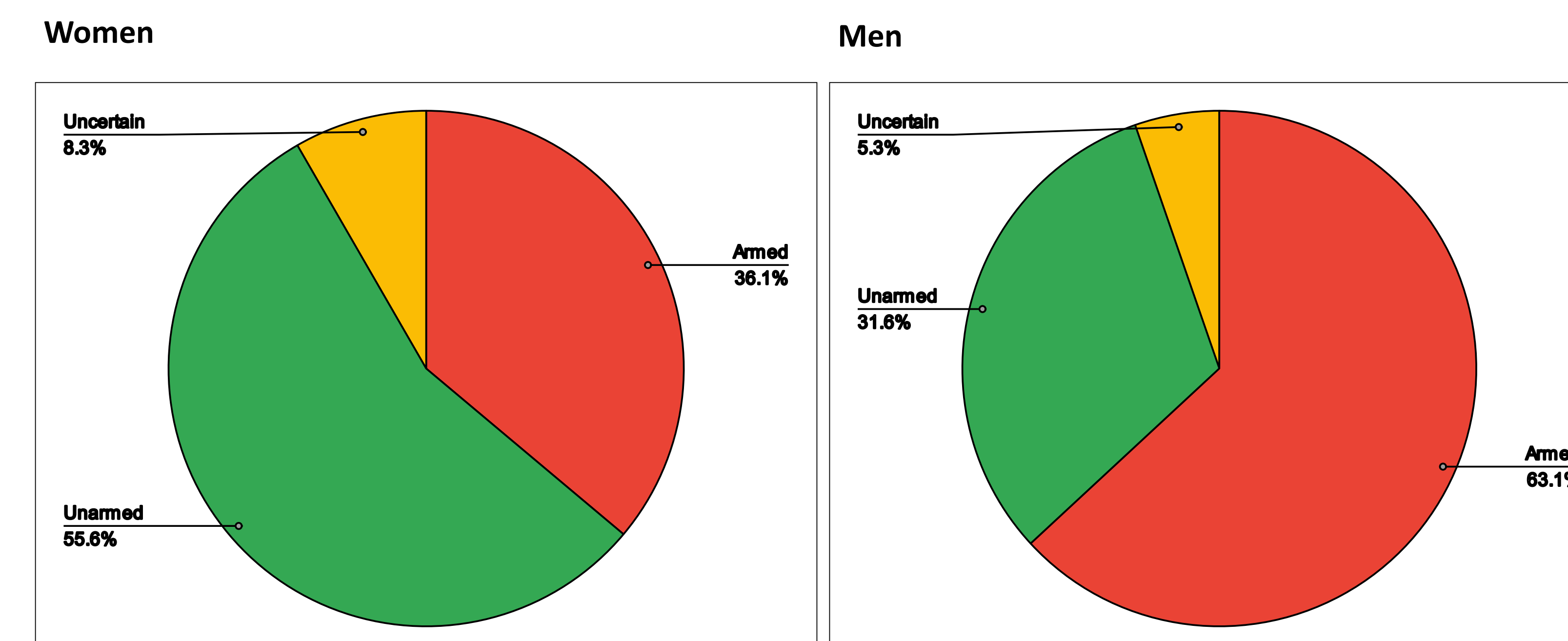


Figure 3. Incidents of Fatal Encounters by Location

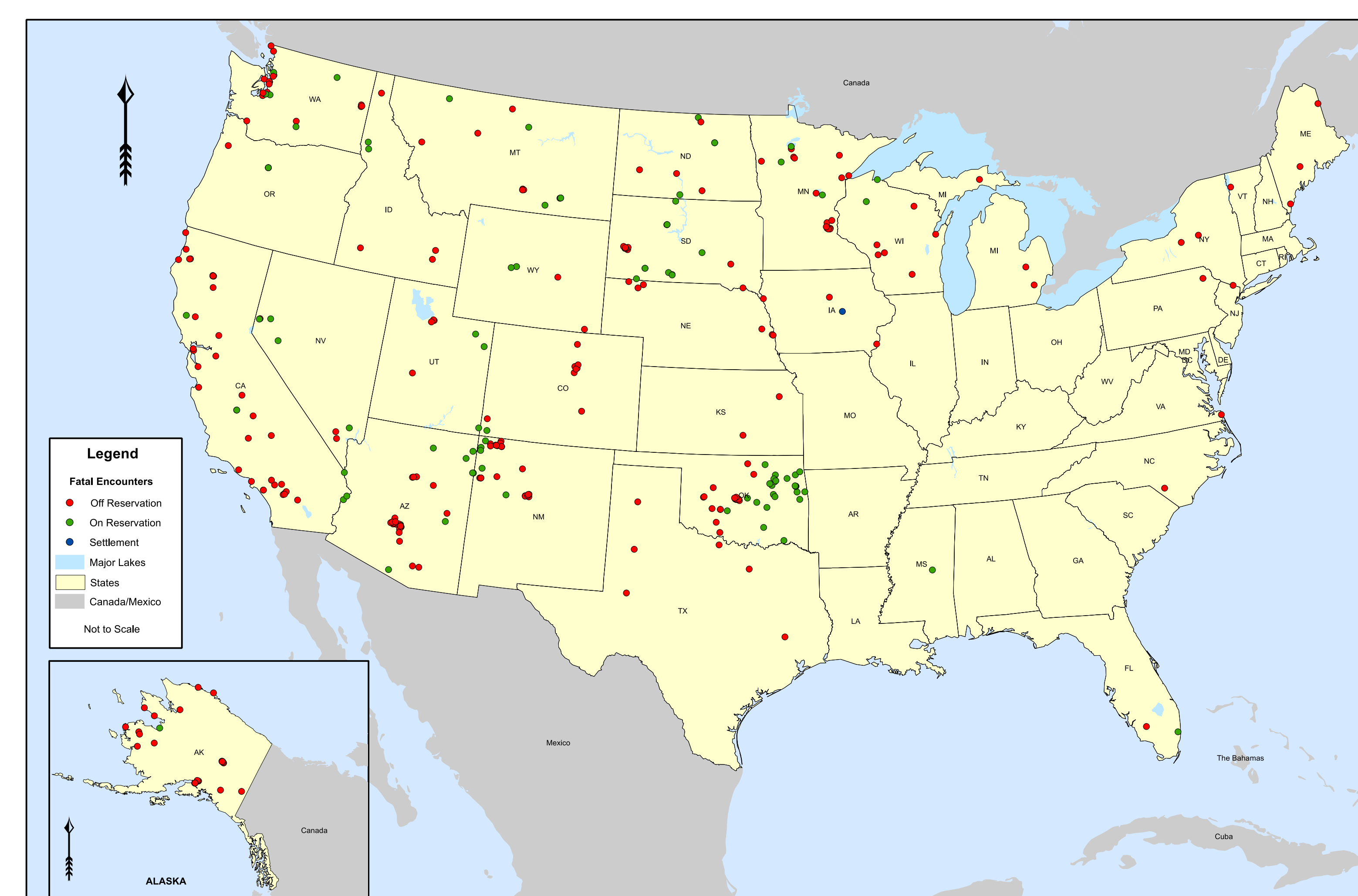


Figure 4. Count of Agencies Involved in Incidents of Fatal Encounters

Agencies Involved	Count
City/Town PD	174
On-Reservation PD	72
County Sheriff's Office	67
State Police	38
BIA	12
College/University PD	3
U.S. Marshals Service	1
U.S. National Park Service	1
U.S. Forest Service	1
U.S. Customs and Border Protection	1
U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives	1

DISCUSSION AND CONCLUSION

Racialization likely plays a large role in interactions between police and Native civilians such that police may often rely on visual cues that we associate with race, but racial ambiguity may facilitate a more negative interaction. In such cases, police may also rely on other cues such as location of the stop, the socioeconomic status of the person, or the symbols worn by the stopped person to identify them racially. In this way, location and jurisdiction are important considerations in examining fatal police encounters for Native populations.

Policing represents a means to socially control populations in addition to other missions but extends from the United States' long history of colonization and forced assimilation of Native populations.

IMPLICATIONS

Public debate around creating policies to deal with the policing problem has focused on diversifying the police, enhancing training, embracing community policing, and increasing accountability measures. Most of these reforms can have positive effects, but they all fail to deal with the fundamental problems at the root of police violence.

- We need a national registry of fatal police encounters provided by the government that is held to a high standard of accuracy and comprehensiveness.
- All available non-lethal means should be employed before considering anything else when dealing with civilians.
- When an unjust lethal policing occurs officers should be held accountable, as a very small number of officers are charged.

To inform policies that specifically reduce the negative impact on Native American populations, additional measures are necessary.

- Targeted reparations to improve the social, educational, and economic conditions that lead to crime and over-policing in the first place.
- Increased resources and accessibility to cultural healing methods, such as language revitalization, ceremony, and more.
- Implementation of pre-existing initiatives that are created and delivered by Native people that deliver justice.
- Gender-specific interventions that protect Native women in particular due to their unique vulnerability to fatal police encounters. Such interventions may include social programs benefiting Native women to reduce the number of police interactions they have.