

THE PHENOMENON OF SUICIDE BY COP

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INTRODUCTION – GETTING STARTED WITH A REAL LIFE SCENARIO

I work for the Texarkana Arkansas Police Department and on 09-07-02 at approximately 5:30 p.m. our department received a 911 call indicating that a man was standing in the street near the intersection of 9th and Broad directing traffic. An officer with our department (Clark, 2002) responded and found an individual he knew as Lonnie Peoples standing in the street waving at passing motorists. When the officer got out of his police car to speak with him, Mr. Peoples started running. The officer gave chase and they ended up in the parking lot of a nearby Family Dollar Store. Because the store was only recently constructed there were construction materials lying around. Mr. Peoples picked up a surveyor's stake, a three foot long piece of wood that is pointed on one end, turned and faced the officer. The officer drew his sidearm and ordered Mr. Peoples to drop the stick. Mr. Peoples refused. The officer again ordered Mr. Peoples to drop the stick and again he refused. As the officer continued to try and get Mr. Peoples to cooperate Mr. Peoples began to walk towards the officer. When Mr. Peoples raised the stake as if to attack, the officer fired one shot from his sidearm into the midsection of Mr. Peoples. The shot caused Mr. Peoples to drop the stick and fall to the ground effectively ending this incident. Mr. Peoples did not die but did spend several months in the hospital. He was subsequently charged with and found guilty of aggravated assault.

During the course of our careers, most police officers will not have to fire their weapon in the line of duty. However, all police officers who work the street for any length of time will have multiple contacts with individuals just like Lonnie Peoples, and it is that truth that prompts the writing of this paper.

That being said, the question I and many other police officers have is this, “What would possess a man armed with a stick to provoke and attack a police officer with a gun?” This paper will provide some insight into that question by examining the phenomenon of “Suicide by Cop.” First, we will learn to **recognize** “Suicide by Cop” by defining it and looking at its most basic elements. Then we will look at some **research** and examine the characteristics of the people involved in these incidents. Next we will discuss a strategy for **responding** to these issues at the street level. Finally, we will look at some of the **ramifications** surrounding this phenomenon and then offer some **recommendations** for dealing with this issue at the administrative level.

RECOGNITION - WHAT IS SUICIDE BY COP

V. J. Geberth is recognized as the researcher who first defined the term Suicide by Cop. Writing for an article in Law and Order, Geberth (1993) defined Suicide by Cop as an incident in which individuals, bent on self-destruction, engage in life-threatening and criminal behavior to force the police to kill them. Because many of the individuals who engage in this type of behavior are killed it is difficult to validate their intent, and as a result researchers have decided that other factors verifying the individual’s intent must be present before an event can be classified as a suicide by cop. Two of those factors would be a stated wish to die and/or a written suicide note. Even with the addition of these criteria there is still room to debate what exactly must be said or written in order to establish intent.

Other definitions have been offered. Keram and Farrell (2001) define these incidents as “suicide by proxy.” They argue that suicide by cop or even law enforcement assisted suicide implicates the law enforcement officer. They say the word “by” in suicide by cop conveys intent to harm the citizen by the officers, and that the word “assisted” in law enforcement-assisted suicide implies an agreement entered into voluntarily by the officers with the subject. They define “suicide by proxy” as an incident in which a suicidal individual causes his/her death to be carried out by another person.

R.B. Parent (1998) labels these incidents as victim precipitated homicides. He defines victim precipitated homicide as an incident in which a suicidal person confronts an assailant/officer, with a real or perceived lethal weapon, forcing the assailant/officer to respond with deadly force.

A fourth definition and the one currently used by “Black’s Law Library” is the one created by Rebecca Stincelli. Stincelli is an advisor to the Sacramento County California Sheriff’s Office, a published author, and the creator of the website “Suicide by Cop.com.” She defines these incidents as a situation in which a suicidal person acts in a consciously life-threatening manner to the degree that it compels a police official to respond with deadly force. She goes to say that the following criteria should be present:

- The subject must demonstrate the intent to die
- The subject must possess a clear understanding of the finality of the act
- The subject must confront a law enforcement official to the degree that it compels that official to act with deadly force
- The subject must die; otherwise it is an attempted suicide by cop

Even the best attempts at defining these events fall short. Does the suspect have to verbalize or write down their wish to die? Can their intent be obvious to an officer trained to observe human behavior? Does the suspect have to fully appreciate the finality of the act? Is there not some degree of irrational thinking present in every case of suicide by cop potentially rendering the suspect incapable of understanding, at least to some degree, what they are doing? Is it not sufficient to know that the officer acted legally and in accordance with departmental policy? What difference does the intent of the suspect make? These and other questions will be examined as we move along.

RESEARCH - CHARACTERISTICS OF PEOPLE INVOLVED IN Sbc

Police confront situations involving the potential of suicide by cop much more frequently than most people suppose. Generally speaking, suicide by cop was not defined until 1993 and then it was another five years before the findings of any true research in this area was released.

In 1998 the University of Southern California, in cooperation with the Los Angeles County Sheriff's Office, published a study in the Journal of the American College of Emergency Physicians (Dingsdale, 2005). The study looked at 437 officer involved shootings occurring between 1987 and 1997. The study found that overall, 12.5% of the shootings could be classified as suicide by cop. However, in the final year of its study the researchers found that 28.3% of the shootings met the criteria of suicide by cop. What this suggested was that by 1997 the phenomenon of suicide by cop had become more much recognized and was resulting in a truer picture of the problem.

Among the other findings of this report were: 1) 98% of the suspects involved were male – 2) 39% had a history of domestic violence – 3) 46% had previous suicide attempts – 4) 50% of the time when a weapon was involved the weapon of choice was a firearm – 5) 83% of the time the firearm was loaded and operational. This last finding was significant because it debunked the myth that the suspects involved in these types of incidents do not want to hurt anyone but themselves. The truth is these people will often hurt anyone if that is what it takes to accomplish their goal of dying.

The USC study also found that 72% of the incidents meeting the suicide by cop criteria occurred at or in a residence. According to the study, this coincides with information gleaned from suicide by cop survivors who told interviewers that the residence belonged to them and any intervention by law enforcement was seen as an invasion of their territory and therefore justified their right to act defiantly.

In her book, *Suicide by Cop: Inducing Officers to Shoot*, Vivian Lord cites another study conducted in North Carolina. The researcher in this study looked at sixty-four cases of suicide by cop occurring between 1991 and 1998. Some of the findings of that study indicate: 1) 93.8% of the suspects involved were male – 2) 75% were white – 3) 21.9% were black – 4) 56.3% were between the age of 25 and 39 – 5) In 67% of the incidents the suspect survived – 6) In 33% the suspect died.

Other findings in the North Carolina study include the following: 1) 62% of the suspects had no previous diagnosis or commitment history of mental illness – 2) 59% were using alcohol during the incident – 3) 26% used no drugs or alcohol during the incident.

No information from the USC study was available concerning the stressors the suspects were facing at the time of the suicide by cop incident. In the North Carolina study researchers found that the stressor most likely facing a suspect immediately prior to attempting a suicide by cop incident was the loss of or termination of a close relationship. This stressor was present in 30% of the cases studied while some type of family problem other than the loss of a relationship was present in 19% of the cases. This would indicate that some type of interpersonal crisis was present in half of the cases. The remaining half consisted of mental illness, criminal activity, or someone with multiple stressors.

Summarizing the two studies we find that the person most likely to become involved in an incident of suicide by cop is an intoxicated white male, between the ages of 25 and 39 who is undergoing some form of interpersonal crisis involving a family member or other loved one. The suspect will not have a diagnosed mental illness; however, if the suspect has a history of domestic violence it is likely he will have had at least one previous suicide attempt. The incident will most likely occur at a residence, the suspect will likely use a loaded and operational firearm to assault the police officer, and the suspect will survive.

RESPONDING – A STRATEGY FOR DEALING WITH THESE INCIDENTS

Brien Farrell, City Attorney for the city of Santa Rosa, California, a suburb of Los Angeles, has defended numerous Santa Rosa officers for use of deadly force. In June of 1998 he articulated the following key points about suicide by cop (Lord, 2004):

- A suicidal person can and may kill. These incidents are dangerous and high risk
- Some suicidal persons may harm others to get officers to kill them
- These events are increasing in numbers
- The suspect is often armed, violent, and acting in an irrational, threatening, and defiant manner
- The actions of the suspect remove the non-deadly force options
- In a “suicide by cop” incident the officer is truly the victim and the incident may be incorrectly portrayed by the media as the use of excessive force

With this in mind it is easy to see how these high intensity events could adversely affect the police officer, his family, his department, and the community. For these reasons and more it is important that officers have at least some strategy for dealing with these incidents before they occur. On average, these incidents only last about 10 minutes so it is imperative that an officer be ready before it happens. He/she certainly will not have time to formulate a plan during the incident itself.

The following steps represent a basic strategy for dealing with an incident of suicide by cop. They are not all inclusive and certainly are not intended to replace any departmental policy all ready in place. Some of the steps in this strategy will be discussed in more detail than others, but all are important.

1) The first officer on scene should assess the situation and call for help. Using the information provided in this paper the officer can determine whether or not the suspect and the location of the incident fit the suicide by cop profile. This rapid assessment could help him and others decide their next step.

2) If possible, back away. The longer you can avoid confrontation the better. The suspect wants to provoke you into using deadly force. The longer you can avoid the use of force the better the chances of a less than lethal outcome. When managing a suicidal subject the rule of “cause and effect” is always present. This can be seen most clearly in the case of a “jumper” who, seeing police officers approach begins to threaten more vocally that they are going to jump. The subject is responding to the rescuer’s movements. As the subject anticipates that he or she may be grabbed they are left with few options. Do I surrender or do I jump? Do I jump now or can I wait a little longer? The “jumper” is reacting to the officer and the officer must consider his/her effect on the jumper. It is a situation where the best intentions of the officer can actually precipitate the death of the jumper. Law suits are increasing where the question is asked, “Did the rescuers deploy appropriate tactics to save the life or did they create the “action imperative” for the death act?” When confronted with a suicide by cop incident ask yourself if you can safely withdraw and if you cannot, then ask yourself how aggressively should this incident be handled?

3) Consider the use of less lethal force or non-lethal force. In the book Suicide by Cop: Inducing Officers to Shoot, (Lord, 2004) contributor Robert Homant discusses less lethal options such as pepper spray, tear gas, tasers, bean bag rounds, rubber bullets and batons. He also discusses the non-lethal option involving the simple use of physical force. Surprisingly, the non-lethal use of physical force was the most successful of all the tactics indicated above.

In two different studies involving a total of ninety-eight cases the use of non-lethal force; i.e. wrestling or the use of physical strength on the part of the officer, was successful 70% of the time while the use of less than lethal force; i.e. bean bags, pepper spray, rubber bullets, batons, and tasers, was successful only 30% of the time. Success was and is defined as taking the suspect into custody without anyone sustaining a life threatening injury and without the use of lethal force. While the use of physical strength would appear to be the most successful it also poses the greatest risk to the officer. In the cases studied the researchers attributed the success of non-lethal force to luck and the element of surprise. Clearly, this is not the best tactic for the officer, and if employed it should never be done if only one officer is present and then only as a last resort.

4) If the suspect says you are annoying him you probably are. As has already been mentioned there is a “cause and effect” relationship at work between the suspect in a suicide by cop incident and the officer. Our behavior can help or hinder the outcome of the event. In the book Suicide by Cop: Inducing Officers to Shoot, (Lord, 2004) contributor Dr. Barry Perrou discusses what he calls Antecedent Pre-Death Behaviors. In his discussion Dr. Perrou mentions two dynamics that are at work in every suicide by cop incident. One of those dynamics is what could be referred to as the “Annoyance Dynamic.” **The “Annoyance Dynamic” has a direct influence on the outcome of the incident.** Dr. Perrou writes that, “In instances where a “connection” between the suicidal subject and the intervening officer is lacking, the subject may see death as his only escape from the agitating voice of the officer.”

“Sadly, the officer, seeing that his efforts to resolve the situation peacefully are not being effective, tries even harder which only compounds the subject’s interest in escape. Unfortunately, the harder the officer tries the greater the annoyance to the suspect until the officer’s actions trigger the suicidal act.” If the suspect tells you he is becoming annoyed with you it’s probably true and you should consider being less aggressive.

5) Maintain tactical vigilance. The second of the two dynamics at work in each suicide by cop incident is the “Rescue Dynamic.” **This is a subtle but dangerous force that has the greatest impact on officer safety.** The truth is that most officers are not trained to handle suicide by cop situations. When officers find themselves face to face with a subject who wants to die, their primary reaction is not to help them die, but to help them live. The officer wants to save them. As a result, the officer’s focus shifts from that of personal safety to one of protecting the subject. The officer, when faced with a suicidal person, may view the subject’s death as a failure on his part. In the back of his/her mind he is asking this question, “Am I going to fail by causing the death of this subject.” He may see the need to keep the subject alive at any cost. Consequently, in an effort to avoid failure, the officer may take such tactically unsound steps as hesitating to fire when a weapon is pointed at him, coming too close to the subject in an effort to bond with the suspect, or making some “last ditch” attempt to disarm the suspect. Officers must remember that although a peaceful solution is the desired outcome, it must not come at the expense of officer safety.

6) Ask for a negotiator. Given the fact that these incidents will be over in a matter of minutes it is unlikely that a negotiator can arrive on scene in time to make much of a difference. With that in mind consider allowing the most senior and experienced officer on scene to begin negotiations. You do not have to be the one who talks with the suspect just because you were the first officer on scene. Do not be afraid to defer to more experienced officers. Also, when speaking to this individual ask why he/she wants the police to kill them. Make it personal; make sure the individual understands that he is asking another human being to kill him. Make the individual understand the emotional and psychological trauma that the officer and his family are going to go through. One negotiator told a suicidal individual that if the officers shot him, his children would never respect the police again because they had killed their father. The suspect surrendered.

7) Watch for positive and negative behaviors. The experience of Dr. Perrou in dealing with hundreds of suicides in progress suggests that if certain behaviors can be detected they can be accurate predictors of the outcome of the event. By watching for these behaviors officers can determine whether or not they are being effective, devise alternative strategies and tactics, and decide the speed with which to push for an end to the encounter. Some of the positive behaviors that indicate a peaceful resolution is possible would be: less interactive tension, a lowered voice, less anger, less profanity, diminished aggressive body language, diminished threats of violence, less hopelessness and helplessness, a greater willingness to listen to the officer's suggestions, and the solicitation of promises; i.e. No handcuffs please, No photographers please, or I will surrender if you_____.

Some of the negative behaviors present in individuals during suicides in progress that would indicate a life threatening act is imminent are:

- Hyper-vigilance (scanning) – This involves a subject visually scanning his surroundings, typically from shoulder to shoulder, indicating that the subject perceives his circumstances negatively. The suspect remains hopeless and the presence of emergency workers does not change the suspect’s destructive intent.
- Change in Respiratory Rate – This can take the form of periodic very deep breaths or repeated very deep breaths. This is very often the last act before death, and can be detected either audibly, visually, or both. However, it is behavior that can sometimes only be detected by those trained to look for it.
- Counting Up or Down - This can take the form of actual counting; i.e. 1, 2, 3 or it can take the form of a rocking motion. In either case the cadence seems to help them develop a momentum which in turn brings the person to a point of release.

In actual crisis situations the identification and subsequent interruption of these negative pre-death behaviors has successfully diverted individuals away from suicide, ultimately bringing the person to surrender, writes Dr. Perrou. “Police officers, as crisis negotiators, have reported both visually and audibly observing antecedent behaviors and, where possible, have changed their tactics from one of calmly soliciting cooperation to one of making loud and forceful demands, thus rudely diverting the person’s attention and momentum away from the suicidal act.” As an example, consider that an officer finds himself facing an armed subject seemingly intent on dying. At one point during the contact the officer notices the subject begin rocking his head, hyperventilating, and mumbling, “One, two, three. At this point a forceful outburst of “STOP WHAT YOU ARE DOING. I CAN SEE WHAT YOU ARE DOING AND I WANT YOU TO STOP IT RIGHT NOW AND TALK TO ME,” could save the suspect’s life.

RAMIFICATIONS AND RECOMMENDATIONS – ADMINISTRATIVE ISSUES

Ramification #1 - A terrified woman calls 911. She screams to the call taker that her ex-boyfriend is breaking into her home. She says he has threatened to kill her in the past and she needs the police immediately. When officers arrive they hear screams coming from inside the house so they make entry to the home and find a twenty-eight year old, white male, standing in the front room holding a rifle. The victim is sitting on the couch unharmed. When the officers announce their presence the white male suspect turns slowly towards them. They order him repeatedly to drop the rifle but he refuses. Their weapons are drawn and pointed at the suspect. There can be no doubt in the suspect's mind that the officers will shoot him if he does not obey their commands. Instead of complying with the officer's demands the suspect begins to raise the rifle. As the barrel of the rifle starts to rise it is obvious that in just one or two seconds the weapon will be pointed directly at one of the officers. Again, the suspect is ordered to drop the weapon or he will be shot but he refuses. Both officers fire their weapons and the suspect is killed. The rifle was loaded but the officers did not know that. No suicide note is found nor was any intent to commit suicide verbalized to the officers or to the suspect's girlfriend. Was this a suicide by cop?

Based on the information supplied in this paper thus far we can conclude that the suspect met the basic personal demographics of a person who is likely to be involved in a suicide by cop incident. We also know that the location of the incident was in keeping with where current research suggests most incidents of this nature will take place.

However, based on the efforts of researchers to define these types of incidents we may or may not be able to establish intent since the suspect did not make this known through written or verbal communication. As a result, we are left wondering whether or not this is a suicide by cop, a suicide by proxy, a victim precipitated homicide, a justifiable homicide, or some combination thereof.

Recommendation #1 – I recommend that the legal community and the scientific community get together and establish one, working definition for these incidents. Some medical examiners have started classifying deaths as suicide by cop but what criteria did they use? Others can examine the same incident and will conclude the cause of death as justifiable homicide. Both are right. But many researchers agree that suicide by cop is deserving of its own classification and as such is deserving of a legal definition that would be accepted in any court in the nation. I recommend something like the following: Suicide by Cop is an incident in which an individual, while acting in a manner consistent with a disregard for his/her own life, and having made known their wish to die, either in written form, in verbal form, or in the form of self-destructive behavior, past or present, directs potentially life threatening, and criminal behavior towards a law enforcement official to the degree that it compels that official to respond with deadly force. Using this definition the intent of the individual could be inferred by their current behavior, and no written or spoken intent would be needed. After all, actions speak louder than words. Also, no weapon would have to be present. Deadly force can sometimes be justified in cases where the officer is being physically attacked by a weaponless individual.

Ramification #2 – When I was discussing a strategy for dealing with these types of incidents I indicated on page 8 and on page 9 of this paper that certain legal considerations, and civil liabilities are at work when we are faced with a suicidal person. Not only must officers be able to justify their use of force, if any is used, but increasingly they must justify even the actions they take that were intended to help. The rule of “cause and effect” is in play and the officer must be able to articulate why he/she took certain actions even if it was such benign behavior as attempting to move closer to the suicidal person. Did that officer’s movement contribute to the person’s decision to act on their death wish?

Recommendation #2 I recommend **all** police shootings be investigated from the standpoint of suicide by cop even if such does not appear to be the case. I also recommend a forensic psychologist assist in the investigation or at least be consulted. Too often police departments narrowly focus their investigation on the use of force alone and whether or not the officers followed departmental policy. I believe this can result in a conclusion that may be factually accurate but incomplete.

In an August issue of the FBI Law Enforcement Bulletin, (Kennedy, 1998) the authors wrote an article simply entitled, Suicide by Cop. In their article they point out that police may confront shootings motivated by suicidal subjects more often than reports indicate. They write, “The concept of hidden suicide illustrates the complexities of suicide by cop. Many deaths appear to result from natural or accidental causes that might better be classified as forms of suicide.”

“Some researchers have long suspected that many single-occupant car crashes, especially those that happen under excellent driving conditions, involve suicidal motivations. The ambiguity arising in determining whether a death is suicidal has given rise to the concept of a psychological autopsy.” Suicide by Cop situations are lethal traps designed to force the officer into a no-option position. Therefore, it is imperative to investigate as thoroughly as possible all police involved shootings with the understanding that this event may be a hidden case of suicide by cop, and **nothing the officer did or did not do could have changed the outcome.**

Ramification #3 – When I was discussing a strategy for dealing with incidents of suicide by cop I mentioned on page 10 of this paper a dynamic called the “Rescue Dynamic.” This is the subtle phenomenon that occurs when a police officer is faced with a suicidal person. His/her focus shifts from that of self-preservation to that of preserving the life of the suspect. This shift in thinking can be dangerous because the officer may fail to be as tactically vigilant as he/she should be.

Recommendation #3 – I recommend additional training for officers in the area of suicide by cop. According to the article published in the FBI Law Enforcement Bulletin cited above, (Kennedy, 1998) on average at the academy level only 9% of basic training is devoted to interpersonal skills. It may be that the percentage of time allotted to such training needs to be increased. Officers should be taught to recognize the positive and negative behaviors associated with suicide by cop as well as learn to appreciate the unique issues of officer safety and tactical thinking involved in these incidents.

Training should include all available data about the phenomenon of suicide by cop as well as studies about suicidal subjects, and profiles of suicide by cop incidents. Training should also be extended to include police dispatchers, field supervisors, and criminal investigative personnel.

Ramification # 4 – Closely associated with the shift in thinking caused by the “rescue dynamic” is the feeling by the officer that he/she failed if the suicidal person dies. This sense of failure is briefly discussed on page 10 of this paper. These feelings of failure are magnified if the officer is the one who takes the life of the suicidal person.

Recommendation # 4 – I recommend that psychiatrists and psychologists who counsel officers involved in a suicide by cop event receive special training so that they are prepared to handle some of the unique feelings officers may face. These shooting incidents can be much more stressful to the officer than other types of shooting incidents. The law enforcement officer can experience a numbing disbelief that he/she was forced to use deadly force in a situation in which mediation was the primary strategy for bringing resolution to the crisis event. During the officer’s career, however long that has been, he/she has been taught they are there to “protect and serve.” Now, having been used by a person as a method of suicide the officer faces an emotional dichotomy that makes them angry and causes them to withdraw. The mental health professional tasked with counseling this officer must understand the dynamics of suicide by cop incidents.

CONCLUSION

Further research on this topic is needed, and the law enforcement profession is dangerous enough, both physically and psychologically, without neglecting this important issue. Police-community relations could be impacted by illustrating the role many shooting suspects play in causing their own death. Police officers themselves could better adjust to the trauma of shootings if they better understood the suicidal nature of many subjects. Litigation could be avoided if prosecutors and defense attorneys could better assess the culpability of shooting suspects, and finally management could adjust training and tactics to more appropriately respond to these types of situations. Maybe someone who reads this paper will be motivated to conduct some up to date research.

In any case, my final thought on the matter is this: It is the officer who is the real victim in these situations. While the family of the person shot may contend that their loved one is the victim, and while the news media may proclaim that another citizen was the victim of police shooting, we should never forget that the individual who loses their life did so because they engaged in illegal and assaultive behavior. Their conduct was criminal in nature and effectively removed them from the category of a victim and placed them squarely in the category of a felony suspect. No matter what anyone else may say, the officer in these situations is the victim in more ways than one, and the officer and their department would do well to remember that.

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