

# Eric Garner video shapes New Yorkers' support for police accountability: study

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In a household survey of registered voters across New York State, a majority of respondents said that police officers involved in the 2014 arrest and death of Eric Garner should have been indicted; after watching video of the encounter, that proportion jumped from 57 percent to 71 percent. A majority of respondents supported Governor Andrew Cuomo's call for expanded authority to appoint a special prosecutor in cases where police are involved in civilian deaths.

The study by graduate students at Columbia University's Mailman School of Public Health is perhaps the first to explore voter opinion around police accountability in the context of an arrest video. Results appear in the *Journal of Social Service Research*.

Under the tutelage of Les Roberts, a professor of Population and Family Health, the students conducted door-to-door surveys of 119 registered New York State voters with sample selection proportional to the state's population size. Surveyors assessed whether respondents were familiar with the case (85 percent were), if they had seen Eric Garner's arrest video (74 percent did), whether they thought the officers involved should face trial (57 percent agreed), and whether respondents agreed with Governor Cuomo's proposal to make Executive Order 147 (EO 147) permanent (57 percent did).

"Given the unfortunately polarized state of the nation surrounding police brutality," the authors write, "it is imperative that policy and lawmakers throughout the country generate legislation that considers the views of

their constituency to hold law enforcement officers accountable for their actions."

During the survey, students asked respondents if they could show them the 51-second video (with audio) of Eric Garner's interaction with police; respondents were cautioned about violent content and given background on the Garner case and EO 147. The bystander-recorded video begins before the moment of physical confrontation and shows New York Police Department (NYPD) Officer Daniel Pantaleo, who is white, administering a chokehold on Garner, an African-American, and forcing him to the ground. Garner is repeatedly heard saying, "I can't breathe," before losing consciousness and later dying.

The 13 African-Americans interviewed were twice as likely as whites to believe the officers should have gone to trial. However, after watching the video, this difference reduced by 80 percent, to 1.2 times more likely. "Most of the difference was done away with a 51-second video," says Roberts. "I find it incredibly encouraging that if you can get people on a politically charged issue to look at the same evidence that the differential in the lenses that they carry with them can largely disappear."

The physical force police used on Eric Garner was the number-one factor respondents cited when discussing their opinion as to whether officers should face trial. It was also the number-one factor cited for respondents who changed their mind from "Don't Know" to "Yes" after watching the video.

The study was conceived out of the outrage by students around the failure of a Staten Island Grand Jury's decision to not indict Officer Pantaleo in late 2014. The specific charges by the Staten Island District Attorney were not made public because the Grand Jury was sealed (a charge like first degree murder would have set the bar unreasonably high

for an indictment). In the wake of the decision, some pointed to the potential of a conflict of interest between district attorneys and the police with whom they work closely and whose evidence they rely on for criminal cases. Facing intense pressure from advocates for police accountability, Governor Cuomo signed Executive Order 147 on July 8, 2015, appointing the New York State Attorney General as a special prosecutor in cases where [law enforcement officers](#) are involved in [civilian deaths](#). In light of the fact that the Governor's Order will expire, State legislators have introduced bills that would establish a permanent mechanism for a similar method of oversight, but so far none has passed.

The paper also includes a review of prior research and reporting on racial disparities in criminal justice. It quotes statements by NYPD Officer Edwin Raymond, who criticized the Department for "inherently racist" tactics such as illegal quotas and attention to "quality of life" offenses. The researchers quote an estimate from the Human Rights Data Analysis Group that there are 1,500 officer-involved lethal shootings yearly—about 10 percent of all homicides in the U.S., or 30 percent of homicides committed by strangers.

"Our study shows the power of a single cell phone video to shed light on, and shape opinions surrounding, police misconduct," says Sara A. Snyder, the paper's first author. Snyder graduated in May with an MPH in Public Health and Humanitarian Assistance from Columbia's Mailman School and is currently pursuing a doctorate in clinical psychology at Long Island University. "Further research is needed to understand footage of excessive force or officer-induced deaths, and whether they were filmed by police or civilians, can affect the aftermath of these incidents, including both the potential for violence and the possibility of justice."

Provided by Columbia University's Mailman School of Public Health

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