Q&A: Profiling Criminal Activity

Question 1: What is the difference between racial profiling and criminal profiling?

Answer 1:

Racial profiling is the assumption that someone is a criminal because of their race or ethnicity. Anthropologists and sociologists define race today as a social construct. Members of minority groups are targeted by racial profiling. Those individuals may not be committing any type of criminal offense, but at times are harassed and hassled by police officers.

Criminal profiling is the process of evaluating evidence from crime scenes to develop a profile about the type of individual who may have committed the crime. Criminal profiling focuses on behavior, while racial profiling is based on the color of someone’s skin or the neighborhood in which someone lives. Criminal profiling focuses on tangible or implied evidence left by the offender.

Criminal profiling is based on facts and evidence, while racial profiling is discriminatory and based on superficial prejudices or biases.

Question 2: Why are stop and frisks or patdowns not a violation of the persons rights?

Answer 2:

In Terry v. Ohio, the U.S. Supreme Court ruled that police officers could stop a person and perform a patdown search. The main reason for this decision was to protect police officers from being harmed by suspects carrying a concealed weapon.

Police officers must have reasonable suspicion to stop a person and frisk them. This reasonable suspicion may be a person fitting the description of a suspect, or the officers witnessing suspicious behavior. The Supreme Court ruled that this was not a violation of Fourth Amendment rights.

Question 3: Can police officers use deadly force against someone who is believed to have committed a misdemeanor crime?

Answer 3:

No. There are very specific rules when it comes to deadly force and whether an officer can use it. Officers are only allowed to use the appropriate amount of force to eliminate the threat. Officers cannot shoot someone believed of committing an unarmed, misdemeanor offense.
If the officer believes that lives are in danger, however, then they are allowed to use deadly force. Officers cannot shoot an unarmed person just for fleeing a crime scene or one who refuses to stop when ordered to do so.

In Tennessee v. Garner, the U.S. Supreme Court outlawed the fleeing felon rule, which allowed police to shoot a suspect fleeing the scene of a crime. Police officers were given the discretion as to when deadly force could be used. In Garner, police officers shot a 15 year old male, in the back of the head, who had stolen a woman’s purse containing $10. In Garner, the Court declared the fleeing felon rule unconstitutional and held that it violated the Fourth Amendment to the Constitution. The Court believed that shooting a person was equivalent to a seizure, and doing so without probable cause is unconstitutional.

References
