

Victimology Case Study of Scott and Fleeing

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Introduction

The fatal shooting of Walter Scott in North Charleston, South Carolina, provides a useful case for examining victimology, police use of force, and the danger of turning victim behavior into victim blame. On April 4, 2015, Officer Michael Slager stopped Scott's vehicle because of a brake-light issue. Scott fled on foot, Slager pursued him, and an encounter involving a Taser followed. Scott then ran away again. A bystander's video recorded Slager firing eight shots as Scott, who was unarmed, fled; five bullets struck Scott from behind. Slager later pleaded guilty in federal court to willfully depriving Scott of his civil rights by using objectively unreasonable deadly force and received a twenty-year sentence (U.S. Department of Justice [DOJ], 2017; *United States v. Slager*, 2019). Victimology can analyze how Scott's actions, police decision-making, social context, and public narratives interacted, but it should not treat flight as legal or moral responsibility for being unlawfully killed. The central analytical task is to distinguish causal sequence from culpability.

Victim Precipitation and Its Limits

Victim precipitation theory asks whether a victim's conduct contributed to the sequence of events surrounding an offense. Used carefully, the concept can help reconstruct interactions, identify opportunities for prevention, and distinguish between passive and active participation in escalating situations. Used carelessly, however, it can imply that a harmed person deserved the response or caused another person's unlawful conduct. Scott's decision to run from the traffic stop was relevant to the chronology because it led to a foot pursuit and further police contact. It did not authorize an officer to use any level of force without legal limitation. Victimology should therefore separate descriptive contribution from normative responsibility. A person can behave unlawfully, imprudently, or unpredictably and still retain legal rights against excessive force. The relevant question is not whether Scott's flight influenced what happened next, but whether the force used against him was justified by the circumstances at the moment it was applied. Slager's federal plea acknowledged that shooting Scott as he ran away was objectively unreasonable and willful, which sharply limits any claim that victim precipitation explains the legal responsibility for the death (DOJ, 2017).

Fleeing, Deadly Force, and Reasonableness

The law governing deadly force against a fleeing person focuses on the threat presented, not merely on the fact of flight. In *Tennessee v. Garner* (1985), the U.S. Supreme Court held that the Fourth Amendment does not permit police to use deadly force simply to prevent the escape of an apparently unarmed suspect when there is no probable cause to believe the person poses a significant threat of death or serious physical injury. The Walter Scott case fits this framework because the critical moment captured on video showed Scott moving away from Slager rather than advancing toward him. Slager later admitted that Scott was unarmed and running away when he fired and that the use of deadly force was objectively unreasonable (DOJ, 2017). Earlier struggle over a Taser was part of the factual context, but force must be evaluated at the time it is used. A threat that has ended does not automatically justify later deadly force. This distinction prevents the entire encounter from being treated as one undifferentiated event and focuses attention on whether the officer's decision was reasonable when the shots were fired.

Causation, Contributory Conduct, and Victim-Blaming

Concepts such as contributory negligence belong primarily to civil law and do not provide a sound framework for assigning criminal responsibility in a police shooting. Scott's flight can be described as conduct that affected the sequence of events, but that does not make it a legal cause that excuses an independent decision to use unlawful deadly force. Proximate cause asks whether an outcome is sufficiently connected to conduct to justify legal responsibility, yet causation does not erase intervening human choice. Slager made a separate decision to fire his weapon after Scott had begun running away, and the federal proceedings treated that decision as a willful civil-rights violation. Victim-blaming occurs when analysis shifts attention from the actor who exercised coercive power to characteristics or choices of the person harmed in a way that minimizes the wrongful act. A rigorous victimology analysis can acknowledge Scott's decision to flee without presenting that decision as consent to deadly risk. Prevention questions—such as why people flee police or how officers should respond—are legitimate, but they should not be confused with assigning responsibility for excessive force.

The Bystander Video, Credibility, and Public Narrative

The bystander video recorded by Feidin Santana became crucial because it provided direct visual evidence that could be compared with statements made after the shooting. DOJ records state that Santana's footage showed Slager firing eight shots while Scott was unarmed and running away and

later showed the officer retrieving his Taser from another location near the scene (*United States v. Slager*, 2019). The video did not capture every second of the encounter, so interpretation still required witness testimony, forensic evidence, and legal analysis. Nevertheless, it changed the evidentiary environment by allowing investigators, courts, journalists, and the public to evaluate the final use of force independently of an officer-only narrative. Victimology should recognize the importance of such evidence because official accounts can shape how a victim is initially portrayed. Video can challenge inaccurate descriptions, but it is not inherently complete or neutral; angle, timing, missing context, and viewer assumptions still matter. In this case, the recorded sequence strongly supported the conclusion later admitted by Slager that Scott was fleeing and unarmed when the fatal shots were fired.

Race, Community Impact, and Institutional Trust

Scott's death also became part of a broader national debate about race, policing, accountability, and the credibility of official use-of-force narratives. Victimology is concerned not only with an individual incident but also with the social context in which harm is experienced and interpreted. Communities may respond differently to a police shooting when prior experiences have created distrust, perceptions of unequal treatment, or concern that official institutions protect their own members. Scott's family experienced direct bereavement and public exposure, while the wider community confronted questions about police training, reporting, body cameras, prosecution, and federal civil-rights enforcement. Race should not be used as a substitute for evidence about any individual officer's motive, but it is relevant to understanding why the incident carried broader social meaning and why public reaction was intense. The case illustrates how transparent evidence and independent investigation can affect institutional legitimacy. Accountability mechanisms matter not only for resolving one prosecution but also for demonstrating that government power is subject to legal standards when a citizen is harmed.

Conclusion

The Walter Scott case demonstrates why victimology must distinguish behavioral context from responsibility for unlawful harm. Scott fled from a traffic stop and later from an encounter involving a Taser, and those actions formed part of the sequence leading to the shooting. They did not authorize unlimited force or make Scott legally responsible for the decision to shoot him as he ran away. Federal proceedings established that Slager willfully used objectively unreasonable deadly force, and the Fourth Circuit later upheld the twenty-year sentence imposed after his guilty plea (*United States v. Slager*, 2019). Victim precipitation theory can help identify interactions and prevention opportunities, but it becomes misleading when it shifts blame from the person exercising coercive power to the person subjected to unlawful force. The bystander video also shows the evidentiary importance of independent documentation in evaluating official narratives. A responsible victimology analysis therefore considers behavior, legal standards, causation, institutional power, race,

community trust, and the consequences for the victim's family while keeping culpability tied to the actor whose conduct violated the law.

References

Tennessee v. Garner, 471 U.S. 1 (1985).

U.S. Department of Justice. (2017). *Former North Charleston, South Carolina, police officer Michael Slager sentenced to 20 years in prison for federal civil rights offense*.

United States v. Slager, 912 F.3d 224 (4th Cir. 2019).