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## Cognitive Bias: Interracial Homicide in New

### Orleans, 1921–1945

At 10:40 P.M. on January 25, 1945, New Orleans police patrolman Jay Sedgebeer shot Robert Guidry, a twenty-six-year-old African-American burglary suspect. Seconds later, and a block away, Patrolman Peter Fos shot Harold Joseph Martin, a twenty-seven-year-old African-American burglary suspect. In the official report on the shootings, both police officers indicated that they fired in self-defense, and in testimony to follow-up investigators, the patrolmen re-affirmed that they shot only to protect their own lives.<sup>1</sup>

A few minutes before those shootings, police headquarters had received a report of a burglary at Clark's Garage on Gravier Street. Sedgebeer and his partner, Louis Reidell, of the Traffic Division, were already close by, "checking improper [sic] parked cars," when the precinct dispatcher instructed them to investigate the burglary. As the patrolmen rushed toward the garage, they saw two African-American men coming out of the smashed front door of Jay's Jewelry Store, which was located on Gravier Street, near Clark's Garage. Sedgebeer ordered the suspects to halt as they ran in front of him. One of the fleeing men, Robert Guidry, then dropped the bag that he was carrying and "made an attempt to reach for his left hip pocket." As Sedgebeer explained, "With that I pulled my service revolver out and fired one shot" at the man,

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1 "Report of Homicide of Harold Joseph Martin," January 25, 1945, Department of [New Orleans] Police, Homicide Reports, New Orleans Police Department, Louisiana Division, City Archives, New Orleans Public Library (hereinafter HR); "Statement of Patrolman Jay Sedgebeer relative to shooting a negro robbing Jayes Jewelry Store," January 25, 1945, Transcripts of Statements of Witnesses to Homicides, New Orleans Police Department, Louisiana Division, City Archives, New Orleans Public Library (hereinafter TS); "Statement of Patrolman Peter L. Fos relative to the shooting of a negro robbing Jayes Jewelry Store," January 25, 1945, TS.

who was ten feet from the patrolman at the time. Wounded in the abdomen, Guidry crumbled to the ground.<sup>2</sup>

Patrolman Fos and his partner, Paul Oestringer, were walking their beat a block away when they heard gun fire. A moment later, Martin appeared, fleeing from Sedgebeer and running toward Fos. The latter patrolman, unaware of the jewelry-store break-in or the source of the gunshots, commanded the suspect to halt. Martin, however, ignored the order, continued to run, and passed directly in front of Fos, “close enough for me to make a grab for him,” the patrolman testified. Fos was unable to stop Martin, who suddenly wheeled around, faced the officer, and “reached in his left side pocket. And when I saw this,” Fos reported, “I fired one shot from my service revolver, which I had in my hand when I saw this negro running and heard shots.” Hit from close range, Martin suffered an abdominal wound and died three hours later. Though badly injured, Guidry survived.<sup>3</sup>

The patrolmen’s partners corroborated Sedgebeer’s and Fos’ accounts of the shootings. They also saw both Guidry and Martin ignore commands to halt and reach for their pockets; all four policemen concluded that the fleeing burglars, who were carrying stolen property, were armed and dangerous. Having heard gun shots immediately before he encountered Martin, Fos particularly believed that the suspect was armed. “Fearing that his life was in danger,” the thirty-five-year-old patrolman fired his .38 caliber service revolver in self-defense. Newspaper articles offered similar explanations for the shootings. But neither Guidry nor Martin possessed a weapon, even though four New Orleans police officers insisted that the suspects had reached for their hip pockets to draw guns.<sup>4</sup>

Martin’s death was a typical white-on-black homicide in early twentieth-century New Orleans. The overwhelming major-

2 “Statement of Patrolman Jay Sedgebeer relative to shooting a negro robbing Jayes Jewelry Store,” January 25, 1945, TS.

3 “Statement of Patrolman Peter L. Fos relative to the shooting of a negro robbing Jayes Jewelry Store,” January 25, 1945, TS; “Report of Homicide of Harold Joseph Martin,” January 25, 1945, Department of [New Orleans] Police, HR.

4 “Statement of Patrolman Joseph Burk relative to shooting a negro who broke into a jewelry store,” January 25, 1945; “Statement of Patrolman Paul Oestringer relative to shooting a negro who broke into a jewelry store,” January 25, 1945, TS. “Report of Homicide of Harold Joseph Martin,” January 25, 1945, Department of [New Orleans] Police, HR; *New Orleans Times-Picayune*, 26 Jan. 1945; 27 Jan. 1945.

ity of killers, half of whom were policemen or watchmen, reported that they shot in self-defense. In testimony to police investigators and assistant district attorneys, they asserted that their victims appeared to be dangerous and had made threatening motions, such as pointing a firearm or reaching for a weapon. White journalists penned concurring accounts of white-on-black homicides, consistently reporting that whites had killed in defense of their lives. Policemen and watchmen shot menacing African-American suspects; white bartenders killed unruly African-American patrons; white shopkeepers used deadly force to protect themselves from seemingly armed African-American robbers; and white home owners used guns to fend off African-American thieves and sexual predators.<sup>5</sup>

Crime-scene evidence, however, often contradicted these accounts. Although white killers insisted that they had acted in self-defense, and although white witnesses corroborated the shooters' statements, police investigators frequently found no weapons on or near the bodies of the felled attackers. Nor did postmortem examinations of the victims reveal guns tucked in the pockets or dirks concealed in the clothing of the African-American men when (and because) they supposedly reached for weapons. One-third of the African-American men killed by white residents of New Orleans in self-defense were unarmed, and two-thirds of the African-American men fatally shot by police officers in response to suggestive movements or threatening motions, like Martin, possessed no weapons.<sup>6</sup>

The most plausible explanation for this discrepancy is that white shooters lied, or at least stretched the truth, when they killed African-American residents. Violence and the threat of violence infected daily interactions between whites (particularly policemen

5 The quantitative data in this research note derive from a statistical analysis of the HR, supplemented with newspaper accounts, legal records, and other sources. The police records consist of the detailed reports on every homicide. The homicide records appear to be remarkably complete; the annual tallies, for example, are nearly identical to homicide totals listed in the FBI's *Uniform Crime Reports*. Since certain annual volumes of the homicide reports have been lost, this analysis covers the period from 1921 through 1945 but omits the missing years of 1932–1934, 1936–1937, 1940, and 1944. The overall data set includes 1,544 cases, of which 163 were intraracial homicides (108 of them had white killers and African-American victims). A second set of police records consists of the transcripts of witness interviews for 1930–1933, 1935–1938, 1940–1942, and 1945. These documents include the testimony of killers, witnesses, and occasionally victims.

6 One-third of the white suspects killed in response to furtive movements were unarmed.

and watchmen) and African-American residents. In a crime-ridden city with a high rate of African-American homicide and a history of searing racial conflict, whites often considered African Americans to be inherently dangerous, expected them to be violent, and justified the quick resort to deadly force as necessary to protect themselves and preserve the local racial hierarchy. Hence, white residents, anxious and jittery at the prospect of encountering potentially violent African Americans, were likely to shoot despite the lack of sufficient cause. Scholars have often reached similar conclusions about their rationale, particularly with regard to police violence toward African Americans.<sup>7</sup>

White killers had clear incentives to define their interracial homicides as acts of self-defense. Early twentieth-century state law, for example, afforded policemen wide latitude in using deadly force to capture fleeing suspects and defend themselves against criminals. By claiming that suspects had made threatening or furtive movements, such as reaching into a pocket, law enforcers established virtually irrefutable legal justification for their use of deadly force. Civilians also invoked plastic definitions of the law of self-defense to secure exonerations and acquittals when they killed African Americans.<sup>8</sup>

7 William V. Moore, "Civil Liberties in Louisiana: The Louisiana League for the Preservation of Constitutional Rights," *Louisiana History*, XXXI (1990), 67–68; Adam Fairclough, *Race and Democracy: The Civil Rights Movement in Louisiana, 1915–1972* (Athens, 1995), 79; Joseph H. Fichter, with the collaboration of Brian Jordan, "Police Handlings of Arrestees: A Research Study of Police Arrests in New Orleans," unpub. report, Department of Sociology (Loyola University of the South, 1964), 32. For a detailed analysis of police homicide in early twentieth-century New Orleans, focusing particularly on law enforcers' perceptions of African-American suspects, see Adler, "The Killer Behind the Badge": Race and Police Homicide in New Orleans, 1925–1945," *Law and History Review*, XXX (forthcoming; 2012). For a similar interpretation of justification on the grounds of maintaining the racial order, see Gunnar Myrdal, *An American Dilemma: The Negro Problem and Modern Democracy* (New Brunswick, 1962; orig. pub. New York, 1944), 535, 540–541. For scholarly assessments of police violence, particularly violence against minorities, see William B. Waegel, "How Police Justify the Use of Deadly Force," *Social Problems*, XXXII (1984), 152; Gerald D. Robin, "Justifiable Homicide by Police Officers," *Journal of Criminal Law, Criminology, and Police Science*, LIV (1963), 231; Malcolm D. Holmes and Brad W. Smith, *Race and Police Brutality: Roots of an Urban Dilemma* (Albany, 2008). Myrdal, *American Dilemma*, 541–542; Marcy S. Sacks, "'To Show Who Was in Charge': Police Repression of New York City's Black Population at the Turn of the Twentieth Century," *Journal of Urban History*, XXXI (2005), 799–819; Marilyn S. Johnson, *Street Justice: A History of Police Violence in New York City* (Boston, 2003); Edward Escobar, *Race, Police, and the Making of a Political Identity: Mexican Americans and the LAPD* (Berkeley, 1999); Leonard N. Moore, *Black Rage in New Orleans: Police Brutality and African-American Activism from World War II to Hurricane Katrina* (Baton Rouge, 2010).

8 See Nicholas John DeRoma, "Justifiable Use of Deadly Force By The Police: A Statutory

Such legal maneuvering, however, was typically unnecessary; both in the court of white public opinion and the court of law, white residents (policemen and non-policemen alike) received generous treatment from district attorneys, judges, jurors, and white newspaper editors when they used violent means to control unruly African-American men. Two jurors in a 1942 grand-jury proceeding, for instance, probably spoke for a sizable proportion of the parish's white residents when they announced, "This was just a case of a policeman shooting a 'nigger' and 'that was all right.'" African-American observers, such as Constant Charles Dejoie, the editor of the *Louisiana Weekly*, characterized the wanton slaughter of African Americans by whites as racial "suppression," decrying the brazenly invoked, implausible "excuse" of self-defense against African Americans who reached for imaginary weapons only to be shot in the back.<sup>9</sup>

But this explanation, with its emphasis on the killers' dissembling, may be incomplete or even inaccurate. Recent research by social psychologists and neurophysiologists suggests a different, though complementary, perspective on why dozens of white policemen and residents shot unarmed African Americans when they reached for nonexistent guns. The New Orleans patrolmen may not have fabricated or even embellished their accounts of these shootings. These killers, in fact, might have "seen" the unarmed Guidry and Martin grabbing for guns, just as other white residents who shot unarmed African Americans in self-defense could have "seen" their victims brandishing phantom revolvers. Emerging research from social psychology posits a more complicated way to interpret contradictory, seemingly contrived police reports, witness testimony, and other accounts of, and explanations for, interracial violence.

To be sure, it is impossible to determine with certainty

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Survey," *William and Mary Law Review*, XII (1970), 68; William L. Clark, *Handbook of Criminal Procedure* (St. Paul, 1918), 60–62; James E. Grigsby, *The Criminal Law including The Federal Criminal Code* (Chicago, 1922), 508; Francis Wharton, *The Law of Homicide* (Rochester, 1907), 740–751; Robert H. Marr, *The Criminal Jurisprudence of Louisiana* (New Orleans, 1923), 115–120. The 1985 Supreme Court decision in *Tennessee v. Garner* sharply restricted the use of deadly force to prevent fleeing suspects from escaping arrest.

9 Moore, "Civil Liberties in Louisiana," 68; *Louisiana Weekly*, 29 May 1930; 3 Oct. 1942. For examples of cases in which the self-defense explanation was particularly at odds with the physical evidence, see "Report of Homicide of Milton Battise," June 29, 1930; "Report of Homicide of Willie Batisse," May 23, 1942, HR.

whether any of these killers lied, embellished, or misinterpreted the actions of their victims in their self-justifications, or whether they offered accurate accounts of their deadly encounters with African-American residents. Even in modern criminal cases, when suspects and defendants are subject to strenuous interrogatory techniques, criminologists, psychologists, neurologists, lawyers, judges, and jurors struggle to evaluate eyewitness testimony and to find the judicious role for cognition research. Furthermore, it is as difficult to apply the insights from early twenty-first-century social-psychological laboratory experiments to early twentieth-century street violence as it is to rely on recent research employing neuroimaging or facial electromyography to explain the behaviors of people who died three-quarters of a century ago.

Nonetheless, social psychologists and brain researchers offer historians a potentially important perspective on interracial conflict, particularly on the ways in which racism affects behavior. Such theories and research allow historians to analyze the history of racial violence and race relations from a different vantage point. This interdisciplinary framework might shed new light on a familiar topic, even if the insights are more suggestive than definitive.

OVERVIEW OF WHITE-ON-BLACK HOMICIDE Violence contaminated daily life in early twentieth-century New Orleans. By the standards of the South, the local homicide rate was unexceptional, but, compared with cities outside of the region, blood flowed freely in the streets of New Orleans. In 1930, residents of the Louisiana metropolis slaughtered one another at three times the rate of New Yorkers and Philadelphians, at four times the rate of Los Angelenos and San Franciscans, at twelve times the rate of Bostonians and Berliners, and at almost forty times the rate of Liverpudlians. African Americans in New Orleans suffered from blistering levels of lethal violence during this era. Although they comprised less than one-third of the local population, such residents made up more than two-thirds of homicide offenders and victims; they committed homicide at more than five times the white level between 1921 and 1945.<sup>10</sup>

Only one-tenth of local murders, however, crossed racial

10 Frederick Hoffman, "The Homicide Record for 1931," *The Spectator*, 128 (1932), 5, 12–13.

lines, and, despite the high murder rate among African-American residents, interracial homicide was largely a white activity. Widely held perceptions of violent, savage African Americans preying on innocent whites notwithstanding, whites committed two-thirds of interracial homicides during this period. Nearly one white murder in four had an African-American victim, whereas only one African-American murder in twenty had a white victim. In all, 163 interracial homicides occurred in New Orleans between 1921 and 1945; whites committed 108 of them. White-on-black homicides constituted one out of every fourteen murders in the city.<sup>11</sup>

More than three-fourths of white killers acted in self-defense, at least according to police reports, the testimony of witnesses, and shooters' accounts. A broad range of circumstances triggered these crimes. Some of them were acts of overt, bald racial dominance. On April 27, 1943, for example, two drunken white sailors hurled racial epithets and a beer bottle at Edwin C. Williams, his wife, and their young son as they returned from church. When Williams shouted back, one of the sailors, twenty-one-year-old Walter Sherwood, bellowed, "You don't like it Nigger?" The sailors then beat and stabbed Williams to death with a broken bottle, leaving his face virtually unrecognizable. Although the city's poisonous racial climate played a role in most white-on-black homicides, the circumstances surrounding Williams' murder were unusual; the lion's share of interracial killings involved more complicated social encounters.<sup>12</sup>

Law enforcers—policemen, state troopers, or nightwatchmen—committed more than half of these homicides. Local policemen in New Orleans killed 41 percent of the African Americans who died at white hands, whereas state troopers committed 1 percent of the homicides and watchmen an additional 11 percent. Moreover, nearly all of this violence occurred during police work, and most of it unfolded in predictable encounters—patrolmen attempting to arrest suspects and watchmen stumbling

11 The race-specific New Orleans figures are based on the eighteen years between 1921 and 1945 for which complete police/homicide data are available.

12 "Report of Homicide of Edwin C. Williams," April 27, 1943, HR; Louisiana Weekly, 1 May 1943; 10 July 1943. Notwithstanding the difficulty of determining separate proximate and ultimate motives, I estimate that raw, unadulterated racism, as in the Williams homicide, accounted for 7% of white homicides of African Americans. I am not suggesting that racism failed to play a central role in the remaining 93% but that other factors, typically conflated with racialized notions of crime, contributed to the vast majority of these killings.

upon burglars. Thus, two-thirds of the homicides occurred on the streets and typically late at night or in the early hours of the morning. Often policemen patrolling alone in high-crime neighborhoods encountered African-American men who seemed suspicious to them or who, like Martin, appeared to have committed a crime.

In more than 90 percent of these homicides, the policemen and watchmen testified that they fired their revolvers because the suspect assaulted, or threatened to assault, them. White shooters, however, defined self-defense in expansive terms. In some cases, suspects clearly endangered the lives of law enforcers. Police officers, for example, killed Frank Bender after the twenty-year-old African-American laborer attacked his estranged wife, fatally shot his brother-in-law, attempted to shoot a neighbor, and exchanged gunfire with investigating patrolmen. More often, the threat to law enforcers was ambiguous; suspects resisted arrest and, in the process, either scuffled with patrolmen or made a suggestive movement. In June 1930, for instance, two state troopers shot and killed twenty-one-year-old Milton Battise after he ran from them. Battise apparently “made an attempt to pull something out of his right hip pocket, and the officers thinking it was a weapon . . . both pulled out their revolvers” and shot him. The state troopers, who had attempted to arrest Battise for “cursing and vulgar language,” shot the unarmed, fleeing suspect in the back of the head.<sup>13</sup>

Again and again, policemen insisted it was “him or me” and “were forced to shoot . . . to protect their own lives,” even though many of the dangerous suspects had no weapons. Law enforcers argued that African-American residents tended to be volatile, violent, and prone to “running amuck.” Anxious in their encounters with these potentially dangerous suspects and therefore hypersensitive to suspicious, suggestive, or furtive hand movements, New Orleans law enforcers took no chances when dealing

13 “Report of the Homicides of Willie Brodes and Frank Bender,” July 18, 1935, HR; *Louisiana Weekly*, 27 July 1935; “Report of Homicide of Milton Battise,” June 29, 1930, HR; “Statement of Carmelo J. D. Antoni relative to shooting one Milton Battise [sic],” June 29, 1930; “Statement of Ed Jones relative to the shooting of one Milton Battise,” June 29, 1930, TS; *Louisiana Weekly*, 30 June 1930. Battise had a bottle of alcohol in his pocket; he might have been attempting to dispose of the illegal beverage when he was shot.



with African-American residents. Hence, one-third of their victims proved to have been unarmed.<sup>14</sup>

White civilians in New Orleans killed African Americans under remarkably similar circumstances. They accounted for 47 percent of the white-on-black homicides in the city between 1921 and 1945. More than half of these shootings were committed in self-defense, at least according to the killers. Furthermore, roughly one-third of the victims were unarmed. Civilians also defined self-defense in vague ways; their accounts ranged from incontrovertible to implausible. But most of the shootings, as in the case of policemen, occurred late at night, between strangers, and in unstable, tension-filled situations. Reflecting deeply engrained assumptions about racial authority, whites typically insisted that their deadly actions in response to criminal, suspicious, or threatening behavior from African Americans were appropriate. For example, in February 1942, William L. Maylie, a twenty-nine-year-old restaurant operator, discovered three African-American residents breaking into a parked automobile near his business. When Maylie commanded them to halt, one of the trio, twenty-seven-year-old Ernest Smith, in Maylie's words, "put his hand towards his right hip pocket." "Thinking he was going to make an attempt to harm me, I shot him in self defense." Smith was unarmed.<sup>15</sup>

Although whites in New Orleans often committed intraracial homicides in self-defense, the morphology of white-on-black killings was distinctive. Of utmost importance was the social distance between white killers and their African-American victims. Four-fifths of the African-American victims of white killers were strangers to one another, compared with one-fifth of the white victims of white killers. Similarly, 54 percent of white-on-black homicides occurred in the streets and alleys of New Orleans, compared with 35 percent of white intraracial killings. When whites came into contact with unfamiliar African Americans on the streets of the city late at night, demeanor and inflection shaped the interpretation of behavior; whites imposed race-specific cues for dangerous or threatening conduct. White residents often killed unarmed ad-

14 *Louisiana Weekly*, 18 June 1932. For the "negro run amuck" description, see *New Orleans Times-Picayune*, 25 Dec. 1925; 26 Dec. 1925; *Louisiana Weekly*, 16 April 1932.

15 "Report of Homicide of Ernest Smith," February 25, 1942, HR; "Statement of William L. Maylie in reference to him shooting an unknown negro," February 24, 1942, TS.

versaries (despite the supposed cultural injunction encouraging a “man of honor” to engage in a fair fight) on the flimsiest of excuses but rarely shot white victims in response to the same sort of suggestive behavior. This specific trigger for deadly force, or at least the narrative that employed it as a justification, was largely reserved for white-on-black encounters.

White killers’ explanations of their lethal response to African Americans seemed at least partially contrived. The shooters’ remarkably rapid invocation of legal terminology for self-defense appeared to be calculated and practiced. Although policemen may have been coached or socialized to use such language (and cop culture might have encouraged their partners and other police witnesses to defend the “thin blue line” with the appropriate corroboration), civilians, such as Maylie, were equally quick to assert precise legal language. Literally minutes after he killed Smith, Maylie offered a legal defense for his behavior. To contemporary critics of the police and of the city’s racial climate, such explanations seemed too facile and formulaic—or, as Dejoie remarked, “too thin.” Moreover, justifications based on self-defense and furtive motion were easily contradicted by the absence of weapons and other physical evidence, such as whites shooting African Americans in the back twice as often as they shot whites in the back. On May 23, 1942, for instance, Detective John Barker fatally shot Willie Batise, a twenty-seven-year-old, unarmed, suspected prowler when he refused to halt and “made a move with his right hand towards his front trousers [sic] pocket” while climbing over a fence. The question is whether whites in New Orleans lied or stretched the truth to explain their lethal reactions to ambiguous movements.<sup>16</sup>

THE SOCIAL PSYCHOLOGY OF “RACIAL BIAS” “Fear conditioning” may help to explain the deaths of Martin, Smith, and Batise. This concept, the result of myriad animal and human studies, posits that people, not to mention rodents and monkeys, can become conditioned to associate pain or fear with a neutral stimulus. Rats that hear a beep and feel an electrical shock upon touching an object,

16 *Louisiana Weekly*, 29 March 1930. The civil-rights attorney Alexander P. Tureau and civil-liberties activist Harold Lee were similarly skeptical. See Fairclough, *Race and Democracy*, 79; Moore, “Civil Liberties in Louisiana,” 67–68. “Report of Homicide of Willie Batise,” May 23, 1942, HR.

for example, will quickly associate the shock with the sound and recoil in terror at the beep, even when the electrical current is not applied. Likewise, people who have been mugged in a subway station will subsequently experience pronounced anxiety when ambling through such a structure, although they recognize the irrationality of such a fear and attempt to suppress it. The association of terror with a neutral object or stimulus—the beeping sound for the rat or the subway tunnel for the mugging victim—can form quickly and become difficult to “extinguish.” Social psychologists have argued that “ambient cultural associations” similarly condition people. Early twentieth-first-century experiments reveal white subjects as susceptible to conditioning through popular culture and daily experience (or “social learning”)—for example, fearing contact with African Americans because of an association of them with crime and violence. Such an association is possible without any personal, direct experience of racial conflict. In laboratory experiments, fear conditioning leads white test subjects to interpret neutral or ambiguous behavior by African Americans in “stereotype-congruent” ways, perceiving or imagining it as outright aggression.<sup>17</sup>

Numerous studies have documented this Pavlovian racial bias, which can even shape what people see—or believe that they see. Social psychologists argue that “retinal images are inherently ambiguous and get resolved in ways most functional and meaningful to perceivers.” People interpret what they see, particularly in

17 Elizabeth A. Phelps and Laura A. Thomas, “Race, Behavior, and the Brain: The Role of Neuroimaging in Understanding Complex Social Behaviors,” *Political Psychology*, XXIV (2003), 750; Jerry Kang, “Trojan Horses of Race,” *Harvard Law Review*, CXVIII (2005), 1511, n. 94; Debra Niehoff, *The Biology of Violence* (New York, 1998), 67–70; David Knight, Hanh T. Nguyen, and Peter A. Bandettini, “Expressions of Conditioned Fear With and Without Awareness,” *Proceedings of the National Academy of Sciences of the United States*, C (2003), 15280; David M. Amodio, “The Neuroscience of Intergroup Relations,” *European Review of Social Psychology*, XIX (2008), 40; *idem* and Patricia G. Devine, “Stereotyping and Evaluation in Implicit Race Bias: Evidence for Independent Constructs and Unique Effects on Behavior,” *Journal of Personality and Social Psychology*, XCI (2006), 653; Joshua Correll et al., “The Police Officer’s Dilemma: Using Ethnicity to Disambiguate Potentially Threatening Individuals,” *Journal of Personality and Social Psychology*, LXXXIII (2002), 1325; Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern America* (Cambridge, Mass., 2010); Devine, “Stereotype and Prejudice: Their Automatic and Controlled Components,” *Journal of Personality and Social Psychology*, LVI (1989), 6, 15; Karl Christoph Klauer and Andreas Voss, “Effects of Race on Responses and Response Latencies in the Weapon Identification Task: A Test of Six Models,” *Personality and Social Psychology Bulletin*, XXXIV (2008), 1135.

complex interactions, in ways that fit familiar, established, or expected schemas. Because white Americans often associate African Americans with crime, they can, under experimental conditions and regardless of their personal politics and racial sensibilities, unconsciously perceive African-American faces when they observe criminal acts, raising unsettling questions about eyewitness testimony and line-up identifications. This bias is bidirectional: Test subjects “primed” with information about crime recall “seeing” an African-American man, and subjects shown images of an African-American man remember crime-related details, such as the existence of a weapon. According to Eberhardt and her associates, “the mere presence of a Black man, for instance, can trigger thoughts that he is violent and criminal.”<sup>18</sup>

In short, racial identity and race-specific cultural images and expectations literally shape what test subjects think that they see, dictating memories of events and determining inferences about motivation as well as reinforcing well-established—stereotypical—roles and schemas. Rather than visual observations informing expectations, expectations can define visual observations. “Seeing could be understood as an action or a practice that reinscribes racial meaning on visual stimuli.”<sup>19</sup>

In one series of experiments, social psychologists depicted social situations in which a white person and an African-American person ambiguously collide or jostle. When an African-American man initiated the physical contact, observers consistently labeled the collision an act of violence and aggression. When a white man behaved in an identical manner, observers termed his actions playful or the collision incidental. By unconsciously associating African Americans with aggression, observers saw what they expected to see and ascribed motivation on this basis, demonstrating a lower threshold for defining behavior as violent when displayed by an African American. In the language of social psychologists, “because of stereotypes associating blacks with violence, the violent

18 Jennifer L. Eberhardt, Nilanjana Dasgupta, and Tracy L. Banaszynski, “Believing Is Seeing: The Effects of Racial Labels and Implicit Beliefs on Face Perception,” *Personality and Social Psychology Bulletin*, XXIX (2003), 360, 361, 367; Kang, “Trojan Horses of Race,” 1519; Eberhardt et al., “Seeing Black: Race, Crime, and Visual Processing,” *Journal of Personality and Social Psychology*, LXXXVII (2004), 876.

19 Eberhardt et al., “Seeing Black,” 890–891; R. Richard Banks, Eberhardt, and Lee Ross, “Discrimination and Implicit Bias in a Racially Unequal Society,” *California Law Review*, XCIV (2006), 1172.

behavior category is cognitively more accessible to subjects viewing a black perpetrator.” According to Saga and Schofield, “The stereotype is all too real.” “To activate it, the person engaging in an ambiguous behavior need only be black.” Social psychologists have repeated this experiment using a broad range of test subjects, including elementary school children, college students, and both whites and African Americans; the results have been startlingly consistent.<sup>20</sup>

Test situations in which subjects attempted to determine whether an individual depicted in a photograph, video, or computer-generated simulation held a weapon or a harmless object have revealed the same racial bias. In experiments under time pressure, requiring rapid response, errors accumulated, though in predictable ways. White subjects were quicker to label an object held by an African American—or revealed following a “prime” depicting an African American—as a gun and were more likely to mistake a cellphone or a tool for a weapon. Conversely, subjects presented with pictures of white people more rapidly labeled the object a cellphone or a tool and more often misidentified a gun as a harmless object.<sup>21</sup>

Numerous teams of social psychologists have conducted related experiments and reached comparable conclusions, arguing that subjects associated African Americans with violence and unintentionally interpreted visual images in ways that confirmed their expectations. The portion of the object or the slice of time needed to label an object as a gun was smaller when held by an African American, and the degree of certainty before categorizing an object as a harmless tool was lower when it was in the hands of a white figure. Even test subjects identified as seemingly unprejudiced demonstrated a racial bias in time-pressured weapon-identification experiments, perceiving nonexistent guns in the hands of African Americans and cellphones or wallets in the hands

20 Birt L. Duncan, “Differential Social Perception and Attribution of Intergroup Violence: Testing the Lower Limits of Stereotyping of Blacks,” *Journal of Personality and Social Psychology*, XXXIV (1976), 590–596; H. Andrew Saga and Janet Ward Schofield, “Racial and Behavioral Cues in Black and White Children’s Perceptions of Ambiguously Aggressive Acts,” *ibid.*, XXXIX (1980), 596, 597; Devine, “Stereotype and Prejudice,” 7.

21 B. Keith Payne, “Prejudice and Perception: The Role of Automatic and Controlled Processes in Misperceiving a Weapon,” *Journal of Personality and Social Psychology*, LXXXI (2001), 187–189.

of gun-wielding whites. These experiments reveal patterns of errors consistent with—and reflecting—racial stereotypes.<sup>22</sup>

Computer-game experiments in which test subjects shot a virtual weapon at menacing images revealed a comparable “shooter bias,” especially under time constraints; race shaped game players’ decisions to shoot. According to one study, “images of unarmed Black men were more likely to be ‘shot’ than were images of unarmed White men.” Once again, this tendency to view an African American as threatening (and to be shot in the computer simulation) and to perceive a white figure as harmless proved to be unrelated to “explicit” racial ideals; individuals saw guns in the hands of unarmed African-American figures and cell-phones in the hands of pistol-packing white figures whatever their level of prejudice. Moreover, shooter bias was bidirectional; subjects more often misperceived African Americans to be dangerous and more often misperceived dangerous figures to be African American. In experiments requiring split-second responses, racial bias shaped decision making.<sup>23</sup>

Many social psychologists have argued that such bias operates at least partially outside awareness; it is automatic and unconscious, or “implicit.” Even when subjects attempt to control such impulses under experimental conditions or report themselves as “low prejudice” on questionnaires, they continued to label African-American jostles as aggressive acts, to see guns in the hands of unarmed African Americans, and to evince systematic shooter bias in computer games. Young children, college students, and police officers responded in similar ways, reflecting a powerful, unintentional racial bias in their interpretations and perceptions. Although social psychologists find some variation from

22 Payne, Alan J. Lambert, and Larry L. Jacoby, “Best Laid Plans: Effects of Goals on Accessibility Bias and Cognitive Control in Race-Based Misperceptions of Weapons,” *Journal of Experimental Social Psychology*, XXXVIII (2002), 384; Anthony G. Greenwald, Mark A. Oakes, and Hunter G. Hoffman, “Targets of Discrimination: Effects of Race on Response to Weapons Holders,” *ibid.*, XXXIX (2003), 403–404; Klauer and Voss, “Effects of Race on Responses,” 1124; Correll et al., “Police Officer’s Dilemma,” 1325, 1327; Payne, “Split-Second Decisions and Unintended Stereotyping,” *Current Directions in Psychological Science*, XV (2006), 290.

23 Greenwald, Oakes, and Hoffman, “Targets of Discrimination,” 399; Kang, “Trojan Horses of Race,” 1493; Correll et al., “Police Officer’s Dilemma,” 1325; E. Ashby Plant and B. Michelle Peruche, “The Consequences of Race for Police Officers’ Responses to Criminal Suspects,” *Psychological Science*, XVI (2005), 180; Banks, Eberhardt, and Ross, “Discrimination and Implicit Bias,” 1174; Eberhardt et al., “Seeing Black,” 889.

individual to individual and disagree about the sources and implications of such differences, the existence of unconscious or implicit racial bias is well established and well documented.<sup>24</sup>

Nor is the evidence of such reactions confined to video-game experiments and laboratory simulations. Social psychologists and neuroscientists have also discovered physiological evidence of unconscious racial bias. Exposing whites to images of African Americans can produce measurable physiological changes, affecting, as Eberhardt explains, “how their skin sweats, how their hearts pump, how their cortical voltages shift, how their facial muscles twitch, and how they blink.” Electromyography, for example, reveals uncontrollable brow and cheek twitching when white subjects faced the prospect of being assigned to a task with an African-American co-worker. Such muscle activity signals negative affect. Similarly, exposure to images of African Americans produces unconscious startle-blink responses, reflecting reactions to fear.<sup>25</sup>

*Amygdala Studies* Studies of the amygdala provide particularly strong evidence of implicit racial bias. A small almond-shaped structure located beneath the anterior portion of the temporal lobe of the brain, the amygdala processes memories of emotional reactions, particularly fear and anxiety. It operates as a key survival mechanism, using neural pathways to signal to the brain the need for split-second fight-or-flight responses to dangerous or potentially dangerous circumstances. Thus, the amygdala activates faster than more controlled brain processes or more complex cognitive assessments—facilitating, for example, rapid escape.<sup>26</sup>

24 The Implicit Association Test (IAT), an early tool for assessing unconscious bias that measures the response time of test takers as they pair sets of terms, can be taken online (<https://implicit.harvard.edu/implicit/>). Payne, “Prejudice and Perception,” 181; *idem*, Lambert, and Jacoby, “Best Laid Plans,” 396; *idem*, “Split-Second Decisions,” 288–290; Devine, “Stereotype and Prejudice,” 15; Amodio, “Neuroscience of Intergroup Relations,” 5–6, 22, 26–27; Irene V. Blair, Charles M. Judd, and Jennifer L. Fallman, “The Automaticity of Race and Afrocentric Facial Features in Social Judgments,” *Journal of Personality and Social Psychology*, LXXXVII (2004), 764; Banks, Eberhardt, and Ross, “Discrimination and Racial Bias,” 1174.

25 Eberhardt, “Imagining Race,” *American Psychologist*, LX (2005), 182; Amodio, “Coordinated Roles of Motivation and Perception in the Regulation of Intergroup Responses: Frontal Cortical Asymmetry Effects on the P2 Event-Related Potential and Behavior,” *Journal of Cognitive Neuroscience*, XXII (2010), 2615; Eric J. Vanman et al., “The Modern Face of Prejudice and Structural Features That Moderate the Effect of Cooperation on Affect,” *Journal of Personality and Social Psychology*, LXXIII (1997), 954; Amodio, Eddie Harmon-Jones, and Devine, “Individual Differences in the Activation and Control of Affective Race Bias as Assessed by Startle Eyeblink Response and Self-Report,” *ibid.*, LXXXIV (2003), 750.

26 Phelps et al., “Performance on Indirect Measures of Race Evaluation Predicts Amygdala

Because the amygdala detects threats, it reacts to negative or threatening images, ideas, and circumstances. Its activation is observable and measurable using functional magnetic resonance imaging (fMRI) technology. In brain scans, the amygdalae of patients exposed to frightening images “light up,” reflecting “significantly greater blood oxygen-level-dependent signal.” Conversely, people whose amygdalae have been damaged, by disease or accident, literally do not experience fear, even though they feel a full range of other emotions.<sup>27</sup>

When white subjects are shown African-American faces, their amygdalae activate. Their brains, in short, signal fear or danger. Moreover, the fact that such a response occurs extremely rapidly and is not correlated with the racial attitudes of the test subjects suggests a powerful and automatic but unintentional association of race and fear in the brains of white test subjects.<sup>28</sup>

This rapid, unconscious reaction indicates a physiological response comparable to the responses documented in more conventional social-psychological experiments. Although recent studies of the amygdala have revealed individual variations, have highlighted the complex interactions involved in the processing of emotion, and have begun to explore strategies for “modulating” this reaction, the core findings of this research demonstrate the pervasive existence of unconscious or implicit racial bias in white Americans.<sup>29</sup>

Behavior is more complicated because control mechanisms, processed in the prefrontal cortex, often have time to override fight-or-flight reactions. But in time-pressured situations, when these control processes do not have the opportunity to counterbalance fear-driven responses, implicit race bias may indeed

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Activation,” *Journal of Cognitive Neuroscience*, XII (2000), 730; William A. Cunningham et al., “Neural Components of Social Evaluation,” *Journal of Personality and Social Psychology*, LXXXV (2003), 647; Amodio, “Neuroscience of Intergroup Relations,” 9–10; *idem* et al., “Neural Signals for the Detection of Unintentional Race Bias,” *Psychological Science*, XV (2004), 88.

27 Allen J. Hart et al., “Differential Response in the Human Amygdala to Racial Outgroup vs. Ingroup Face Stimuli,” *NeuroReport*, XI (2000), 2351; Justin S. Feinstein et al., “The Human Amygdala and Experience of Fear,” *Current Biology*, XXI (2011), 36; Joseph LeDoux, “The Amygdala,” *Current Biology*, XVII (2007), 873.

28 Kang, “Trojan Horses of Race,” 1510–1511; Phelps et al., “Performance on Indirect Measures of Race Evaluation,” 730–732.

29 Eberhardt, “Imagining Race,” 183.



influence behavior. Hence, racial bias is most pronounced in time-sensitive experiments concerned with the identification of weapons or time-pressured video-game simulations. Likewise, when policemen, soldiers, and others in unstable social circumstances feel compelled to act quickly and decisively, unconscious fear influences behavior, ranging from shooting a virtual weapon on a computer screen to firing a .38 caliber revolver at an unarmed suspect on a dark street late at night in New Orleans in January 1945. The combination of fear-conditioned racial bias and the need to act quickly may also help to account for the disproportionate rate at which police officers continue to shoot African-American suspects making furtive movements or seeming to reach for a weapon.<sup>30</sup>

Studies of fear conditioning and amygdala activation present a dynamic and historically contingent model. Although the aversive associations stored and reactivated by the amygdala can spring from a single incident or sustained exposure to cultural influences, such images are not fixed. The mechanism of fear conditioning is hard-wired in the brain, but the precise fears are mutable. As the perceived association between groups and behaviors shifts (or stereotypes weaken), the particular fears that become stored in long-term, unconscious memory change as well. When race relations improve, the cultural conditioning or social learning that associates African Americans with crime wanes, making unconscious racial bias less pronounced.

If culturally constructed ideas about race could produce measurable evidence of racial bias in seemingly unprejudiced test subjects during the early twenty-first century, they certainly would have produced an even more powerful bias among whites on the streets of New Orleans between 1921 and 1945. For Sedgebeer, Fos, and Maylie, and hence for Guidry, Martin, and Smith—all living in a violent, racially divided southern city when the race-crime association was normative among whites—fear and impulse may have shaped perception and dictated behavior. When both victims and shooters experienced fear, their cheek muscles twitched, their blood pressures surged, their eyes blinked, and their amygdalae

30 James F. Fyfe, "Blind Justice: Police Shootings in Memphis," *Journal of Criminal Law and Criminology*, LXXII (1982), 718–721.

signaled “danger,” reinforcing their respective conditioned responses. Although Guidry, Martin, and Smith can hardly be thought to have reached for nonexistent weapons, recent research by social psychologists and neurophysiologists suggests that Sedgebeer, Fos, and Maylie might literally have seen guns where none was present, impelling them to shoot unarmed African-American residents in self-defense.

But are the findings from early twentieth-first-century social psychology and brain research relevant for historians? Do studies of shooter bias or facial-muscle twitching change our understanding of racial violence? In one sense, these findings do not matter. Regardless of what white shooters saw—or what they thought they saw—they shot unharmed African Americans, contributing to the city’s deadly racial atmosphere. And regardless of whether the bias was conscious or unconscious, the local racial climate forged a race–violence nexus that led whites to fear African Americans and to shoot them, either wantonly or prematurely. Whether the killers lied, exaggerated, or told the truth as they understood it may be both unknowable and ultimately unimportant. The racial climate in New Orleans fueled the violence.

In another sense, the interdisciplinary perspectives offered by such studies are both relevant and important. Since neither the physiology nor the activity of the brain has changed since 1945, any methodological insights that might help to explain individual and collective behavior are useful. Moreover, these social-psychological studies, and the brain research undergirding them, suggest the value of exploring the social construction of retinal or visual images, particularly when testimony and descriptions appear to be contradictory. Historians have borrowed profitably from literary scholars in analyzing or “unpacking” the social and cultural constructions of language and ideas. Brain and cognition research offers a similar tool. The analysis of how the brain interprets images and how historical forces—social and cultural context—influence this process can only further historians’ efforts to understand ideas, thoughts, and behaviors.

Insights from social psychology are useful at the substantive level as well, helping historians to analyze ideas and actions. Far from obscuring racial animosity, studies of implicit bias show “race” and “racism” to be powerful, albeit historically contingent, social forces. Racially motivated violence, for example, was not

merely the product of bald, overt, self-conscious prejudice. Rather, when the insights of cognition researchers are considered, the actions of whites in early twentieth-century New Orleans become more complex; cultural perceptions may well have been sufficiently pervasive and ingrained to distort visual images. Likewise, accounts of the sexual assaults that triggered lynchings or the ethnic confrontations that sparked riots could also have been informed by unconscious fear conditioning.

Finally, cognition research suggests that perception and reality have a complicated relationship. Racist images and imagery may not simply reflect a racial ideology. They may also shape behavior, priming early twentieth-century southern whites, in this instance, literally to see the conduct and the threats that they imagined. Produced by historical conditions, transmitted through social learning, and stored by the amygdala for instant activation, these fears unconsciously assumed concrete, tangible form, transforming ambiguous or benign actions into direct threats and igniting aggressive, violent responses that made the prophecy of interracial violence self-fulfilling. Moreover, by reinforcing racial stereotypes, Fos' and Maylie's use of deadly force in defending themselves against "dangerous" African Americans may have influenced what other white southerners saw when they interacted with African Americans. If early twentieth-first-century test subjects could consistently place weapons in the hands of unarmed African Americans, then perhaps Fos, Maylie, and dozens of other whites in early twentieth-century New Orleans also saw weapons and believed themselves to be in danger. Racial ideology may have provided killers with something more than mere plausible deniability; it may have dictated what they saw and thus helped to explain why they killed.

