

## **POLICE BRUTALITY: A NEW FORM OF TERROR FOR MINORITIES (USA)**

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There are very few careers with as high demands for an ethical standard as law enforcement. Although there are many careers, which require a dedication to doing the right thing, it is undeniable that there is a tremendous degree of responsibility and expectation placed on the police officer. The police play a vital role in today's justice system; they are the heroes that catch armed robbers, stop kidnappings, and catch murderers that terrorize communities: or at least that is how they are portrayed. While police activities are much more mundane than the public may think, police are given total authority over the public to keep the streets safe.<sup>2</sup>

*"If you wish for peace, prepare for war."*

This Roman proverb can be applied to police; they must be trained for the worst possible incident but they should try hard to avoid using their training in real experiences. Most police departments and officers would believe strongly in this proverb; however there are a few examples in the U.S. in which the officers' use of force has been excessive and unnecessary where they used their training to harm rather than protect and enforce the law. During their service, police are given several authorities to exercise the law and make sure that the law is carried out among citizens. This can lead to an officer having a sense of entitlement and a possibility of them losing respect for their boundaries. Such a case is called police brutality and even though police officers are responsible for enforcing the law, they have breached these laws and taken advantage of their position ; such violations of human rights must be eliminated. Police officers, who were once referred to as peace keepers, are now more law enforcement officers. Police agencies around the United States seem to be stuck more on quotas and creating revenue for their county or city. Making many officers strive for many unnecessary arrests. This as a following result has brought up a lot of tension between the police and their citizens. With increasing violence in cities and states; police officers methods have slowly become more aggressive, bringing a rise in unnecessary police brutality related incidents within the last 10 years. Police brutality is an criminal act. It is an atrocity that is jeopardizing the civil rights of the citizens<sup>3</sup>

### **What is Police Brutality ?**

In many countries there are laws which are protecting against police brutality. Under these laws, police brutality is seen as a very serious offense and is investigated by district attorneys. Unfortunately, even with the law covering police brutality, many complaints made by civilians about excessive use of force are not investigated. Researchers suggest that it happens because the police has the authority to use force when necessary, and, often, it is difficult to prove that police brutality has taken place. More police officers now constantly record all interactions with civilians. Later on the recorded conversations can be reviewed in the case of an investigation.

### **Causes of Police Brutality.**

So what exactly causes police officers to engage in some type of brutality? There are three main reasons that can break down why this is. It can either be a sociological, psychological, and/ or an organizational purpose.

Sociologically, officers commit brutality crimes due to the social status of the victim. It is less likely that an officer will be brutalizing someone of high status. Just like it is more likely that the officer will take action against a lower status person who has been accused by a higher status person.

The officer in most cases will turn the cheek on the lower status victim whose accuser is of lower status as well.

A bigger cause for police brutality could be linked to psychological reasons. Officers of different education have been proven to show different signs of action taken. Those who are less educated are shown to be more likely to engage in physical contact. Race of the police officer also has been shown to play a role in excessive force used. The black officers in studies would patrol more aggressively, use deadly force, and had more arrests. The amount of experience of an officer is also a big factor psychologically. The officers who were newer to the job often were more aggressive, and were more likely to use excessive force. Lastly are the organizational causes for police brutality. What could this possible mean? Officers following policies and regulations can sometimes commit crimes because they felt it was necessary to do so based on their procedures. Officers can take action against those who show some disrespect for police authority. In many cases police use lethal force because of legalistic reasons, and in most cases the officer is more aggressive than needed be. This is what makes it hard to prosecute a supposed officer of police misconduct, because it could appear that he was only following procedure.

#### **The incident that paved the road for Police misconduct Incidents.<sup>4</sup>**

Rodney King was born on April 2nd 1965 in Sacramento, California. Rodney had always been a troubled person, he suffered from alcoholism; and was in trouble quite often with the law. However, little did he know that he would become the biggest figure face for examples of police misconduct? When police misconduct is brought up Rodney King is the ideal example to be used. Rodney King was being pursued by the L.A.P.D in a high speed car chase on March 3, 1991. When police caught up to him and was able to get him stopped he was pulled from the vehicle. George Holiday was a local nearby and was able to get footage of the incident. The officers supposedly pulled King out and repeatedly beat him with a baton. The officers Laurence Powell, Timothy Wind, Theodore Briseno and Stacey Koon were charged with criminal offenses, including assault with a deadly weapon. However, they were acquitted of all charges which some believe was because of the all-white jury.

This only made racial tension in the United States worse. In 1992 a deadly riot broke out in anger for the outcome of the Rodney King trials. This riot was again under the control of the L.A.P.D and around 53 people were killed from more excessive force being used to get the riot under control. Around 2,100 people were injured from the riot, 7,000 fires occurred, and there was a total of one billion dollars in property damage. Could this again been another example where police used more force than what was truly necessary?

Rodney King was found dead on June 17, 2012 in Rialto, California in his pool. Some believe he was murdered by a hit put on him from one of the officers he got in trouble, but it still remains a mystery. The Rodney King incident will go down in history as the biggest example of police misconduct. It will set an example to others for years to come. But it will not be able to prevent police brutality from happening alone. Today it stills a rising issue with several incidents. There are people being Tazed for no reason, or being bitten by a police dog that was used unnecessarily. It is clear that some type of action must be taken in order to prevent these things from happening. Officers are there for the people of the United States safety; they are not there to boss civilians around or act as if they are above the law. They must keep the peace, and only be there to keep the peace or otherwise it will begin to put the lives of officers and civilians in danger.

### **Police brutality: Case Study**

Police kill at least 102 unarmed black people in 2015, nearly twice each week. 1 in 3 people killed were identified as unarmed, though the actual number is likely higher due to underreporting.<sup>5</sup> These are few of the cases:-

- **Andy Lopez Cruz: Died on October 22 2013**

Cruz was a 13-year-old boy shot dead after a deputy sheriff in Santa Rosa, northern California, said he believed Cruz was carrying a real rifle. It was reported the boy was told to drop his gun as they crouched behind their patrol car. Cruz, only holding a replica of an assault rifle, turned with the gun still in his hand. Police said Erick Gelhaus then shot him “fearing for his life”.

- **Eric Garner: Died on July 17 2014**

Garner was killed after a New York police officer used a banned choke hold technique to restrain him, despite being unarmed. He was wrestled to the ground by several police officers after a complaint he was illegally selling loose cigarettes. In a video that went viral, the black 43-year-old said: “I can’t breathe” which was soon adopted by protesters after Daniel Pantaleo, the only officer that was investigated by a grand jury, was not charged.

- **Michael Brown: Died on August 9 2014**

Brown was an unarmed black teenager shot by Darren Wilson, a white police officer on the street Ferguson, Missouri. Some said he had his hands up in the air and the shooting led to protests and some violence for 10 days. In November, a grand jury said the officer should not face criminal charges in the case that led to a nationwide discussion about the treatment of black people by white police officers.

- **Amir Rice: Shot on November 22 2014 but died on Sunday, November 23**

Twelve-year-old Rice was shot by Ohio police in a public park as he was playing with a BB gun. It was reported at the time that a man called police saying someone was brandishing a pistol but added it was “probably fake”. The police claimed Rice reached into his waistband for the toy gun when the two officers ordered him to raise his hands. On Monday, Cleveland city claimed Rice’s injuries - and subsequent death - “were directly and proximately caused by their own acts, not this defendant” in response to the family’s lawsuit. In the lawsuit, the family accuses officers Frank Frank Garmback and Timothy Loehmann of acting recklessly and failing to provide first aid and also name the city of Cleveland as a defendant.

- **Sureshbhai Patel: Attacked on February 6 2015 and left partially paralysed**

Mr Patel was left partially paralysed, his family says, after being beaten by police in Alabama. The FBI has launched an investigation into what happened to the Indian grandfather after his encounter with police. A police officer has been arrested accused of badly injuring the man visiting relatives. In a video released by police, it shows an officer throwing Mr Patel to the ground after officers stopped the man. He had been walking when police said officers tried talking to the man who spoke little English. Larry Muncey, Madison Police chief, announced last month that officer Eric Parker would be fired and he has pleaded not guilty to assault.

- **Walter L. Scott: April 4, 2015 — North Charleston, S.C.**

A police officer fatally shot an unarmed man in the back as he tried to run away after a scuffle. A bystander’s video showed Officer Michael T. Slager of the North Charleston police firing eight times, with several of the shots striking the man, Walter L. Scott, 50. Mr. Scott had been driving when

Officer Slager pulled him over for a broken tail-light. It is not clear why Mr. Scott might have resisted or why he fled. Officer Slager said at the scene that Mr. Scott had tried to take his stun gun. Mr. Scott was black, and Officer Slager, who has been charged with murder, is white.

- **Ryan K. Bolinger: June 9, 2015 — Des Moines**

An officer shot through the closed window of a police car, killing a man who had been acting strangely and was approaching the vehicle. The Des Moines police said that when one of their officers made a routine traffic stop, the man, Ryan K. Bolinger, who was not involved in the stop, pulled up alongside the police car, so close that the officer could not open his door. Mr. Bolinger, 28, stepped out of his car and moved around in the street, almost as if dancing, and then got back in and drove away, but not at high speed. Later, officers managed to box him between two police cars. He got out again and “walked with a purpose” toward the car driven by Officer Vanessa Miller, a police spokesman said. She fired once at him through the window. The police have not said there was any reason to think he was armed. Mr. Bolinger was white, as is Officer Miller.

- **Cody Wayne June 8, 2016-San Bernardino**

A man was shot and killed after a confrontation with San Bernardino police Saturday according to a police spokesperson, Cody Wayne Jarrett, 26, was pulled over about 9:15 p.m. near Highland Avenue and Mountain View Avenue. Police said the Honda Accord he was driving had been reported stolen earlier in Yucaipa. According to police, Jarrett was armed with a sawed-off shotgun, and after a brief “confrontation,” police fired at the man. Jarrett was taken to St. Bernardino Medical Center, where he later died, according to San Bernardino Police Chief Jarrod Burguan.

### **Conclusion**

Police brutality seems to be a big issue in the highly populated cities. It has to partly do with all the gangs in the bad areas of the cities. Parts of these cities are high for violent crimes, which could be a major factor for excessive use of police force. Some officers may think that they protecting their own lives from danger and this is what gives them the right to use excessive force. It is hard to say that not all cases of excessive amount of force used; weren't necessary in order to protect the officer from danger. In some circumstances an officer may have been in the rightful position to use lethal force in order to obtain the suspect. However, it cannot be the case in all accounts, and that is where some course of action is going to have to be taken in order to protect the rights of those who fall victimized by police brutality.<sup>1</sup>

I realize as an article to be written which will incite students to pick it up read, get totally involved and make it to the end; it needs to be captivating with humour and inspirational quotes from influential people. I could include jokes about police which involve the size of their stomachs and various eatables or various cases of bribery but for a topic that is so fundamental to our day to day life which questions our safety and that of the unsuspecting victim, I hope to reach you with facts and hard realities of the world around us. Throughout the article we have focused on the situations escalating in the USA however there are cases where police brutality has touched people around the world including India. Just because a topic is not national news doesn't mean it doesn't exist and just like in the USA it won't take much for a situation to get out of hand. While all police personnel's cannot be labelled for the activities of a selected few it cannot be assumed that it won't happen to you and to be oblivious to the fact that it is happening and it is serious. Knowledge is power....the power of awareness is preparedness....and preparedness is what we can all hope for to avoid or prevent situations that will lead to police brutality if it can be helped by us.

**(End notes)**

- 1 B.A.LL.B III, Modern Law College, Pune
- 2 Available at, <http://www.123helpme.com/search.asp?text=Police>, accessed on 19th July 2016
- 3 Available at, [www.123helpme.com/police-brutality-preview.asp?id=285456](http://www.123helpme.com/police-brutality-preview.asp?id=285456), accessed on 20th July 2016
- 4 Available at, <http://eone.pro/description/essay-on-muslim-invasion-of-south-india.html>, accessed on 20th July 2016
- 5 Available at, <http://mappingpoliceviolence.org/unarmed/>, accessed on 20th July 2016