POLICE BRUTALITY

Current Controversies

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Police Brutality

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Current Controversies

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Contents

No: Police Brutality Is Not a National Crisis

Chapter 2: What Are the Causes of Police Brutality?

Foreword

By definition, controversies are "discussions of questions in which opposing opinions clash" (*Webster's Twentieth Century Dictionary Unabridged*). Few would deny that controversies are a pervasive part of the human condition and exist on virtually every level of human enterprise. Controversies transpire between individuals and among groups, within nations and between nations. Controversies supply the grist necessary for progress by providing challenges and challengers to the status quo. They also create atmospheres where strife and warfare can flourish. A world without controversies would be a peaceful world; but it also would be, by and large, static and prosaic.

The Series' Purpose

The purpose of the Current Controversies series is to explore many of the social, political, and economic controversies dominating the national and international scenes today. Titles selected for inclusion in the series are highly focused and specific. For example, from the larger category of criminal justice, Current Controversies deals with specific topics such as police brutality, gun control, white collar crime, and others. The debates in Current Controversies also are presented in a useful, timeless fashion. Articles and book excerpts included in each title are selected if they contribute valuable, long-range ideas to the overall debate. And wherever possible, current information is enhanced with historical documents and other relevant materials. Thus, while individual titles are current in focus, every effort is made to ensure that they will not become quickly outdated. Books in the Current Controversies series will remain important resources for librarians, teachers, and students for many years.

In addition to keeping the titles focused and specific, great care is taken in the editorial format of each book in the series. Book introductions and chapter prefaces are offered to provide background material for readers. Chapters are organized around several key questions that are answered with diverse opinions representing all points on the political spectrum. Materials in each chapter include opinions in which authors clearly disagree as well as alternative opinions in which authors may agree on a broader issue but disagree on the possible solutions. In this way, the content of each volume in Current Controversies mirrors the mosaic of opinions encountered in society. Readers will quickly realize that there are many viable answers to these complex issues. By questioning each author's conclusions, students and casual readers can begin to develop the critical thinking skills so important to evaluating opinionated material.

Current Controversies is also ideal for controlled research. Each anthology in the series is composed of primary sources taken from a wide gamut of informational categories including periodicals, newspapers, books, United States and foreign government documents, and the publications of private and public organizations.

Readers will find factual support for reports, debates, and research papers covering all areas of important issues. In addition, an annotated table of contents, an index, a book and periodical bibliography, and a list of organizations to contact are included in each book to expedite further research.

Perhaps more than ever before in history, people are confronted with diverse and contradictory information. During the Persian Gulf War, for example, the public was not only treated to minute-to-minute coverage of the war, it was also inundated with critiques of the coverage and countless analyses of the factors motivating U.S. involvement. Being able to sort through the plethora of opinions accompanying today's major issues, and to draw one's own conclusions, can be a complicated and frustrating struggle. It is the editors' hope that Current Controversies will help readers with this struggle.

Introduction

In July 1991, a specially appointed commission called the Christopher Commission released its findings concerning brutality in the Los Angeles Police Department (LAPD). The commission, created in response to the videotaped and widely shown beating of motorist Rodney King on March 3, 1991, examined more than one million documents and interviewed hundreds of people, including police officers, private citizens, and criminal justice experts. The commission concluded that police brutality was a significant problem within the LAPD, arguing that a minority "problem group" of officers engaged in repetitive, unjustified use of force. To support its conclusions, the commission noted that over a period of four years, forty-four police officers were cited in at least six allegations of brutality, yet still received favorable performance reviews from the department.

Los Angeles is not alone in its problems with police brutality. Most major U.S. cities have had publicized incidents of alleged police brutality. For example, in New York City in August 1988, fifty-two people required medical attention after police violently enforced a curfew in a city park. In San Francisco seven protesters at a 1988 United Farm Workers demonstration were beaten; they eventually won a $24 million lawsuit. In Atlanta in March 1991, two black youths were beaten by police officers after a car chase; one fifteen-year old was killed.

Incidents like these have raised questions and sparked a national debate about police brutality. Investigations such as that done by the Christopher Commission reveal that brutality is one manifestation of the often troubled relationship between the police and the community they are supposed to serve and protect. This relationship and differing conceptions concerning the proper role of police in society are the roots of much of the controversy over police brutality.

Two Views of the Police

Criminal justice professor Donald B. Walker has argued that Americans are divided between two fundamentally different views of the police officer's role in society. "One camp, fearful of crime and disorder, views the police as the last remaining force standing between them and the overwhelming chaos," he writes. Those who hold this view of police as a "thin blue line" against criminals are often quicker to defend the police against criticisms of brutality. The other view of police, according to Walker, perceives them "as brutal, oppressive agents of the state and tends to paint all police with the same brush." People who hold this view are more apt to believe all reports of police brutality and to view all police officers with suspicion.

Despite their seeming opposition, these two ways of viewing the police are similar in one crucial aspect. Both see the police and civilians as fundamentally opposed to each other and police brutality as almost inevitable. Perhaps a new middle ground between these views is necessary; one that tries to find ways of encouraging trust

and cooperation between the two groups.

An analysis of police brutality thus becomes an examination of the obstacles to mutual trust and understanding between civilians and police. One major obstacle is that police are often separated from the community by the nature of their work. In the past, many police officers patrolled a particular neighborhood and became acquainted with most of its residents. Today the neighborhood patrol officer has been replaced by officers in squad cars who respond to emergency calls. They interact with community members only after crimes have been committed, not in an effort to prevent crime. Consequently, the civilians police most often come in contact with are people they are trying to arrest or confront. Their work thus leaves little room for normal human interaction with members of the community, and thus little opportunity for mutual understanding.

Hazards of Police Work

In addition, police work is often brutal and dehumanizing in a way few people outside the police force understand. About 80 percent of police work involves responding to accidents, injuries, medical emergencies, and other non-crime-related incidents. The other 20 percent involves dangerous, even life-threatening situations. Police routinely deal with people whose behaviors range from rude and disorderly to extremely dangerous. In 1989 in the U.S., 146 police officers were killed and 62, 172 were victims of assaults. Kent W. Perry, a police officer for almost twenty years, writes:

> I've been shot, punched, kicked, spat upon and cussed. As personally unsettling as all these things are, even more disheartening is the simple fact that for most police such occurrences are almost routine.

Police officers, according to criminal defense lawyer Kevin M. Doyle, must endure such abuse. They have few legal ways to respond. Doyle writes, "New York courts, for instance, pretend that cops are androids and hold that what would be punishable harassment if directed at a regular citizen should just roll off an officer's thick-skinned back." Such frustrations worsen police-community relations and are a contributing factor to brutality.

Mixed Messages

Police-community relations are also complicated by the mixed messages police receive from their superiors and from the general public. Street officers are told by their superiors to do what is necessary to get the job done, but not to get caught in acts of brutality. Politicians and the media build public support for "wars on crime," yet police are expected to use force only when absolutely necessary. Doyle argues that despite rules and laws against unnecessary force, the message many police officers implicitly receive is that "there are times when unnecessary force is necessary or, at least, to be expected and overlooked."

While few people state this position so openly, Mark H. Moore, criminal justice professor at Harvard University, writes that much of the U.S. public has a similar understanding of the police.

> If the police were going to do the hard job of dealing with crime and offenders, they had to be allowed to behave badly. This view was articulated by one police officer who explained to me: "If you're going to have to shovel society's [garbage], you ought to be indulged a little bit."
>
> The police eventually discover that this tacit deal with the community is . . . unreliable. . . . . When an incident occurs, as it inevitably will, . . . the public turns on the police.

Such mixed messages, Moore and others write, can create cynicism and a sense of isolation in many police departments. Police officers in many departments band together for support and understanding. One result of this group identity is the police "code of silence." Police officers face strong peer pressure not to report on each other in incidents of brutality, and to support each other in their dealings with uncooperative citizens. A Los Angeles police officer elaborates: "What do you do if you see your partner do something wrong? If you can't stop him from

doing it, you're supposed to tell the watch commander. But if you squeal, no one will want to work with you." In a job where one's life can depend on the quick action of a fellow worker, such pressure is hard to ignore. The unwillingness of police to testify against each other makes it difficult to punish and discipline offenders. Feeling confident that other officers will not testify, some may be more inclined to continue acts of brutality.

Finally, police-community relations, including police brutality, are affected by many of the racial, ethnic, and economic divisions in U.S. society. For example, while only 40 percent of the population of Los Angeles is white, white officers make up 61 percent of the LAPD. Similar imbalances exist in other major U.S. cities with large nonwhite populations. Police officers often confront people who are not only of a different race, but of a different ethnic and economic background. These social factors, combined with the nature of police work, often foster feelings of racial prejudice and cultural misunderstanding. These feelings can reinforce any tendencies toward brutality the police officers may have. Sociologist James Marquart argues that "white officers don't understand a lot of things that go on in these areas. One way to deal with that is to use force. It goes across all cultural boundaries." The result is that police brutality is most common in minority communities. As writer Kerwin Brooks asserts, "Unlike other types of crime, the vast majority of police brutality cases are committed by white police officers against non-white victims. In almost all of these cases, racial epithets are part of the verbal onslaught victims suffer."

Journalist Salim Muwakil has called brutality evidence of the "racist reality of U.S. law enforcement." His judgment was supported by the Christopher Commission's examination of the transcripts of computer messages Los Angeles police officers made while working. Among the messages found were: "If you encounter these negroes, shoot first and ask questions later," and "I almost got me a Mexican last night but he dropped the gun too damn quick." The commission also found that "a large number of witnesses complained that there is a general climate of hostility between the police and members of minority communities."

These factors are only part of the complexities surrounding the police brutality issue, complexities that are implicitly and explicitly dealt with in this volume. *Police Brutality: Current Controversies* is divided into three chapters which examine the extent of police brutality, its causes, and its prevention. Current and former police officers, criminal justice experts and professors, psychologists, journalists, and others present their theories about the complex issue of police brutality and the broader problem of the relationship between the police and the communities they serve.

Chapter 1

Is Police Brutality a National Crisis?

Police Brutality in the U.S.: An Overview

Eric Harrison

About the Author: *Eric Harrison is a staff writer for the* Los Angeles Times, *a daily newspaper.*

Editor's note: Incidents of police brutality are often difficult for the victim to prove. This is especially true of poor victims or those with criminal records, people who may not have the resources or support to make their stories heard. Rodney King, a black unemployed construction worker with a previous felony conviction, originally doubted whether anyone would believe his story of being beaten by Los Angeles police officers on March 3, 1991, according to his lawyer Steven Lerman. Fortunately for King the beating was captured on videotape and broadcast on national television. This tape sparked a national uproar in part because it lent credence to many other complaints of police brutality. A poll taken by Newsweek *after the Rodney King incident found 62 percent of those polled believed that police brutality was a significant problem for minority communities.*

Was the Rodney King incident an "aberration," as Los Angeles Police Chief Daryl Gates stated, or did it prove that brutality is common and widespread? The viewpoints in this chapter focus on this question and come to varying conclusions. In the following overview, Los Angeles Times *journalist Eric Harrison examines incidents of police misconduct in several cities, and notes the divergent opinions held by experts as to whether police brutality is common nationwide.*

John Davis, a white 46-year-old farmer in rural Mason County, Wash., has little in common with Los Angeles' Rodney G. King. But, in recent weeks, whenever he has watched the videotape of the beating King received at the hands of Los Angeles police officers, Davis has been carried back to a summer afternoon in 1985.

On that day Davis was beaten by sheriff's deputies, in the words of one witness, until he "looked like he had been dipped in a bucket of blood."

Davis and his 15-year-old nephew were driving a load of hay in a horse-drawn wagon down a public road when a sheriff's deputy ordered him to move over to let cars pass. The patrol car's loudspeaker frightened the horses, though, and Davis couldn't control them.

That was when the deputy drew his gun. When the farmer stepped down, he was beaten, kicked and shocked with an electric stun gun by the deputy and two others who arrived on the scene. They swarmed over him, Davis recalled. "It just escalated into more and greater excitement. Their adrenaline just kept building until the climax," he said.

The videotape of the King beating began airing several days before a federal appellate court awarded Davis a $375,000 settlement stemming from his beating. When he saw the tape, "boy howdy, I had the feelings come right back to me," Davis said. "There was the same energy in the air, I could see it. I'd just cringe to watch it."

"Forty-one people died in New York in 1990 in police gunfire, the highest number since 1975."

But how emblematic was that disturbing videotaped scene? Did it truly, as the Davis and other cases suggest, pull back the covers from America's dirty little secret, a secret some suggest had never really been kept under wraps in certain neighborhoods?

While some activists and lawyers describe police brutality as "endemic," particularly in minority communities, most law enforcement officials and some legal authorities say it would be a mistake to conclude that the problem is getting

Eric Harrison, "Brutality: Hard Issue for Police," *Los Angeles Times*, April 4, 1991.