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## The Brutal Truth about Police Brutality

Markhel D. Hargrove

Eastern Kentucky University, [markhel\\_hargrove@mymail.eku.edu](mailto:markhel_hargrove@mymail.eku.edu)

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## The Brutal Truth about Police Brutality

“Crime is a problem that preoccupies the news and the public. As the nation has engaged in ‘wars’ on crime and drugs over the past several decades, crime has become an ever-more prevalent staple of news reporting... Police use of physical force is a particularly controversial issue in American crime fighting,” (Lawrence, 2000). It should be no news to anyone that police brutality is a very serious issue that continues to burden our country. In order to better understand the issue at hand, I have looked at almost 100 of alleged police brutality cases that have taken place within the past 10 years. The fact that there were that many to review is distressing and furthermore, there are countless other cases that, unfortunately, have not been heavily reported. After the Michael Brown case caught the media’s attention and went viral, a new case “comes up, it seems like, once a week now, or at least every couple of weeks” as the President of the United States Barack Obama stated in a press conference with Japanese Prime Minister Shinzo Abe. President Obama called police violence “troubling” and “not good for police,” (Mathis-Lilley, 2015).

This issue brings forth another disgusting fact that has plagued this country since its inception: racism. Perhaps the most famous instance of police brutality occurred on March 3, 1991. The victim was Rodney King. King undoubtedly became the face of police brutality for many years. The King beating was recorded by George Holliday from his home and was used as evidence during the trial. Approximately 15 officers are seen in the video witnessing the beating but only four officers were charged: Sergeant Stacey Koon, Officer Laurence Powell, Officer Theodore Briseno, and Officer Timothy Wind. These four officers were all Caucasian while King was African-American. The King incident, and more specifically, the subsequent acquittal

of the four officers involved, led to the 1992 Los Angeles riots. These riots lasted almost a week, caused over \$1 billion in damages, and became the largest riots seen in the United States in 25 years. During the riots, King appeared on television and uttered his famous plea, “Can’t we all get along?” (“Rodney King Biography,” n.d.). A question to which there is still no answer.

Before going on, it’s important to define this phenomenon known as police brutality. Police brutality is also known as excessive force and the two terms can be used interchangeably. Police brutality occurs when police officers use force that is not justified whether it be deadly force or non-deadly force. Any unjustified use of force by police is deemed “excessive.” The specific test that the courts use when analyzing this topic is “objective reasonableness,” or would a reasonable person, under the same circumstances, react in the same manner. This is done without regard to underlying motive. The Supreme Court case *Graham v. Connor* (1989) created this standard (*Graham v Connor*, 1989). Excessive force is solely a Fourth Amendment issue. A clause in the Fourth Amendment states that people have the right to “be secure... against unreasonable searches and seizures,” (United States Constitution, Amendment IV). In the past, courts wrestled with the idea of where excessive force is addressed in the United States Constitution. The Eighth Amendment (the right against cruel and unusual punishment) had been considered as well as the Fourteenth (the right to due process). Finally, under *Graham*, the Supreme Court ultimately decided to go with the Fourth Amendment citing that the use of force or taking of a life by an officer of the law is legally categorized as a “seizure.”

Policing requires sound discretion. Officers must often make split-second decisions as situations happen and at the end of the shift, they hope that they made the right choices. Not only do they deal with stressful situations, but police must also learn to deal with a very diverse population, from the mentally ill to CEOs. This is where effective training academies and

programs come into play. According to the Bureau of Justice Statistics (BJS), as of 2006, police receive about nineteen weeks or almost five months of academy training (Bureau of Justice Statistics, n.d.). The amount of time differs based on one's city and jurisdiction. In Louisville, KY, my hometown, police officers must complete a 24-week training program, (Police Recruit Application and Selection Process, 2014) whereas the Dallas Police Department requires their applicants to go through a 36-week basic training academy (Dallas Police Department, n.d.). In addition to going through the academy, new recruits must also train with a field officer and work in the field with veteran officers before being allowed to go out on their own. In the academy, applicants must go through physical training, firearms instruction, defensive tactics, and other types of training that will help them respond to whatever they may encounter in the field. Police officers must also take an oath of honor. As a part of this oath, officers vow to protect and serve their community as well as uphold the rights of citizens as guaranteed by the United States Constitution ("What is the Law Enforcement Oath of Honor?", n.d.). "'To Serve and To Protect' is the oath that police officers all over the United States take upon completion of their training before they go out in the streets. Yet that promise, indeed that solemn oath, all too often, is left in their locker rooms," (Blackburn, 2015). When police brutality claims are proven to be accurate and credible, it leaves citizens feeling as if officers are solely concerned with "serving and protecting" themselves.

Training is one aspect of policing that I will analyze to help prevent police brutality. I plan to explain what can be done differently when it comes to the mentally ill. It is very important that officers can identify symptoms of mental illness so they will better understand how to approach a suspect. Police are trained to be aggressive and, while that may work for some suspects, it will not work for all. Officers also need learn how to follow procedures. Raids should

be executed with care and keeping all possibilities in mind, including the idea that children may be present. Children do not need to be and should not be involved with police, especially if they are the victims. Additionally, I will discuss the effectiveness of body cameras and whether or not they are a beneficial option to require in police departments across the country. This is an issue, as is evident by the deaths of Eric Garner and John Crawford III, because video of the incident is not enough to get a grand jury to indict officers on criminal charges. This often leaves the victim's families with one option: civil lawsuits. It's very hard to put a price on a loved one, but that's what some families do when they have to settle for civil law options. Some families do it simply to end the suffering and move on with the grieving process, but I think we can all agree that they would like to see the officers responsible face criminal charges. Focusing on the community, I will look at how can hiring officers who represent the racial demographics of the population that they protect help reduce the number of excessive force claims a department faces. In Ferguson, MO, the site of the Michael Brown shooting, the 2010 United States Census reports there was an African-American population of 67.4% (United States Census Bureau, n.d.) If that was true, then why, out of the 53 officers in that department, are there only three African-American officers, which only makes up just over five percent? (Network, 2014). The main question I will be considering is how much of a role race plays in excessive force cases. Out of the many victims I've specifically researched for this thesis, approximately 95% of them are African-Americans while the officers accused of the brutality are Caucasian.

I will expose the flaws that lead to police brutality, and also offer some partial solutions that will not necessarily solve the issue in its entirety, but will, instead, decrease the number of police brutality cases. President Obama stated in the aforementioned press conference, "If we are serious about solving this problem then we're not only going to have the police, we're going to

have to think about what can *we* do, the rest of us,” (Mathis-Lilley, 2015). We have seen how effective body cameras can be; these, too, have their limitations because this has not necessarily led to excessive force charges. Nevertheless, the Obama Administration announced last year that it will provide \$20 million to police departments for body cameras and that the project will cost approximately \$75 million. I will analyze body cameras and videos recorded from other sources whether they be dash cams or citizens who just happened to be in the area at the time of the incident. I will pay close attention to the cases in which the officer(s) was/were not criminally charged. I will examine these particular cases and determine why a grand jury might have decided not to indict the officer(s) involved. Another preliminary solution I have is to update the training that officers receive and to attempt to implement more training programs as officers decide to stay in the field. Just as one must maintain a license to drive or get their car tags renewed, it is important to keep our officers updated on their training, especially since new laws get passed almost annually.

In my job as an RA, or Resident Assistant, on campus, I am the first person college students who live on campus come to when they have questions, problems, or concerns inside their residence halls. For this job, I must go through two different training sessions: one at the beginning of the year and one at the beginning of the second semester, in the middle of the year. If I must go through two separate trainings a year for a job as minimal as this by comparison, why should officers not be required to do the same? Perhaps installing a mandatory re-training course for officers every year or two can be beneficial, to not only the officers in the field but the department as a whole. Officers would not have to rely on training they received at the beginning of their careers to last for years and can use their new training and experience to help shape a more effective department. Officers also need to be better trained and prepared for dealing with

people with mental illness. Policing is a career which involves encounters with a very diverse population including those who may not be sane, or suffer from various addictions. Officers need to better learn how to deal with this population, which will ultimately lead to a reduction of excessive force cases. Finally, officers need to be better acquainted with their equipment, more specifically, knowing where things are on their bodies and knowing when to use those specific items. In too many cases, victims have lost their lives because an officer shot them with a handgun they mistook for a Taser (take, for instance, Eric Harris). This is a very scary fact. In this case, he was lying on the ground and was covered by police at the time of his death. According to videos of the incidents, there was no need to shoot, or to even tase him, rendering his death avoidable and a clear case of excessive force. Thankfully, grand juries have decided to not allow ignorance to be a defense. This case has resulted in an officer being indicted on criminal charges, which sends a message to other departments across the country to be more aware of what they are doing in the field. Being better acquainted with the weapons at their disposal will hopefully help prevent these types of negligent deaths.

In 1985, the Supreme Court decided a pivotal case regarding deadly force: *Tennessee v. Garner*. In *Garner*, Memphis police officers responded to the call of a burglary in progress in an unoccupied home. Upon arrival, Officer Elton Hymon observed the suspect running through the backyard and up to a fence. The suspect was 15-year-old Edward Garner. Garner stood 5'4" off the ground and weighed about 110 pounds. Hymon testified that Garner was not armed. Garner was told by Hymon to stop but ignored the order. Fearing that Garner would get away had he gotten over the six-foot fence, Hymon shot Garner in the back of the head. He would later die as a result of that bullet. What did he end up stealing from the home? A measly \$10 and a purse

(*Tennessee v. Garner*, 1985). A kid who had barely started high school paid the ultimate price and would no longer be able to learn anything again over something as insignificant as \$10.

At the time of the *Garner* incident, there was a Tennessee statute stating that officers could use any force necessary in order to prevent a suspect from fleeing (Tennessee Code Annotated, 1982). The *Garner* court overturned that statute and deemed it unconstitutional after holding it violated the Fourth Amendment. This ruling meant that unarmed suspects did not automatically get the death penalty at the hands of the police just for being suspected of committing a crime. The *Garner* ruling set guidelines into place as to when deadly force can be used. The majority held that deadly force can be used to prevent a suspect from fleeing only if the officer has enough probable cause to believe the suspect poses a serious and immediate threat of physical injury or death to the officer or the general public (*Tennessee v. Garner*, 1985).

The Supreme Court decided *Graham v. Connor* in 1989 and, has since, become an equally important case regarding non-deadly force. It tells the story of Dethorne Graham, a diabetic on the onset of having a diabetic reaction, and a friend, William Berry, driving to a convenience store to pick up some orange juice for his symptoms. Once Graham got there, he realized that the line was too long and he couldn't wait because he felt ill. After quickly exiting the store, he told Berry to drive him somewhere else. Nearby was a North Carolina officer who noticed Graham's behavior and deemed it "suspicious." After following Graham for a short amount of time, the officer pulled over Graham and Berry on suspicion of robbery. The officer called for backup while he waited to hear back from the convenience store. During this time, Graham got out of the car, ran around it a couple of times and sat on the sidewalk where he proceeded to pass out. Upon being pulled over, Berry explained to the officer that Graham was a diabetic but he was ignored. After backup arrived, they arrested Graham, and threw him on the



hood of the car. Graham pleaded with officers to look in his wallet for his diabetic decal, but was abruptly told to “shut up” and then had his head shoved onto the car before being put in the police car. Orange juice was brought to Graham but officers refused to let him have it. Once officers got word that everything was fine at the store, they drove him home. Graham suffered multiple physical abrasions, including a broken foot and injured shoulder, Graham filed a lawsuit under 42 U.S.C. §1983 (*Graham v Connor*, 1989). Section 1983 is a section in the United States Code that specifically deals with civil rights violations in federal court (42 U.S.C. § 1983).

*Garner* and *Graham* changed the way police use of force is viewed legally. *Graham* specifically deals with non-deadly force cases as *Garner* is applied to deadly force cases. *Graham* holds that an officer’s actions must be “objectively reasonable” in light of the circumstances and facts at hand (*Graham v Connor*, 1989; Freeman & Mitchell, 1996). For example, if an officer encounters a suspect who is using his bare hands, that officer’s rational and legal response should be to use only his hands to fight back. However, if a suspect is using a weapon, then that is where the line starts to get blurry. A suspect armed with a broken bottle is dangerous and, in some instances, deadly, but that fact does not automatically allow an officer to use deadly force. Instead of using their gun, a more reasonable response by the officer may be to use his baton or mace and possibly even a Taser under certain circumstances. *Graham* also held that whether an officer acted “reasonably” must be examined through the perspective of the officer in the moment and cannot be looked at in hindsight as part of the aforementioned “objective reasonableness” standard (*Graham v Connor*, 1989; Freeman & Mitchell, 1996). A case cannot be looked at through hindsight because police officers do not have that luxury. “It is necessary to examine the total situation surrounding the use of force, from the approach to the final frame,” (Alpert & Smith, 1994). In fairness to the police, everything must be under the

same circumstances that the officer had to face during the situation. These two pivotal cases legally defined when force may be used in both deadly and non-deadly force cases.

As previously mentioned, training is the most significant part of policing. Training programs help officers get associated with laws they may not have previously known and gives them the tools that they will need in the field. However, it is time to discuss how effective these training programs actually are. According to the United States Department of Justice website, a “training program should incorporate the values of the department,” (Police Use of Excessive Force, 2002). Though, this seemingly is not always the case... at least in practice. Training is required of all police officers in order to make them be able to do the bare minimum. Some jurisdictions know exactly what they need so they tailor their training programs to better accommodate their communities. Based on recent cases of excessive force, training programs need to discuss, on a more in-depth level, how police officers interact with those who are mentally ill, how they perform procedures, and they also need to be reinstructed on how and when to use the different weapons, lethal and nonlethal, at their disposal. Stories just like Jason Harrison, Bounkham Phonesavanh, Jr., and Eric Harris are the prime examples of why training needs to be reconstructed.

In an article written for *The Nation*, Alex Vitale discussed the need for increased training. “Thousands of arrests for low-level drug possession, trespassing, jumping subway turnstiles and other ‘broken windows’ offenses are carried out consistent with police policy. Eric Garner may have been killed by improper arrest procedures, but he was also killed because the police were following orders to arrest people for selling loose cigarettes,” (Vitale, 2014). Inadequate training is not a new problem; it has been plaguing police officers for many, many years. “Police officials have recognized the need, but they have been helpless in establishing any systematic method to

consistently address shortcomings. Text books have been written on this important subject but it has been difficult to get them into the hands of the average policeman,” (Cahalane, 1929).

Captain Raymond E. Clift, a former superintendent of the Police Academy in Cincinnati, Ohio, and former secretary of the Hamilton County Police Association, wrote, “As a realist in police training, however, I sometimes feel we are making a mistake in some of our procedures,” (Clift, 1954). The article this quote was taken from was written in 1954, over 60 years ago, and yet, this statement still rings true. Obviously, we still have a long way to go.

“The police are often the first people to deal with a person undergoing a mental health crisis,” (Eaton, 2008). This was a caption and it is very accurate. Aside from the family, police officers are usually the first people to come in contact with those who are mentally ill. Unfortunately, it is commonly due to the police responding to a 911 call for the mentally ill suspect. Basically, it comes down to the fact that police officers have a hard time recognizing the symptoms of those who are mentally ill, and thus, do not know how to approach them.

“Drugs are a public health problem, not a policing problem. The same is true of sex work, homelessness and mental illness. Recently, [New York] Mayor Bill de Blasio announced a \$130 million package geared toward diverting people with mental illness from the criminal justice system and treating those who are already there. Our nation’s jails and prisons have become massive warehouses for the mentally ill, so this is a welcome development. However, it still makes access to services dependent on coming into contact with the police. The tragedy is that police are primarily equipped with the tools of physical coercion, which can be dangerous when dealing with a person in crisis,” (Vitale, 2014). It’s nearly impossible to talk about excessive force without discussing the mentally ill suspects that police come in contact with on a daily basis. The BJS reported that in 2005, over 50% of all inmates in jail and prison had a mental

health problem. These problems are measured in two ways: a recent history or symptoms in the last year of mental health issues. These symptoms were based on the *Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition*. Using this criteria, the BJS estimated that 56% of inmates in state prison, 45% of inmates in federal prison, and 64% of inmates in local jails suffered from mental health problems whether they be due to recent history or symptoms (James & Glaze, 2006). In other words, there has to be something else that can be done to help out our mentally ill victims.

Everyone has this idea that jails and prisons are the perfect place for mentally ill “criminals” to go because while they are there, they will get the help that they need. This could not be further from the truth. In fact, in 1972, Marc Abramson coined the term “Criminalization of Mentally Disordered Behavior,” (Abramson, 1972). This term refers to the fact that mentally ill suspects were being called suspects instead of patients. Those with mental illnesses were, instead of going to psychiatric hospitals, ending up in jail or prison. “While police officers may not consider providing services to persons with mental illness one of their primary functions, they respond to challenges and dangers that ordinary citizens and social service agencies are not equipped to manage. In addition to their roles as investigators and protectors, police still must keep the peace,” (Tucker, Van Hasselt, Vecchi, & Browning, 2011).

In 2005, in Los Angeles, former Sheriff Lee Baca said: “I run the biggest mental hospital in the country,” (Torrey, Kennard, Eslinger, Lamb, & Pavle, 2010). In 2007, then-state mental health commissioner John Houston stated, ““We are more or less criminalizing mental illness,” he said. ‘Jail becomes a default mental-health facility because there are no resources to provide care,’” (Torrey, Kennard, Eslinger, Lamb, & Pavle, 2010). Even if police officers do come in contact with mentally ill suspects and want to help them, this is often impossible. “Police officers

avoid transporting suspected mentally ill persons to a health care facility because they anticipate the staff will refuse to accept the individuals for evaluation or treatment,” (Finn, 1989). Take this along with the fact that psychiatric hospitals are closing due to budget cuts, and police officers are left with two options: leave them on the streets or take them to jail.

Deinstitutionalization has been a serious problem in recent decades that nobody seems to know, or care, about. Deinstitutionalization is when “mentally ill people are moved out of large state institutions and then closing part, or all, of those institutions,” (“Deinstitutionalization: A Psychiatric ‘Titanic,’” 2005). In 1995, there were about 675 hospitals in the country. Now, compare that to 2010 where just under 450 hospitals remain. This demonstrates a 33% decrease in 15 years and it is only getting worse as time goes on (Khim, 2013). In order to properly care for those who are mentally ill, something must be done to help them get the help that they need. There must be a plan to keep these hospitals open because “jail is the wrong place for the mentally ill. Aside from not receiving needed treatment, the person is often housed with ordinary criminal offenders who may abuse the mentally ill inmate,” (Finn, 1989). Not only is this causing a further health issue for the already mentally ill, but it is also putting a lot of strain on the officers in charge. To put it bluntly, “The jails and prisons may have become the long-term repository for mentally ill individuals who, in a previous era, would have been institutionalized within a psychiatric facility,” (Teplin, 1984).

Kelly Thomas, a 37-year-old homeless man suffering from schizophrenia, was brutally and fatally beaten by police in Fullerton, California. On July 5, 2011, Fullerton Police were dispatched for reports of vandalism. Noticing Thomas was in the vicinity of the alleged vandalisms, Officer Manuel Ramos approached Thomas and tried to search him, Thomas allegedly resisted. A 30-minute surveillance video was released that captured the entire ordeal.

“Now you see my fists? They’re getting ready to fuck you up,” was a threat hurled at Thomas by Officer Ramos. Thomas responded by saying, “Start punching, dude.” In the video, as Officer Ramos and Corporal Jay Cicinelli order Thomas to get on the ground, they are seen arming themselves with batons and then start attacking Thomas’s legs as he falls to the ground. The incident continues off camera as one of the officers is seen running around the cruiser to continue the beating. As officers attempted to arrest Thomas while he was on the ground, Thomas is repeatedly heard screaming in pain and yelling out, “OK, OK! It hurts!” as well as “Please stop!” and he even manages to get out a plea for help by calmly saying, “Help me... help me please.” Perhaps the most concerning cry by Thomas is “I can’t breathe!” A cry also famously repeated from the police brutality case of Eric Garner (Kim, 2014).

During the arrest, Thomas was tased at least twice and was also beaten in the face with that same Taser at least twice. Thomas suffered a coma as a result of this incident, which ultimately included six officers. After the incident was over, emergency personnel arrived and in the video, officers can be heard chatting amongst each other and laughing as Thomas laid on the ground, bleeding out (Kelly Thomas Beating Video, 2012). He was taken to the hospital where he would die five days later due to “brain damage from lack of oxygen caused by chest compressions and injuries he sustained at the hands of police,” (Flores, Esquivel, & Mozingo, 2014). Officer Ramos was charged with second-degree murder and involuntary manslaughter while Corporal Cicinelli was charged with excessive force and involuntary manslaughter. They were both acquitted of all charges. Another officer involved, Joseph Wolfe, was also accused of involuntary manslaughter but the DA dropped the case against him after the first two verdicts were read. Ron Thomas, Thomas’s father, said this after the trial, “Police officers everywhere

can beat us, kill us, whatever they want, but it has been proven right here today they'll get away with it," (Ehrenfreund, 2014).

The fact that Thomas suffered from schizophrenia was very apparent during his arrest as he was calling out for his dad while he was being tased and beaten. Although this occurred in a different state, the Anne Arundel County Police Department in Maryland wrote a new policy on how to deal with mentally ill suspects. The policy includes steps to take when dealing with someone who is suspected of suffering from a mental illness. Anne Arundel County police officers are trained to calmly talk to the suspects, use non-threatening body language and not to get angry when talking to mentally ill suspects ("Responding To Persons with Mental Illness, Emotional Crisis or Physical Disabilities," 2012). Officer Ramos threatened Thomas and was not calmly talking to the suspect. Using non-threatening body language was ignored as well as the two officers surrounded Thomas as he sat on the ground and then as they grabbed his arm and proceeded to take out their batons. It's obvious to say that the officers were angry, judging by Thomas's face as he was taken to the hospital. Realizing the fact that this specific policy was not enacted in the same state where Thomas was killed, it is a step in the right direction. Mentally ill suspects are still humans and have rights. They just need to be treated more carefully than those who are not mentally ill. Anne Arundel County has rules and regulations in effect instructing their officers on how to deal with those who are, honestly, sometimes forgotten about, and are considered by many to be expendable. Other police departments around the country need to follow in their footsteps and set certain guidelines to accommodate the mentally ill.

Jason Harrison is yet another prime example of how police officers failed the mental illness community. On June 14, 2014, two officers, Officers John Rogers and Andrew Hutchins, received a 911 call from Harrison's mother, Shirley Harrison, explaining how she wanted her son

to be taken to a hospital as he was off his medication. Shirley specifically requested officers who had been trained to work with the mentally ill. Shirley did not know of the events that were about to take place. The body camera starts recording as officers arrived on the scene. Shirley opened the door and was calmly talking to the police as she walked out of the house explaining to the officers why she called. Walking right behind her was Jason Harrison holding a screwdriver. Shirley told the officers that he was “bipolar schizo.” Once Shirley leaves the view of the camera, the attention is now turned to Harrison’s screwdriver. Officer Hutchins first tells Harrison to drop the screwdriver. Exactly five seconds later, the first of five shots ring out over the video and Harrison’s body goes limp and falls to the ground with his head up against the garage door. Shirley, astonished at what happened in front of her own eyes, is then heard screaming about ten times, “OH! They killed my child!”

The craziest thing that struck me was that after they shot Harrison five times and his motionless body lay on the ground with the exception of his head propped up against the garage door, they continued to order him to put the screwdriver down! Officer Hutchins in the middle of his commands uttered an apology, “Sorry buddy.” Officer Rogers is then heard telling Harrison to “put the screwdriver down!” Throughout this whole time, Shirley can be heard in the background screaming. After Harrison’s body had laid there for 30 seconds with no compliance to the police officers’ orders, Officer Hutchins goes, “(sighs)... Shit.” The officers then talk to each other to make sure their body cameras were on and recording. A minute and ten seconds after Harrison’s body hit the ground was when Officer Rogers finally announced, “He’s unconscious,” and they decide to check the body. Harrison’s body laid there for a minute and 19 seconds before the officers decided to make sure he was still alive... After finding a faint pulse, Officer Rogers is heard asking, “Do we handcuff him?” As if handcuffing him will make the



situation better. He then reassures Officer Hutchins by saying, “It’s OK... We’re good,” (Raw Body Cam, 2015). Turns out, both of these officers WERE good, in fact, as a grand jury declined to indict them on any charges in connection with this case.

The thing that concerns me with that question at the end, “Do we handcuff him?” is that these officers had no idea what to do. I understand that a traumatic event had just taken place, but isn’t this what training is for? To prepare officers for these unexpected situations that mean life and death? Radley Balko brings up a very interesting question in regards to this case. He discusses the importance of asking the right questions in police-involved shootings. Balko tries to bring forth the argument that instead of asking was this shooting legal, we should be asking was this shooting necessary, or better yet, acceptable. He argues that asking the latter will ultimately get police departments to change their policies and rules (Balko, 2015).

According to the lawsuit filed by the Harrison family, the officers had been there over a hundred times and knew that Jason was nonviolent and mentally ill (McLaughlin, 2015). So then why was this incident the one that the entire Harrison family will remember the rest of their lives? The whole reason the family wanted this video to be released was that they hoped it would help reform the way police officers handle contact with mentally ill suspects. “This is a perfect video for the Dallas Police Department to use in training as an example of what not to do,” Sean Harrison, Jason’s older brother, said. “You don’t yell at them — that only agitates them,” (Martin, 2015). Cops need to be trained on how to recognize mental health issues in their suspects. A study completed by Linda Teplin showed that out of the 506 times an officer confronted a suspect, roughly six percent of those suspects had the presence of some type of mental disorder (Teplin, 1984). Training needs to be updated in order to tell officers how to properly interact with those who are mentally ill. This will help reduce the number of times that

police encounter mentally ill suspects, and will, in theory, decrease the number of ill suspects in jails, prisons and the morgues. This is also a chance for those who are mentally ill to get the proper help and care that they need.

Ron Thomas' statement about police officers getting away with murder is tragically accurate. According to CopCrisis.com, cops are indicted in less than 1% of killings, but the indictment rate for Citizens is 90% (Every 8 Hours, Cops Kill an American Citizen, n.d.). The main reason for this is the conflict of interest that the courts face when indicting police officers. "There is a fundamental conflict of interest for DAs who must work closely with police and rely on their political support for re-election. We should take prosecution out of the hands of local DAs and turn it over to a "blue desk" responsible for investigating and prosecuting all cases of police misconduct statewide," (Vitale, 2014). The District Attorney's office gets the troubling task of prosecuting police officers if they are indicted. The problem with this process is that the District Attorney's office works very closely with the police in regards to their cases including retrieving evidence and being witnesses, which could help make or break a case. How is the same office who relies on officers to help them do their job going to turn around the next day and try to convince a jury that that same officer has committed a crime?

Procedures must be properly followed, which also means the intelligence surrounding those procedures must be accurate. Nobody wants to witness the death of a child. The death of a child or infant is infinitely sad and tragic. What started as a normal event would completely change one entire family. On May 16, 2010, the camerawoman for A&E's popular documentary series, *The First 48*, prepared her camera as she stood in the street next to Detroit's Special Response Team (SRT). Officers were investigating the death of 17-year-old Je'Rean Nobles, which had happened just over a day before. A man, Chauncey Owens, who had been identified

as the suspect, was allegedly living in the same house as seven-year-old Aiyana Stanley-Jones. As the SRT moved into position to take down Owens, Jones was asleep on the couch with her grandmother in the room. Suddenly, a flash bang busted through the window and exploded, disorienting everyone in its vicinity. The SRT swiftly followed the flash bang inside with guns drawn. The exact order of what occurred next is up for debate. What we know for certain though, is that one bullet was fired from Officer Joseph Weekley's gun and that bullet would strike Aiyana in the head. Owens was found in the upstairs flat and arrested after the shooting (LeDuff, 2010).

After over a year of investigation, a grand jury indicted Officer Weekley on charges of involuntary manslaughter and reckless endangerment with a gun. Two trials occurred both resulting in mistrials due to deadlocked juries. During the second trial, the judge decided to drop the involuntary manslaughter charge against Weekley. After the second mistrial, the judge decided to drop the remaining charge. The family filed lawsuits against the Detroit Police and A&E.

A similar incident occurred exactly four years later in Georgia. Nineteen-month-old Bounkham "Bou Bou" Phonesavanh, Jr. was lying in his crib sleeping at 2 am. The family was awakened by a loud bang and a blinding white light courtesy of the Habersham County Sheriff's Office's SRT. Unbeknownst to anyone at the time, that flash bang had landed inside Bou Bou's crib. Hearing her son's terrifying screams, Alecia Phonesavanh, Bou Bou's mother, ran to hold him, but was intercepted by the police. Officers did not want her to see her son in that state. The family was lied to about Bou Bou's condition and getting told that he was not seriously hurt and that "he had lost a tooth," (Lynn & Gutman, 2014). The family knew something was wrong once they checked on the condition of the crib though. It would be two hours until the family could

see their young son and brother again and actually learn of the injuries he had sustained by the hands of police.

The actual target of the raid was the father's nephew, Wanis Thonetheva, who was allegedly selling methamphetamine. Drug Agent Nikki Autry obtained a no-knock warrant, which legally allowed the officers to barge into the house without announcing themselves. Autry immediately resigned while Bou Bou was still in the hospital and the judge who signed the warrant announced his resignation. "The grand jury found 'the drug investigation that led to these events was hurried, sloppy,'" (Lynn & Gutman, 2014) and yet, still declined to indict any officers involved. The Phonesavanh family received close to a \$1 million settlement, which would be just enough to cover the surgeries that Bou Bou has had to endure.

How could neither of these officers be charged? In the case of Aiyana Stanley-Jones, a seven-year-old girl lost her life when she was doing nothing but sleeping. How can someone possibly justify that? There is no reason a little girl who is just starting to live her life should have to die. Period. We will never know why grand juries decline to indict officers but in these two cases, it is really hard to just sit back and accept that fact. A little girl will never be able to run or laugh again. A little 19-month-old boy will never be the same for the rest of his life. Who knows how many surgeries he will have to endure for the rest of his life because of something that was not even his fault. "'They made the mistake,' claims Alecia Phonesavanh. 'And we got the backlash of everything,'" (Lynn & Gutman, 2014). Something must change when police execute no-knock warrants. They must have verified intel on a residence or building before entering the premises. In both of these cases, two families' lives will forever be changed and knowing that nobody will ever pay for what they did must certainly be unbearable. There should

not have to be another senseless death or injury in order for someone to realize that this is a problem that needs correcting immediately.

It is important that police officers are not only well equipped, but also are trained and knowledgeable regarding the equipment at their disposal. In the case of Oscar Grant III, which I will discuss later, a life was lost due to an officer simply not paying attention. On April 2, 2014, the same thing would happen to Eric Courtney Harris. Harris was chased after being caught on-camera selling a weapon to an undercover police officer in a sting operation. Once police officers arrived on the scene, Harris fled the car and ran down the street. After Harris was stopped, things went downhill. Reserve Deputy Robert Charles Bates yelled out, "Taser! Taser!" The next noise heard was not that of electricity, but instead, a single gunshot. Immediately after the gunshot rang out, Bates could be heard saying, "Oh, I shot him... I'm sorry." Then, after a defenseless man was already on the ground, had complied with the officers' orders, and was covered by police officers, he was still kned in the back of his head and handcuffed as he was pleading to police that he was "losing his breath," (Chan, 2015). To which an officer responded, "Fuck your breath," and "Shut the fuck up," (Chan, 2015). Harris died soon after the shooting. Bates was charged with second-degree manslaughter and his trial has been set for February 2016.

The issue of this case, excluding the confusion in weapons, is with Bates himself. Bates was a Deputy Reserve officer. Before he was a Deputy Reserve officer, he was the CEO of an insurance company (Schoichet, Morris, & Lavandera, 2015). Yes, Bates had gone through training, but how was it justified for him to "play cops" when other citizens do not get the opportunity to wake up one day, say, "I want to be a cop today," and continue to buy a gun and be sworn in as an officer? The only reason he even had a badge and gun was because he had donated weapons, cars, and money to the department. It was somewhat of a "Pay to Play." He

had donated all these things to the department so why not graduate him from philanthropist to cop? Another issue is why Bates, a volunteer, was even on the scene in the first place? There are some events where trained rookie cops are not allowed to participate in due to their lack of experience. So why would a volunteer cop be allowed access in an undercover sting operation?

Bates verbally warned other cops that he was about to use his Taser when he mistakenly took out his handgun. The thing was, Harris was already on the ground and covered by police by the time Bates thought it would be wise to tase Harris. That, in itself, proves excessive force. Harris was already detained by the officers on the scene so why did a **volunteer reserve deputy**, of all people, place the task of tasing the suspect upon himself? Law enforcement tasks should be left up to the law enforcement officials and not to the wannabes. “However, both [laws and police] acknowledge that officers need proper authority and training if they are to use force properly to apprehend suspects,” (Alpert & Smith, 1994).

Training is necessary in order to prevent these senseless deaths. The mentally ill already must confront issues daily due to their illness. Coming in contact with people usually brings nothing but stress and anger to an already stressed population. Egon Bittner stated that “They [policemen] lack training and competence in this area [of mental health]...” (Bittner, 1967). In order to address this problem, training programs need to be installed into police departments all across the country. “Ill persons are, indeed, arrested on account of being ill,” (Bittner, 1967). The fact that the previous quote is true is really alarming. The mentally ill are arrested due to their status as mentally ill. If police were better equipped for dealing with mentally ill suspects instead of being hardened criminals, the results would be fewer deaths and injuries throughout the nation.

When it comes to following procedures, the police have to be more careful. I have talked about too many cases involving children getting injured or killed at the hands of police. Take this along with the fact that at least two more cases involving children getting injured or killed by police have occurred since I started writing this a few months ago. There is absolutely no reason a child or baby should have to die, especially by those who are sworn to protect them. Grant III and Harris were two more instances of reckless deaths. It can be very hard to distinguish a gun from a Taser at times, but that's what police officers have to do. In both cases, the suspects were on their stomachs, on the ground and were currently being detained by police. The fact that a Taser was even considered in these situations is preposterous. There was no need for any type of force, lethal or nonlethal, beyond the hand-on-hand combat usually necessary to arrest a suspect. Training needs a complete overhaul, not just with mentally ill suspects, but when it comes to the standard detention and arrest procedures of all suspects. Too many unarmed suspects and civilians have been shot and/or murdered by police and that is definitely something that has to get resolved very quickly. If not, then more police officers should be facing time in jail or prison for committing these crimes.

“What might prove to be the most important factor causing panic among police officers is that smart phone cameras are not only exposing the killing of unarmed people of color; they are a powerful instrument in piercing the so-called blue wall of silence, the unwritten code among cops to not report a colleague's misconduct. Smart phones can identify those officers who either observe or participate in killing but who remain utterly silent,” (Markman, 2015). Cameras are really good pieces of evidence that can be used in a court of law to help determine the truth. But as the outcome of [Eric] Garner's case demonstrates, even when high-quality, graphic footage is available, officers may still not be indicted, let alone convicted (Considering Police Body

Cameras., 2015). One of the most famous cases in recent years of police brutality is the tragic case of Eric Garner. On July 14, 2014, the 6'2" tall, 43-year-old husband, grandfather of three and father of six, was standing on a street in Staten Island, New York, when he was approached by officers Justin Damico and Daniel Pantaleo. He had been suspected of selling loose cigarettes. In a video recorded by Ramsey Orta, a friend of Garner's, Garner is seen pleading with police to leave him alone and stop harassing him. During the video, Orta states that the police were trying to "lock somebody up for breaking up a fight." Once Garner finished explaining his frustrations to the police, both officers attempted to arrest Garner and Garner nonviolently resisted. Officer Pantaleo then proceeded to restrain Garner by using a choke hold for approximately 18 seconds. After he left the choke hold position, Pantaleo continued to use both hands to force Garner's head down into the pavement.

Once Garner was on the ground, a total of five officers swarmed around Garner in order to subdue and arrest him while three other officers stood around and watched as this took place. By the time Garner was handcuffed, there were at least ten officers on the scene. I must have missed the memo where ten officers were needed for one suspect, especially on suspicion of selling untaxed cigarettes. The entire ordeal lasted for about three minutes from the time the officers first attempted to arrest Garner to the time they placed handcuffs on him. Throughout this three minute time period, Garner is heard pleading "I can't breathe" eleven times. He lost consciousness and nobody on the scene performed CPR on Garner stating they thought he was breathing and it would be pointless to perform CPR on someone who was breathing (Eric Garner video, 2015). He would die an hour later from a combination of the choke hold performed on him, asthma, and the compression of his chest according to *Time Magazine* (Calabresi, 2014). In



December 2014, a grand jury declined to indict Pantaleo on criminal charges. In July 2015, the city reached a settlement with the family for \$5.9 million.

The main topic of discussion that everyone talked about once this video surfaced was Pantaleo's choice to use a choke hold. The New York Times reported in 1993 that then-Police Commissioner Raymond W. Kelly categorized the ban as the clarification of a previously instituted order. The old order stated that choke holds will not be used as often with the exception being an immediate threat to an officer's life. Kelly established that the new amendment to the policy will exclude any and all exception. This made the choke hold that Pantaleo used banned, although not prohibited, for the particular reason that it can be lethal in situations such as this. According to the video, Garner was not being violent and was not a threat to anyone. There was not any provocation for the choke hold Pantaleo used and there was definitely no need for the number of officers present on the scene during the arrest of Garner. The fact that the grand jury did not indict Pantaleo on any charges is unsurprisingly common. The move itself had been banned over 20 years prior. In the very least, Pantaleo should have been fired for not following departmental policy and procedures. Instead, he is currently on desk duty while the investigation continues.

Let's look at the fatal story of John Crawford III. On August 5, 2014, 22-year-old John Crawford III was on the phone with the mother of his two children... He had no idea that that would be the last time he would hear her voice ever again. Crawford was in a Beavercreek, Ohio Walmart store. Many people can attest to the fact that while they are on the phone, they do meaningless things while talking to people; this seems to be the case with Crawford as well.

Crawford picked up an unpackaged toy BB gun that was on sale at the store. Dispatchers received a 911 call from Ronald Ritchie complaining about a man waving a gun and pointing it

at customers. This raised flags for the Beavercreek Police Department who came into the store guns drawn according to store surveillance video. Police claim that once they arrived on the scene, they located Crawford and ordered him to put the gun down but he refused. He then allegedly attempted to escape. This entire account was later refuted by the surveillance video. The surveillance video in question shows police did not attempt to negotiate with Crawford. As soon as Crawford saw the police and noticed their guns were aimed at him, he crouched down to set the BB gun on the ground. Two shots were fired at an estimated distance of about 20-30 feet from Officer Sean Williams. Williams, along with another officer, immediately rushed Crawford to secure the weapon (Coscarelli, 2014). Ritchie later recanted his statement saying he witnessed Crawford pointing the gun at other customers. An Ohio grand jury declined to indict either of the officers involved in this shooting and Ritchie, who basically was a catalyst and created this entire situation, has not been charged either (Jackson, 2015).

One issue with this case is that Ohio is an open-carry state. This means that anyone over the age of 18 can carry a firearm without a permit as long as it is visible to others in plain sight (Open Carrying Policy Summary, 2015). So the question at hand changes: since Ritchie lied about what he saw Crawford doing with the gun, why did he feel the need to call the police in the first place? It can be argued that Ritchie is the reason Crawford lost his life in that store while doing nothing more but walking around and talking on the phone. Although this is one way to look at it, another path to travel down has to deal with the police officers' actions. With Ohio being an open-carry state, the officers had no reason to shoot Crawford as soon as they spotted him. Within the split-second that Crawford first noticed the police, the video shows Crawford setting the BB gun down in an attempt to surrender before he even knew what was going on. However, the officers would not even realize what Crawford was doing because by the time the

gun touched the floor, bullets were already flying. Approximately a second and a half after the officers said something that was incoherent through the video footage, two very distinct gunshots are heard.

As is seen in many cases, video of the incident has proven that the officers lied when originally giving their statements regarding what happened. In fact, the officers gave contradicting accounts of what transpired that day. Officer Sean Williams, who ultimately shot Crawford, said that Crawford made an “aggressive” move toward the officers with the rifle in his hand and that he did not remember ordering Crawford to put the gun down, but he remembers the other officer, Sergeant David Darkow, did. Darkow said that both of them ordered Crawford to put it down. Crawford was on the phone in the middle of a conversation. Who is to say that he even heard the commands in the first place and that he knew they were intended for him before visually identifying the police since they did not announce themselves upon arrival. Darkow originally noted that the last move Crawford made before he was shot indicated an escape attempt. This would change a week and a half later as he described it as just a “quick movement,” (Swaine, 2014). These inconsistencies bring some doubt to the validity of the officers’ statements and witness accounts do nothing to clear things up. In this case, body cameras would have been perfect. They could have been used to record the audio to hear exactly what was said and to see how much time Crawford had to obey the orders before the first shot was fired. The cameras would have aided in establishing a timeline of the events in question and what occurred during the incident, and could also be used in future training sessions on how that situation could have been better handled without the loss of innocent life.

Not all cases that are recorded in some fashion end with no indictments like Crawford and Garner. In fact, *Garner* sounds sadly familiar to another well-known case that has taken over

the news broadcasts this year: Walter Scott. In the Scott case, now ex-Officer Michael Slager pulled over 50-year-old Walter Scott for a broken brake light. Slager initially spoke to Scott to explain the stop and walked back to his cruiser. This is when the chase began as Scott, for seemingly no reason at all, got out of his car and fled the scene. The chase ended in a lot behind a pawn shop where a fight allegedly ensued. Slager then fired his Taser, hitting Scott. Scott then ran away again causing Slager to take out his handgun and shoot eight rounds in Scott's direction, five of which struck him. Shortly after the last shot was fired, Slager was heard radioing in that the suspect was down and that he took his Taser. While Scott was on the ground, possibly dead, Slager then picked up something off the ground from where he was, and dropped it off next to Scott's body; that object is believed to be the Taser that Slager was going to use to try to corroborate his story (Blinder & Williams, 2015). With Scott dead, the only account of the incident would have been that of the officer's. Thankfully, a passing bystander, Feidin Santana, was there and decided to record the incident on his phone. Scared at first of retaliation, Santana was reluctant to turn in the video, but chose to do the right thing after knowing that a police officer might get away with murder. Without Santana's bravery, Scott would have been just another statistic and Slager would most likely have gone free, and continued his career as a police officer. Slager has since been indicted on first-degree murder charges with no set trial date yet. If Edward Garner were alive today, he would have been about 56 years old... Scott was 50.

Had this video not surfaced, would everyone have just taken the officer's word for what happened? Would he have just gotten away with a cold-blooded murder and possibly received praised for his "heroism"? Historically, this would have been the result because juries have been extremely reluctant to find officers civilly liable, let alone criminally responsible. Since police officers have been found guilty of falsifying records in order to support their accounts, the

public, and more specifically juries, are more hesitant to take the officers' word at face value without any tangible evidence. This is exactly why body cameras can be a great investment for police departments all over the country. These document what an officer does and says in sticky situations such as this one.

Let's take the story of Oscar Grant III. Grant was getting ready to celebrate his mother's birthday as well as New Year's Day. On his way to a New Year's celebration in San Francisco, Grant decided to heed his mother's advice and take the train. Getting onto the train, Grant saw a rival he had encountered earlier in life while they were both incarcerated. This time, the encounter turned violent and a fight ensued, involving at least ten people. According to an official legal document written by the Superior Court of the State of California, the fight "amounted to mostly pushing and shoving," (*California v. Mehserle*, 2010). Once the train pulled into the Fruitvale BART Station, BART police were called, and the people involved fled. Grant and others tried to blend in by dashing into the train and hiding amongst the passengers. Anthony Pirone, the officer who ordered Grant and his friend off the train upon his arrival, had no legal justification to force them off. After Grant got off the train, he was detained along with the rest of his friends. After an argument involving Grant and his friends and the officers, video captured of the incident by witnesses at the scene shows BART officers restraining Grant and his friends in order to arrest them. In different videos, one can hear citizens pleading to officers to let the men go as they deemed the whole ordeal senseless and one can sense the heightened anger and confusion in their voices as one officer is seen putting his knee on Grant's head, as another officer attempts to handcuff him. Another officer handcuffs one of Grant's friends and is seen talking to dispatchers over his radio. Once Officer Johannes Mehserle starts backing up from Grant, who at this point is lying prone with his face on the ground while still being covered by

the other officer, depending on the angle of the video, one can see him reach for and draw his weapon as he proceeds to stand up. One of Grant's friends who was sitting up against the wall next to the altercation is rightfully startled as suddenly, a shot echoes throughout the entire train station. Immediately, bystanders can be heard gasping in horror as everyone realizes what just happened: an officer has shot an unarmed African-American while he was laying on the ground with another officer forcing his body down (Coogler, 2013).

The last moments of Oscar Grant III's life were gathered and put together in a film titled *Fruitvale Station*. This film, starring Michael B. Jordan as Grant, depicts Oscar's last day including that fatal encounter with the BART officers. Thanks to many citizens recording the incident on their cell phones, subsequently used as evidence during the trial, Officer Mehserle was charged and convicted of involuntary manslaughter and sentenced to two years in prison. He ultimately only served eleven months of that sentence. He was released early on good behavior and time served ("Ex-BART officer Johannes Mehserle released," 2011).

Now I respect every clean and uncorrupted law enforcement officer this country employs, and could quite possibly become one myself someday, but why should an officer be given the benefit of the doubt because he claims he made a mistake? Yes, eyewitnesses did state that immediately after the shot rang out, Officer Mehserle looked stunned and shocked, but that does not mean that he should be showed punished. In many professions, so called "mistakes" result in lawsuits, and in some cases, criminal penalties. Even civilians can be prosecuted for killing another based on a "mistake" in judgment. The fact of the matter was he killed an unarmed man: accident or not. Hypothetically, say a civilian is in his home and a cop randomly bursts into his home unannounced, and that civilian were to shoot (and kill) that cop because he was scared and protecting himself. Should that civilian be treated with care as well since he made an honest

mistake? Given the circumstances, maybe he should but one thing to remember is life isn't fair. If this scenario were real, the civilian would probably be charged and convicted of first-degree murder and sentenced to death or life in prison depending on the jurisdiction. These "mistakes" that police officers claim to have made should be less tolerated considering the fact that they receive training regarding use of force, detainment, and arrest procedures. A person who makes these types of "mistakes" should not be allowed to remain police officers.

Officer Mehserle had no reason to even tase Grant as he claims he was trying to do. There was an officer forcing Grant's head against the concrete. Mehserle then alleges that Grant was reaching for his waistband, which may indicate a suspect has a weapon. In one of the videos of the shooting, Mehserle is seen searching Grant just ten seconds before shooting him. If the officer did his job correctly and searched Grant for weapons or contraband, even if Grant did reach for his waistband, the officer should have nothing to worry about. Another contradiction with his story is that on the same video, Mehserle is seen stopping the search, pulling out his gun, standing up, aiming and firing. The entire process takes approximately five seconds to complete. If Mehserle was indeed concerned that Grant did have a weapon, why did he take the time to step back and shoot? Mehserle was already covering Grant's lower half of his body. Had Grant reached for his waistband as Mehserle claims he did, why not just go straight for the alleged weapon? Or, better yet, if Mehserle truly did believe Grant had a weapon like he claimed, why cry Taser? An officer is legally allowed to shoot a suspect if he believes his life to be in danger (*Tennessee v. Garner*, 1985). Why would Mehserle say he was going for his Taser if he was well within his rights to shoot Grant?

The last person I would like to talk about for this section is a man by the name of Floyd Dent. On January 28, 2015, in the city of Inkster, Michigan, Dent was driving through a

neighborhood notorious for drug dealing. Adding in the fact that Dent was also in a Cadillac probably only strengthened the officers' suspicions. It does not take a supreme court or even a jury to understand that a Cadillac does not give rise to probable cause or reasonable articulable suspicion. Dent was observed running through a stop sign which prompted the stop. According to a video of the incident recorded on the cruiser's dash cam, it only takes approximately 15 seconds from the time the cruiser comes to a complete stop to the time Dent is being dragged out of his car. Soon after Dent is on the ground, then-Officer William Melendez proceeds to place Dent in a chokehold and punch him sixteen times in the head to the point that his toboggan falls off. Meanwhile, another officer held Dent down while trying to handcuff him. Over the course of the next minute or two, a total of about six more police officers arrive on the scene to assist. One officer even decides to tase Dent upon his arrival (Police Dashcam Footage Shows Man Pulled from Car, n.d.). The question one has to ask is since when did one unarmed suspect who ran through a stop sign constitute the need for six officers?

However, this is not how Dent's story ends... The brutality continued after he arrived at the police station. In a previously unreleased video that was in Inkster Police custody, it shows police officers at the station making a mockery of the entire ordeal. Four officers are seen on camera disinfecting their uniforms to clean them of Dent's blood. They are simultaneously seen fist-bumping, smiling, and laughing. One officer even goes as far as to lay down on a bench and imitate Dent as he was being beaten. This entire despicable celebration happens right in front of Dent as he is just off-camera bleeding and desperately seeking medical attention. Officers did not call EMS or medical personnel to help assist Dent with his injuries.

In, yet, another video hidden from the defense, Dent is shown inside his jail cell being allowed to wipe the blood from his head but is allegedly begging officers to call EMS, which



they allegedly refused to do. He was also stripped of his pants leaving him in a shirt (which contained a big blood stain) and his underwear and was told to lean on the wall with his knees on the bench so he could be searched. Dent finally arrived at the hospital with a broken bone over his eye, four broken ribs, and blood on his brain. Officer Melendez has since been fired from the Inkster Police Department and charged with misconduct in office and assault with intent to do great bodily harm. The prosecution also requested an additional charge of assault by strangulation to be added, which is a felony punishable by ten years. Officer Chuck Randazzo was suspended for fifteen days and Sergeant Shawn Kritzer was suspended for 30 days for their actions in this event. The Inkster Police Chief Vicki Yost resigned as a result of this case. The other officers at the station were being investigated, but that did not begin until over two months after the incident occurred (New Video Shows Bloody Floyd Dent in Inkster Jail, n.d.).

In the cases of Scott, Grant III, and Dent, cameras helped make a case against the officers involved. The fact that there was photographic evidence to present in a court of law helped clear up some muddy areas in regards to what really happened. Thankfully, Dent lived through his ordeal with the police; the same cannot be said for Scott or Grant. Especially in situations where the suspects become the victims, it is significant for there to be another account. As the saying goes, "There are two sides to every story." Without cameras however, for Scott, there would only be one: the officer's. In Grant's case, there were many witnesses, which may not have been as beneficial as it sounds. Eyewitness accounts can be very unreliable (Buckhout, n.d.) as we've also seen in the Michael Brown case, (United States Department of Justice, 2015) undoubtedly the initial case that opened people's eyes to the issue of police brutality again. In many cases, it is the officer's word versus a dead man's, and since dead men cannot speak, police officers would often get off scot-free without as much as even an investigation into the matter.

The same result could not be said in the cases of Garner and Crawford, however. The footage was there and showed exactly what police officers did wrong that concluded in innocent lives being lost. There are a couple of reasons why police officers usually are not indicted. The main one is that police officers get the benefit of the doubt for the simple reason that they are police officers. Juries do not want to believe the “good guys” are now secretly “the bad guys.” Everything that someone thought they knew would be constantly questioned. Cameras will protect officers from false claims of police brutality. Cameras are also necessary in order for officers to do their jobs honestly and efficiently and for courts and grand juries all around the country to make sure justice is served when a suspect becomes a victim at the hands of an officer. However, it’s very important to remember: “These tools are only as effective as the accountability mechanisms in place. If local DAs and grand juries are unwilling to act on the evidence, then cameras won’t be a useful tool for accountability, as we have seen in the Garner case and several others,” (Vitale, 2014).

Do these cameras create privacy concerns, especially in the home? The Fourth Amendment guarantees Americans have a right to privacy (United States Constitution, Amendment IV). Another problem the public has with body cameras pertain to public records. Will these videos be free for public access? If they are, and if there is a video of a citizen’s home in those records, it is also an easy way for burglars to see what possessions one has. Another question regards the length of time to keep the videos. While every video will be saved on a central database, that database will eventually run out of space. Buncombe County, North Carolina, has taken precautions against this by implementing the rule that occurrences, such as police-involved shootings, will be automatically saved and all other videos will be deleted after 45 days (Nolin, 2015). If police are constantly recording everything they say and do, that also

means that whoever they come in contact with is also being recorded. Police believe this will deter confidential informants and good citizens from reporting crimes directly to officers on the streets, which ultimately divides the community and police even more. Boston Police Commissioner William Evans stated in an interview that “no one will want to approach us... because they’re afraid they will be on camera,” (Prall, 2015).

It may be best if when the footage is being downloaded onto the hard drive, citizens’ voices are disguised and their faces blurred out for identity purposes. This way people can feel safe reporting crimes witnessed in the street and the community-police relationship can continue to grow. “It is worth noting that available evidence indicates that more often than not, dash-cam and body-cam videos exculpate, rather than convict, officers of wrongdoing,” (Wolverton II, 2015). The body camera program was designed to keep everyone involved safe. When an officer-involved shooting takes place, the body camera will record from the officer’s point of view, and while it does not show everything that the officer can see, it will be a more definite means of figuring out the truth. Thus, police officers who do their job correctly do not need to fear body cameras. Only bad cops will have something to fear because they will have something to hide.

Despite Commissioner Evans’ concerns, there are police departments which have completely supported the idea of body cameras. The Cleveland, Tampa, and Scottsdale Police Departments have ordered 1500, 60, and 40 TASER’s AXON cameras for their officers, respectively. Each of these departments have also purchased a five-year contract with TASER in the hopes to get them outfitted on every one of their officers by the end of the contract (“Cleveland, Tampa, and Scottsdale Police Departments,” 2015). Barak Ariel and the University of Cambridge’s Institute of Criminology published the first full scientific study on police

officers' use of force with body cameras. In 2012, police officers from the Rialto Police Department in California agreed to wear body cameras for a twelve-month period. The results at the end of this study showed that officers wearing cameras reduced their use of force by 59% and excessive force claims against the officers had dropped a dramatic 87% from the previous year (Lewsey, 2014). On June 30, 2014, the San Diego Police Department became the largest city in the nation with the most body cameras: 600 to be exact. This three-phase program saw the department purchase 300 cameras at the end of 2014, 300 more in 2015 and calls for 400 more cameras to be ordered in 2016.

Prior to the officers receiving their cameras, police went through a training program to learn how to use the new technology and to download their videos onto the main database. According to the San Diego City Council, since the cameras were installed, from the first half of 2014 to the second half of the year, officers reported a 40.54% reduction in total complaints and a 59.76% reduction in total allegations. Regarding the use of force, the department boasts a 46.5% reduction in using personal body weapons (i.e. Tasers and handguns) while there was a 30.5% reduction in the use of chemical agents (i.e. Pepper spray) (Ramirez, 2015). Now these results were recorded after only six months of the program being implemented. Rialto and San Diego have proven that body cameras are not only very effective when tackling excessive force but also, for bridging the gap between community and policing.

It is almost impossible to discuss the recent police brutality cases without re-introducing one very appropriate topic: racism. Racism is defined as the ideology that one race is superior or inferior to another race. This entire country was built upon racism. "The inherent racial inequality of the socioeconomic system, as upheld by the judicial system, means that police killings and police corruption are not simply a product of a few 'bad apples' within the system

but the inevitable reenactment of racism and violence that sustain capitalism within this country,” (Stephens, 2009). Whites took over the land from the Native Americans. Whites get better pay than any other group in the country. Just the fact alone that whites are the only racial group that is not considered a minority is enough to make some feel they are the superior race. Slavery is also another system that promoted the idea that whites were supreme. In 2012, Non-Hispanic whites made up 63% of the United States population while blacks made up 17% of the population (Kayne, 2013). To say there is a race problem is an understatement.

The burning question is “Why are so many unarmed black Americans killed by police?” That’s exactly what Abe Markman discussed in his article of the same name. He feels it goes back to the Civil Rights Movement of the 1960s. He even states “These slogans were also used to crack down on, arrest, and incarcerate men of color at an accelerated pace,” (Markman, 2015). “These slogans” refers to “Law and Order” and “War on Drugs” which were used by Presidents Richard Nixon and Ronald Reagan in their election campaigns and were main topics of discussion and action throughout their presidencies.

In relation to police brutality, it is very important that each police department racially represents the population that they are protecting. Take, for example, Cleveland. The Cleveland Police Department, as of 2008, contained a 38% minority demographic while the City of Cleveland contained a 58.5% minority demographic (Dunn, n.d.). In 2014, the Department of Justice (DOJ) initiated an investigation into the Cleveland Division of Police, resulting in horrifying findings. “We have concluded that we have reasonable cause to believe that CDP engages in a pattern or practice of the use of excessive force in violation of the Fourth Amendment of the United States Constitution,” (United States Department of Justice, 2014). Not only that, but it also expresses the fact that the DOJ had previously completed its first

investigation into the Cleveland Division of Police over ten years ago and “That investigation raised concerns and resulted in recommendations that are starkly similar to the findings in this letter,” (United States Department of Justice, 2014). What’s the purpose of having the highest department of the criminal justice system investigate a police division and explain what is being done wrong if it is just going to be ignored? The DOJ also stated, “We must report that when we interviewed members of the community about their experiences with the police, many African-Americans reported that they believe CDP officers are verbally and physically aggressive toward them because of their race,” (United States Department of Justice, 2014). This further proves the fact that when a police department does not racially represent the demographics of the population they are serving, excessive force, and claims of police misconduct altogether, are more common.

“For years, Philadelphia police have been required to live in the city, resulting in a department that largely mirrors the city’s demographics. But it has been rife with corruption and excessive use of force,” (Vitale, 2014). Seattle is another city that has taken this idea of an equal representation of racial demographics and not only talked about it, but practiced it as well (Race and Social Injustice Initiative, n.d.) However, in 2011, the DOJ investigated the Seattle Police Department. This report explains that “Many community members believe that SPD engages in discriminatory policing. This perception is rooted in a number of factors, including negative street encounters, recent well-publicized videos of force being used against people of color, incidents of overt discrimination, and concerns that the pattern of excessive force disproportionately affects minorities,” (United States Department of Justice, 2011). This same report also noted that “Analysis of limited data suggests that, in certain precincts, SPD officers may stop a disproportionate number of people of color where no offense or other police incident occurred,” (United States Department of Justice, 2011).

It has been concluded that simply looking the part is only the beginning. The United States Department of Justice website explains the best way to recruit police officers, “An ideal recruiting team would be diverse in race and gender, reflecting the type of persons a department wants as police officers,” (Police Use of Excessive Force, 1999). This should not only extend to race and gender, but also different ethnicities, religions and sexual orientations. As I stated previously, looking the part just is not going to cut it anymore; there also has to be a similar mindset and connection between police and the community. I think the best way to address the discrepancies of the racial demographics is to initiate community policing throughout every city. Community policing is where police officers are assigned to certain neighborhoods so they can better interact with the community and its members to better understand what is needed to better the community. This allows community members to directly explain what is going on to police and to, hopefully, see faster and more beneficial results. Community policing fosters better relationships between police and citizens, and helps fight this “us vs. them” mentality.

Towards the end of 2014, a big controversy arose between Cleveland Browns’ wide receiver Andrew Hawkins and the president of the Cleveland police union Jeffrey Follmer. The whole incident started because Hawkins wore a shirt on the field that said “Justice for Tamir Rice and John Crawford III,” (Ferrise, 2014). Follmer made it his business to attack Hawkins for the shirt. Calling the November 22, 2014, shooting of Tamir Rice “justified,” Follmer went on to say, “How ‘bout this? Listen to police officers’ commands. Listen to what we tell you, and just stop. That eliminates a lot of problems...” (Walsh, 2014). When he said this, it was immediately apparent that he had never heard of the name Levar Jones before...

On September 4, 2014, now ex-South Carolina State Trooper Sean Groubert pulled over Jones for a seatbelt violation at a gas station. Everything was calm as Trooper Groubert ordered

Jones to get his license. The next few seconds would be crucial as everything would drastically change. As Jones is getting his license as requested, he turns around only to be greeted with yelling and gun shots. Groubert claimed he “feared for his life.” As Jones was bleeding on the ground, he asked the trooper why he shot him when he was doing what he asked of him. The trooper’s logical response was, “Well you dove head first back into your car.” The trooper’s dash cam recorded the entire incident. Groubert was fired and charged with assault and battery of a high and aggravated nature (Levar Jones, 2014).

I wonder if Follmer still would have said what he said in that interview had he known about Levar Jones. Jones followed Follmer’s instructions to a “T” and still ended up getting shot without an adequate reason as to why. It is apparent that no matter what minorities do, whether they choose to listen to police’s orders or refuse to follow them, something will happen to them. The only thing I can ask is that either that cop has a functional body camera or some citizen in the vicinity has enough battery power on their phone to record it, but even then, it still may not be enough as recent cases have shown.

Yes, African-Americans are the majority of the victims of police brutality, but they are not the only group affected by this phenomenon. Other minorities are slowly being dragged into the problem that is police brutality. Sureshbhai Patel was an Indian who had just arrived in Madison, Alabama one week prior to this incident to live with his son and help take care of his grandson. Patel said he walked around the neighborhood every morning but he never passed the tenth house from his son’s and always stayed on his street. Patel, who cannot speak English, stopped walking when he heard screaming from behind him and recognized them as police officers. Patel testified he kept responding, “No English.” Next thing he knew, he was being body slammed into the grass by ex-Officer Eric Parker. Patel went to the hospital where he was



determined to be partially paralyzed. Ex-Officer Parker was fired, arrested and charged with third-degree assault. He was later charged with deprivation of rights under the color of law as well by the FBI, which a jury would later be found to be deadlocked on.

It must be said: it is hard being a minority in the United States, especially today. Not only do we not get the same advantages that white people do, but we are also picked on by police more. “That the state’s victims throughout our history have been overwhelmingly African-American stamps it as an indelible ‘badge of slavery,’ which means that nothing makes you feel more black in America than experiencing police mistreatment,” (Troutt, 2014). In 2011, the Center for Constitutional Rights conducted a study in New York to address racial profiling by the NYPD. The results were unsurprisingly horrible. Of the 636,288 stop-and-frisks that occurred, 574,483 of the victims identified as either black or Latino. Of the 574,483 minority victims, 129,590 of those minority victims had some type of force used against them (2011 NYPD Stop and Frisk Statistics, n.d.). Compare that to the first half of 2015, where already 13,604 people have been stopped by the police. A combined 83% of them identified as a minority (either black or Latino) and, to make matters slightly worse, of those 13,604 people who were stopped, 81% of them were totally innocent (Stop-and-Frisk Data, 2015). “Finally, can these [excessive force] incidents legitimately be called ‘mistakes’ when they consistently involve certain groups as victims?” (Jones-Brown, 2009). It seems as if I am not the only person who is catching on to this pattern...

Do not let this paper fool you, even white people get stopped by the police, but what happens when they get out of control and give police officers more than what they bargained for? That question can be answered with the very memorable, yet unknown, case of Jessica Sterling also known as the “Houdini Suspect,” (Mitchell, 2015). The cops were first notified of Sterling

when they responded to a domestic disturbance call in Greenwood, Arkansas. She then fled in her car and took cops on a high-speed chase. Sterling then crashed into a fence and was arrested. An officer's body camera recorded the entire scene. She then started acting erratically and aggressively as she was banging on the doors and windows of the police car. To restrain Sterling, officers hog-tied her with a hobble and leg irons and then placed back into the police car. While officers were searching her car, an officer is heard saying, "My car is being stolen." Somehow, Sterling had gotten free of her restraints, climbed through the partition window, and drove off in the cruiser. After she had driven for four miles, Sterling crashed again. Once officers arrive on the scene of the new crash, they realize that Sterling is reaching for a rifle inside the cruiser. One officer calmly radios in to dispatchers and tells them that she is reaching for the weapon. As officers attempted to free Sterling from the wreckage, she is heard screaming, "Shoot me!" (Sitek, Marney, & Slanchik, 2015).

I would just like to point out that throughout this whole ordeal, not one shot was fired. The only time a gun was even seen on the video was when officers were approaching the second wreck. As the officers wrestled to restrain Sterling before she stole the cruiser, an officer is heard on video telling her, "You're not gonna get shot. You're not gonna get shot at all, you hear me?" This was also after she head butted an officer. You have to wonder what would have happened had a minority person done all these events... History has shown us that they most likely would have been shot, but the question is when? Would it have been after they head butted the officer? Or maybe after they were acting belligerent in the backseat of the police cruiser? Perhaps officers would not have shot until they saw the suspect reaching for the rifle in the cruiser after the crash? No matter when the shooting would have taken place, there is a definite concern about

why no type of force except for some leg irons was used in this instance. This just goes to show how significant race is when it comes to policing.

Racism has always been a problem in this nation. For as long as people can think freely, racism will be present in this country. This is a frightening idea for all of the minorities in the nation because statistics have shown that the people who are supposed to “serve and protect” them are doing nothing more than allowing the racial inequality to continue. The #BlackLivesMatter movement has been very prominent in these excessive force events considering the victims are usually African-Americans. The movement formed after the death of Trayvon Martin and the acquittal of George Zimmerman. They, along with famous black leaders and celebrities, have helped people understand exactly what their name implies: that black lives matter too. In order for racism to end, it must be discussed at length. Not only acknowledging the problem, but also figuring out why the problem still exists and trying to figure out ways in which to abolish the ideology of racism or at least, drastically reduce its influence.

Now, just to reiterate, this is an overview of the issue of police brutality and is not to be taken as a blow to all police officers. This is just to criticize those who make drastic mistakes in the field and to prevent those mistakes from happening again. But, if you can still honestly say that there is not a police brutality problem in this country, then you are a huge part of why it is as big of a problem as it is. In order to fix this problem, the training programs must be updated that police officers must go through as part of their application process. It needs to be established what is really worth spending a lot of time on as far as crimes. Selling loose cigarettes should not be a primary focus of police officers but instead something that is in the back of their mind to look out for. Officers need to be focused on the rapists, murderers, and robbers in their population.

They also must be trained on how to deal with those who are diagnosed with mental illnesses. Our jails and prisons are already overcrowded and sentencing mentally ill people to be incarcerated will do nothing but hurt the mentally ill. They need to be placed in psychiatric hospitals or at home with their families so they can be properly cared for. Making officers take mandatory re-training courses every year or two will also help refresh officers on what to do in certain situations. Police need to emphasize how important it is to follow procedures and policies, especially when dealing with infants and children. Too many children have been hurt or killed by police for no reason other than being in the wrong place at the wrong time. Police departments must rewrite their no-knock warrants and the policies attached to them, or better yet, have certain rules and procedures in place for when the possibility is great that a child or children could be involved in certain incidences to prevent senseless deaths. Lastly, as part of training, police must be familiar with the lethal and nonlethal weapons at their disposal. There is no reason that a trained police officer should make such a careless mistake such as that, especially when it leads to the deaths of innocent lives.

Body cameras are a must for every officer in the country. While this will take some time, it is something that needs to be done. It will be the officer's responsibility to make sure the camera is functional at the beginning of their shift. While cameras are not the certain "conviction-getter" that some people thought they would be, it is definitely a great start to where we need to be. While indictments are up to grand juries and DA offices, cameras still allow everyone to see what happened and they are a great source to have around in those gray areas. Last, but not least, what I personally think is the underlying cause of this issue: race. As I mentioned previously, race is not something that will go away... it's impossible. That is why holding these officers accountable when mistakes are made is such a heavy task because most of

the victims are minority, and to be specific, African-Americans while the officers accused of the excessive force against them are white.

Police brutality does nothing but separate the police from the community. In some instances, it raises crime rates. This is known as the “Ferguson Effect.” This is where excessive force incidents in a city or surrounding areas lead to riots and civil unrest in that same area due to police fearing to intervene in violent situations. In Baltimore, where Freddie Gray mysteriously received a spinal cord injury in a transport van, homicides increased from 0.53/day before the riots to 1.35/day once the riots started. The amount of shootings tripled from 0.82/day to just over 3/day during the same time period (Tabarrok, 2015). In New York City, the murder rate has increased by 20% compared to the same time in 2014 (Gold, 2015). NYC, or Staten Island, being where Eric Garner was killed on a sidewalk. On the other hand, in Cincinnati, local experts say, “The so-called ‘Ferguson effect’ has not been shown to be a factor either in Cincinnati or elsewhere,” (Pilcher, n.d.).

Now life is not fair, by any means. More specifically, if one identifies, or even looks like a minority, they will have some understanding of what all that entails. That fact is something that needs to change. Police need to change their views and stereotypes of minorities as minorities need to do the same with police. This is the first step to finding harmony between the two groups.

As I mentioned before, I aspire to be a police officer. Sometimes I wonder if I’m crazy for wanting to be a part of an occupation that, on many occasions, has proven to treat minorities with less respect than they should. Sometimes I wonder if the past ten or so years of my life has been a joke. I’ve loved the idea of being involved in the criminal justice system, not as a criminal, but as an administrator or law enforcement officer. As I’ve written this paper, though, it

is hard to not wonder... I recall meeting an officer during a recruitment opportunity and I remember him telling me that I should apply because they needed minorities. At that moment, I thought, "Would they even hire me because of me being a minority?" "Am I just being hired to fill their 'diversity quota'?" Then something else popped into my head. I thought, "If they do not hire me, then it is their loss." All I can do is be the best that I can be in whichever career I choose to pursue. As long as I know I'm giving it my all, I will be successful.

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