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Deadly Force in Criminal Justice

Ever since 9/11, America has been tough with extremists and terrorists within her borders and also outside. The complexity is weeding out terrorists within the country has made the job of security agencies even harder. Since its inception, the Department of Homeland Security has steadily increased its budget, says Bullock et al (2009). The government is forced to spend much more on arming the police and other security agencies within the country against possible terrorist attacks. While in the past the emphasis of the law enforcers was to act against criminals when there was an attack on its soil, the role of the criminal justice system today is go out in search of these extremists and neutralize any possible plan to launch a surprise attack against its people and installations.

It has been observed over the years that there have been many reported cases of brutal and not-so-brutal attacks on African, Hispanic (Latino), and Asian Americans in the name of national interests. Traffic violations, trespassing, and neighborhood violence are some common reasons cited for police action. In many cases, the innocent citizen were taken into custody on the pretext of protecting innocent citizens from brutality, but the problem

here is not the cause, but the people targeted. In order to protect African-Americans, Hispanics (Latino), and Asian Americans from racist attacks and indifferent behavior, the United States government introduced the Fourth Amendment of the U. S. Constitution, which said, “ The people of the country had the right to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, and none of these shall be violated, and no warrants issued unless upon probable cause, and supported by oath or affirmation, describing the place to be searched, and the persons or things to be seized” (usconstitution. net).

In response to a recent killing of a young, unarmed black man in Ferguson, Missouri, a grand jury convened to decide the white police officer who shot and killed young Brown should be indicted in the shooting or not. Reporting on the incident, Lisa Riordan Seville; a reporter and off-air producer for the NBC News Investigations Unit said that on August 5, just four days before 18-year-old Brown was shot dead, the local police at Dayton, Ohio, had shot 22-year-old John Crawford III while he shopped at a Walmart store. Police believed that the pellet gun Crawford held was a firearm, and acted instantly to protect innocent customers at Walmart from getting hurt. This prompted John Crawford Jr., the dead man’s father to say, “ We have an epidemic in the United States, where young black men are being killed by white police officers, and nothing is being done about it.” On the fateful summer night, reported Seville, the young Crawford had walked into Walmart in Beavercreek, to shop for the cookout he was going to attend that night when the tragic incident took place. Incidentally, upscale Dayton suburb has a population of less than three percent blacks. The recording of Ritchie’s call to

911 during which he described John Crawford III, and was kept on line for over 7 minutes during which gunfire broke out and a woman was heard screaming, didn't seem to suggest that the police officer(s) who shot John Crawford III, offered him the option to surrender (Seville, 2014).

The terrorist groups of today are anarchists, anti-governmental, and politically inclined in their motivation and associated with the growing self-determination radical citizen-militia ' freedom fighters.' While both these groups are among the active forces waiting to disrupt the life of Americans through surprise attacks on unsuspecting Americans, one cannot forget the bombing in Oklahoma City. A few more extreme citizen-militias groups; motivated by a minority religious sect of fanatics, conspire and openly solicit the call for disrupting the life of Americans in the country, says Presley (1996).

Just like a scene from a Hollywood movie, the police force of today resembles an armed battalion; helmeted and masked, guns drawn and shielded; these law enforcers knock down doors, and rush inside houses as though they were on their way to neutralize terrorists. In reality, in a case of very similar description, police officers forcibly entered a house in search of \$1, 000-worth of clothes and electronic goods allegedly bought by someone with a stolen credit card. They couldn't find any of the things mentioned above, but did arrest two occupants in the house on unrelated charges (The Economist, 2014). In order to cover up this embarrassment, the chief of the Iowa police force that raided that house in January this year, Gary Mikulec, said the police officers had to take extra care in arresting the two inmates as they were ' not very good people.' One of the two had been charged for

three assault charges; albeit more than a decade old. In the words of Bill Bratton; New York's police chief, there is a quantum leap in the way law and order is maintained today. It's easy to see that police officers use "SWAT tactics to force suspects to surrender" (The Economist, 2014).

This drew a sharp criticism from civil libertarian; Radley Balko, who noted that the American police force was now more like soldiers. Special Weapons and Tactics (SWAT) teams were first formed to deal with violent civilians who indulged in crimes. Today, as the country faces war-like situations from within her borders, there is every possibility that the police force has to be battle-ready at all times.

Reuters' Lucas Jackson (2014) reporting on the members of the Connecticut State Police SWAT team says that the idea to arm the state and local police force like the SWAT teams was to wage war on drugs and terror. He says "between 2002 & 2011 the Department of Homeland Security disbursed \$35 billion in grants to state & local police, and the Pentagon offered surplus military kits as well." And according to Balko (radionews. us, 2014), "the DHS had by 2005, provided such gear to more than 17, 000 law-enforcement agencies. While these programs were to provide the police with defensive equipments such as body armour and helmets, it was difficult to understand why Fargo, North Dakota, which has an average fewer than two murders a year, requires an armoured personnel-carrier with a rotating turret?" Kara Dansky of the American Civil Liberties Union and overseeing a study into police militarisation noted that the police force now looked like a combat infantry. To substantiate her view, a recruiting video in Newport Beach, California, showed police officers "loading assault rifles, firing weapons,

chasing suspects, putting people in headlocks and releasing snarling dogs” (radionews. us, 2014).

Under the U. S domestic law enforcement justified by the Supreme Court, the police can shoot a suspect to protect his or her life or the life of others around them, or to prevent a suspect who committed a serious crime from escaping. The basis of the Supreme Court’s opinion was based on the Tennessee vs. Garner case, where a couple of police officers shot a young boy who tried to flee after a burglary. In reviewing the cases of John Crawford in Beaver Creek, Ohio, and Michael Brown in Ferguson, it is evident that the use of deadly force was a combination of both; the encouragement of militarization, and racism. The reason for this is because there are far too many incidents of violence taking place on the streets, for which, the police officers have been given the licence to use force to protect themselves and others from harm, and two, most of the use of force has been against African-Americans. The militarization of the police definitely violates American citizens’ First Amendment right to protest, as the police misuse the Supreme Court interpretation of the right to use force by staging encounters that deprives the citizen of his or her right to protection under the First Amendment.

Conclusion

It is evident that the use of deadly force in the criminal justice system is on the ascendency. The two reasons that can be attributed to the militarization of the state and local police force is the rise in terrorist attacks and its fear, and two, the rules followed by the police force to manipulate situations to their advantage. In considering the cases of John Crawford, and Michael

Brown in Ferguson, it is evident that the police used deadly force without provocation or giving the two young black me the right to surrender.

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