

Good example of research paper on preventing police brutality

[Law](#), [Criminal Justice](#)



In the United States, claims of unwarranted police brutality against the average citizen – whether official or not – are as old as the country itself.

Over the decades since the country was founded, those citizens who decry the overzealous physical interference and control of the police have come from all walks of life, including immigrants and native-born, young and old, male and female.

For a time, U. S. police forces were corrupt and thoroughly autonomous.

However, as police began falling under standardized guidelines and a more uniform body of law, the country's citizenry had a fighting chance to file

complaints, protest in the streets, and demand that lawmakers rein the “blue bulldogs” under tighter control. Although a great deal of current U. S.

law has helped to curtail some police brutality, ongoing racial tension, a widening economic gap, and a forceful counterattack by police organizations has led to a need for serious reform.

Racial profiling by police personnel and organizations has become one of the most well-known problems causing heated police and citizen exchanges. In

New York City, one of the most controversial police tactics since the 1990's

was commonly known as the “stop and frisk” (Scott 21). In this tactic, an

officer would routinely stop a chosen person walking by, “frisk” or search them by patting them down, and cite them for either a real or fictional

infraction, or send them on their way.

In a city that was predominantly Black and Latino (54% in 2010), the police strategy of racially profiling entire communities and stopping young Black

and Latinos (predominantly males) for usually no reason at all led to

widespread police abuse of power (Scott 21). In fact, by 2011 – at the peak

of the NYPD “ stop and frisk” movement – police had stopped people nearly 700, 000 times per year with 87% of those stopped being either Black or Latino and 91. 5% were males (Scott 21). With such an overwhelming slant against young Black and Latino males, New York City’s pervasive use of racial profiling techniques in “ stop and frisk” tactics – and many others – has been a hotbed of tension (Scott 21). As a result of class-action suits against the NYPD for Civil Rights violations in racial profiling and similar cases, for the fiscal years 2011 to 2013, the city paid roughly \$520 million in settlements (Scott 22).

Another reason that current laws preventing police brutality need significant reform is the quickly-widening economic gap. According to Scott, in New York City, the income inequality is even more pronounced than elsewhere in the country, stating that “ income inequality in the city has risen even faster than nationally” (23). According to Chaney and Robertson, the economic disparity of those who are not White is an even more stark reality, because “ poor Blacks are substantially more likely to be sentenced than poor Whites” with Blacks comprising 40% of U. S. prison inmates even though they are only 13% of the nation’s population (111). Because of the widened economic gap, the differences between the “ haves and have nots” takes on an entirely different meaning, because 51% of African American defendants receive a prison sentence, while only 33% of White defendants do (Chaney and Robertson 111).

But the question may arise: what does income inequality have to do with police brutality? As Scott discovered, State Senator Eric Adams – who is actually a Black man, and former NYPD officer – testified in a highly-

publicized “ stop and frisk” lawsuit that the NYPD used the tactic in order “ to instill fear into African American and Hispanic youth, so each time they leave their home, they feel as though they can be stopped by the police” (23).

Essentially, NYPD tactics of racial profiling in predominantly Black and Latino communities – which, demographically, are the poorest neighborhoods in New York – keeps young males in constant fear of police stops and usually inevitable brutality, terrorizing them (Scott 23).

According to Chaney and Robertson, the truth is that “ police brutality against people of color remains an ever present and persistent problem” (109). In fact, according to the findings of the Malcolm X grassroots organization, from January 1 through June 30, 2012, law enforcement (or someone acting in that type of capacity) killed one Black person every 36 hours, or the equivalent of 120 people with 69% of those between 13 and 31 years old (Chaney and Robertson 109). These statistics are grim, but the details hidden within the statistics are even more disturbing. One case in September 2012 involved Houston police shooting and killing a one-armed, one-legged man who was mentally ill – for threatening them with nothing more than a ballpoint pen (Chaney and Robertson 109). In a second case, another man was shot dead by HPD while unarmed and holding his hands in the air, with nothing but a beer can tucked into his waistband (Chaney and Robertson 109).

Interestingly, in a legal journal article discussing fourth amendment search rights, Slobogin states that “ although even short-term surveillance can chill locomotion, speech, and association it is not as invasive as many other types of physical or virtual searches” (996). Obviously, allowing cameras to do the

“ searches” of everyone on the streets will dramatically cut down on racial profiling stops, because police officers would only be called into detain and arrest those whom observers determine warrant a physical search, with any camera surveillance lasting less than 20 minutes “ permitted to achieve any legitimate law enforcement objective” (Slobogin 996).

In a response to the direct question of the best deterrent for police brutality, Slobogin stated that “ if the goal is to make sure that we know what the police are up to, the best technological fix is head- or badge-cams” because “ it would focus on those people that the police single out” (997). Determining how best to combat police brutality certainly begins with the need to determine whom police single out on a daily routine, beat walk, or traffic stop.

Yet, one of the greatest barriers to reform of police brutality laws is coming from one of the oldest opponents in the book: police officers and organizations. According to McCullough, one of the main obstacles in a growing movement to allow citizens leeway to audio record, photograph, and take video of police officers in action is because “ interference with recording and photography by the press and public is deeply embedded in police culture it is standard behavior” (546). Frighteningly, some of the “ standard behavior” employed by police officers to deter documentation of on-duty police by the public includes physical injury, intimidation, and criminal prosecution, which leads to injury and sometimes the death of those who “ dare” to circumvent the standard. However, as McCullough discovered, most of the public members who document and publish the footage of interactions with police officers are trying to “ give voice to victims of police abuses and

deter future misconduct”, because “ when these photos and videos go viral, they often provide a solid and effective foundation for demands for change where it is needed” (547). This means that, despite police officers’ entrenched refusal to allow recording of on-duty officers, they cannot be everywhere at once, yet nearly everyone seems to have a cell phone in their hands - and that is a good thing.

As of now, the country’s highest court - the Supreme Court - still “ has not directly addressed the public’s right to photograph and record on-duty police” yet most of the lower courts held that citizens are guaranteed the right under the First Amendment (McCullough 546). Indeed, as with any wide-sweeping change in the law - and especially the procedures followed by those who enforce the law - it will be a tough battle. However, McCullough states that one of the suggested modes of change would be “ to transform the culture of interference from within” by implementing model training procedures and policies on a nationwide level (547).

With any controversial topic, there will be those who say that nothing needs to be done to address the current state of affairs. One of the most common arguments against the need for police brutality law reform is that officers’ lives are on the line, day and night, to serve and protect citizens from harm. This argument is extremely valid, because if officers’ activities and movements are regulated by hundreds of laws, no officer will dare try to arrest a suspicious-looking would-be armed robber or step between two men at a barroom brawl.

When the first suggestions of video recording police officers’ on-duty movements and activities arose, the given reasoning for such an electronic

intrusion was so that the information obtained could be used in refuting public challenges to inappropriate police profiling (McCullough 548). In fact, many police officers have successfully deterred criminal behavior (or escalation of criminal behavior) by telling would-be criminals that they are “on camera”. However, although officers use such tactics to deescalate criminal behavior, many tout “personal safety” and “anonymity” as reasons for fighting required on-duty filming those who know they are on film “are more likely to treat the public with courtesy and professionalism, reducing incidences of excessive use of force” (McCullough 549).

There has been a growing voice of concern from police officers, organizations, and upper management regarding the use of images of police using excessive force that may “provoke viewers to anger and violence” (McCullough 553). Yet, video footage of officers using excessive force has become a deterrent to such behavior in other officers, allowing the public to see that police are also held accountable for their actions while on duty and allowing effective public challenges to any type of widespread misconduct by police.

Although there is still a prevalent amount of racial profiling in the American law enforcement system, and the widening economic gap has only stoked the flames of the undercurrent of tension between citizens and officers, the good news is that change is on the horizon. With the tireless efforts of both sides of the issue, the growing popularity of officers wearing badge-cams or using dashboard cameras in police vehicles is one major step in the direction of positive reform for police brutality prevention laws.

Works Cited

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