

# Comparison of rodney king case and the dethorne graham case



Power wrecks social law and order. From ages this custom continues. Police exercise of discretion in situations involving the use of force, especially deadly force, has prompted much debate and controversy in the public arena. High profile cases, such as the Rodney King case and the Dethorne Graham case, have brought the issue of police force to the public forefront. Rodney Glen King is an African-American taxi driver born April 2, 1965 in Sacramento, California. He became famous after his violent arrest by officers of the Los Angeles Police Department (LAPD).

On March 3, 1991, Rodney Glen King, on parole from prison on a robbery conviction, led police on a high speed chase, refusing to stop in response to the red lights and sirens behind him. Finally, after driving through several red lights and avenue stops, he stopped in the Lake View Terrace district. The Los Angeles police were assisted by other police force. Rodney Glen King, who had a past record of drunk driving, was alleged to be under the influence of PCP, a drug used as an anesthetic agent for exhibiting hallucinogenic and neurotoxin effects, by the officers on spot.

He resisted arrest even after being tackled and struck with batons by three white and one Hispanic LAPD officers: Officer Laurence Powell, Officer Timothy Wind, Officer Theodore Briseno and Officer Stacey Koon. He is also alleged to have tried to attack and snatch the weapon of one of the police officers on site. When interviewed later, he tried to justify his act by saying that, being on parole, he feared apprehension and being returned to prison for parole infringement. (King, 2001, 27-29) The incident raised a public protest especially among those people who believed the incident was racially motivated.

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In a situation of growing tension between the LAPD and the black community as well as increasing anger over police brutality and more general issues of unemployment, poverty, and racial tension facing the black community in South Central Los Angeles, the exoneration in a state court of the four officers charged with using excessive force in subduing Rodney Glen King provided the spark that resulted in the 1992 Los Angeles riots. Dethorne Graham is a patch foreman working in North Carolina Department of Transportation. He is diabetic.

He with his friend, Berry, went to a convenience store named Pilot's Service Station on West Boulevard road, to purchase orange juice to counteract the onset of an insulin reaction. Upon entering the store and seeing the number of people ahead of him, Graham hurried out and asked Berry to drive him to a friend's house instead. Respondent Connor, a city police officer, became suspicious after seeing Graham hastily enter and leave the store, followed Berry's car, and made an investigative stop, ordering the pair to wait while he found out what had happened in the store.

Respondent backup police officers arrived on the scene, handcuffed Graham, and ignored or rebuffed attempts to explain and treat Graham's condition. During the encounter, Graham sustained multiple injuries. He was released when Connor learned that nothing had happened in the store. (Lamb, 2004, 433-4) Graham filed suit in the District Court under 42 U. S. C. 1983 against respondents, alleging that they had used excessive force in making the stop, in violation of " rights secured to him under the Fourteenth Amendment to the United States Constitution and 42 U.

S. C. 1983. " The District Court granted respondents' motion for a directed verdict at the close of Graham's evidence, applying a four-factor test for determining when excessive use of force gives rise to a 1983 cause of action, which inquires, inter alia, whether the force was applied in a good-faith effort to maintain and restore discipline or maliciously and sadistically for the very purpose of causing harm. Johnson v. Glick, 481 F. 2d 1028.

The Court of Appeals affirmed, endorsing this test as generally applicable to all claims of constitutionally excessive force brought against government officials, rejecting Graham's argument that it was error to require him to prove that the allegedly excessive force was applied maliciously and sadistically to cause harm, and holding that a reasonable jury applying the Johnson v. Glick test to his evidence could not find that the force applied was constitutionally excessive. Kar, 2006, 188-90) Comparing Graham v Connor to the Rodney king beating several similarities and differences can be found. Both of them were arrested by police officers on the basis of suspicion without any prominent proof of crime or any kind of legal arrest warrant. In both the cases police officers arrested the victims before any thorough investigation of the case. Both of them were chased on road by police. Both of them refused to stop in response to the red lights and sirens behind him.

Both the victims were mercilessly bitten by police officers. Rodney Glen king had a past criminal record. He was on parole from prison on a robbery conviction. But Dethorne Graham did not have any past criminal record. As Dethorne Graham went into a store and came out instantly without buying anything, police followed him and arrested him on the basis of suspicion.

Dethorne Graham is diabetic and when he was arrested, he was in a critical <https://assignbuster.com/comparison-of-rodney-king-case-and-the-dethorne-graham-case/>

condition under reaction of insulin. When Rodney Glen king was arrested he was in a good health.

Rodney Glen king refused to stop at police sirens behind because he feared apprehension and being returned to prison for parole infringement. But Dethorne Graham refused to stop because he was in a critical condition and desperately needed orange juice to counteract the onset of an insulin reaction. Rodney Glen king tried to attack and snatch the weapon of one of the police officers on site. But Dethorne Graham is not accused of any kind of violent response. Dethorne Graham was with his friend during the incident, where as Rodney Glen king was alone.

After the incident policemen dropped Dethorne Graham at his place but Rodney Glen king was taken to police station. (Fletcher, 2003, 163-5) In both the case the use of excessive force was deadly. King was bitten mercilessly with darts, and then pummeled repeatedly with steel batons and blows that resulted in a fractured eye socket, facial-nerve damage, 11 skull fractures, and a severe concussion, which has led to permanent brain damage. King also suffers from leg numbness and a permanent limp.

In Dethorne Graham's case, the excessive force applied by police during the course of the arrest could prove to be deadly because he is a diabetic patient. At the time of arrest he was in a critical condition and desperately needed orange juice to counteract the onset of an insulin reaction.

Respondent backup police officers unreasonably handcuffed Graham, and ignored or rebuffed attempts to explain and treat Graham's condition. They

bit him mercilessly. When he fell down on his stomach, they snatched him up by pulling his collar.

They even broke his leg. This could have caused his death. (Dollard, 2003, 223-5) In conclusion it could be stated that the above publicized and controversial cases have provoked public outrage and hostility and have stressed already tenuous relations with the minority community. This has open the eyes of law authorities and now days use of excessive force is condemned deadly and under Fourth and Fourteenth Amendments of the constitution of United States laws have been passed to stop further occurrence of such incidents.