

Incidents Of Police Brutality

Posted on October 28, 2019

Introduction

Persons of the minority society, for many years, have faced violence by the police in the United States. Such force is a direct representation of police brutality that frequently leads to ill health through injury plus death. Police brutality is not new in the United States and is still a key concern for persons of the minority group. Black people have suffered cruelty for many years, although a lack of useful data makes it difficult to quantify the degree of such violence. Historically, proof of police violence against black people goes way back to the slavery era. Information on the connection between race and death through police brutality was collected by a UK newspaper in 2015. It indicated that black men are more likely to be killed by the police than other Americans. Police conduct is not only mistaken but also understood in bad faith, together with the aim to humiliate and harm their target. This paper will discuss incidents of police violence, obstacles to pursuing civil rights against police brutality and the remedies to reduce such incidences.

Incidents Of Police Brutality

Most riots in the 21st century originate from an accusation of police brutality or violence. The damage caused by these riots ranges from loss of life to destruction of property. Additionally, these riots lead to harm between the police unit and the surrounding community, which, in most cases, is not easily repaired. For instance, on 10th July 2016, a woman named Lisa Batiste and her daughter were sitting on a porch when they witnessed a march that was called to protest the death of a man known as Sterling that had occurred five days prior. Sterling was a father of five who had been shot and even killed by the police. The incident took place at Triple S Food Mart, in the parking lot, where Sterling sold CDs. Videos of this incident confirm two law enforcement officers fighting Sterling forcefully, pinning him to the ground. As Sterling was pinned down, one of the police officers shouted, saying that he had a gun and immediately fired his gun six times, and the bullets hit him in the back and chest. The owner of Triple S, who talks the video, confirmed that Sterling had not been in any way causing any trouble outside the store and that he even considered him a friend.

After the protest, Batiste saw the policemen differently. According to her, the killings caused by racism caused her so much fear. She used to be comfortable going to the shops at night, but not anymore. This is after one of the police officers came onto her property and shoved her using his shield. This was after the police had separated her from her daughter, who the police had thrown from the porch. After this, she snapped and no longer felt safe. Every time she saw a corp., it triggered some insecurity. Each time she went back to her house, memories of that day when police used force

on them flooded back.

Obstacles To Pursuing Civil Rights Against Police Brutality

Criminal Charges

Many, if not all, [police brutality](#) present related but also separate civil together with criminal cases. The moment a citizen claims to have been abused by the police, the police always immediately react through contradictory allegations. The citizen is accused of being the first aggressor and is said to be the original criminal who acted against the cop. I am not referring to a criminal charge filed against the cop, as charges against them are not so frequent. Instead, those victims of police violence, in most situations, are the ones who the prosecutors target their focus. They are also the ones whom criminal charges are made against. Therefore, a victim of police brutality should first address the issue of how they can dispose of the current criminal case they are facing. An example is a situation where a man woke up from a coma and was told of criminal charges against him and was even taken into custody while he was still in the hospital. His reaction was that he had not done anything and the police were the ones who shot him. The charges against him were attempted murder of a police officer, and the case was marked as one with no bond.

Remedies To Decrease Police Brutality

Police brutality, wrongful convictions, and racial disparities can be reduced by a criminal conviction and criminal persecution. International law scholars have also recognized the social cost and structural cost that can be used in emerging democratic states. They can be applied in situations when they do not charge those who are responsible for the previous system human rights violence. These types of impunity are a threat to the law, and the opportunities to reinforce critical democratic values are not realized. Police applying excessive force on unarmed black American suspects is an example of such crimes.

Criminal Conviction

In the United States, the police are always in the middle of shooting unarmed black people. Evidence of this brutality is always captured by bystanders and sometimes friends or relatives of the victims of injustice. An activist of Black lives matter has rallied the anger into a strong social movement. In the middle of all this, very few police officers involved in violence have been charged and prosecuted. Although criminal convictions against cops are very rare, sometimes they occur. There has been an exception in Charleston. A police officer was facing federal charges for shooting a black man who was unarmed in the back (Roiphe 503).

Criminal Prosecution

Criminal prosecution can also be used as a legal avenue to reduce police brutality. Traditionally, prosecutors have been hesitant to follow criminal charges against the police officers. Some prosecutors depend on police officers to have convictions and thus avoid prosecuting them to maintain an institutionalized relationship. Additionally, a conviction against the cops can be difficult to obtain because it is not easy to prove that a police officer applied extreme force with criminal intentions. The jurors, in most cases, tend to sympathize with the officers and are hesitant to convict cops of crime. In most jurisdictions, the prosecutor has the full power and stops any criminal charges from being privately initiated. The fact that the law gives the prosecutor the power to make charging decisions does not solve the problem of police brutality. The police officers must charge criminals instead of acting violently.

Deterrence

It is a different justification for criminal punishment. At least it gives technical root decisions together with priorities motivated by a restricted budget. It implies that illegal actions are necessary and justified as they inflict a cost on unlawful conduct, thus preventing any future harm. Deterrence does not focus on moral imperatives like retribution. Instead, its focus is on the consequences and cost of prosecution. Most scholars say that deterrence only pushes prosecutors together with lawmakers to reduce social harm. Deterrence gives direction to lawmakers as it entails a formula, though a hard one to calculate. The community and society at large need to increase resources and provide punishment to generate the best social values. Increasing the resources that can be used for investigation plus prosecution of a few crimes instead of others will certainly generate more value.

Criminal Sanction

Criminal sanctions are used to reinforce as well as communicate core ethics and values. Similar to deterrence, criminal law also focuses on the consequences of illegal actions. Instead of calculating the consequences and social cost of criminalization, criminal sanction measures the significance of social meaning together with context. Criminal sanction is not only important because it inflicts punishment on the wrongdoers but because it acts as an example to others. The cost inflicted apparently changes the calculation of individuals considering the same illegal actions in the future. The purpose of a criminal justice system is to communicate and reinforce common social values.

Steps Police Officers Can Follow When Confronting

Unarmed Citizens

The first step is to smack them down as they already expect that. The second is to look at them in a way that makes the police look huge. The next step is to grab the individual from behind and employ the baton. While holding them, the police should not give them a chance to speak. They should not listen to them or allow themselves to be confused by their screams of innocence. As a matter of fact, to put a deaf ear to the screams as their innocence does not even matter at that time. Whether they are innocent or not will be sorted out later. Police officers need to avoid violent acts such as punches, baton blows, and strangulation should not worry them as the state has their back. The police can make up any excuse to arrest them; it does not have to be the best excuse. They can give any excuse like the suspect was suspiciously looking at them and even raised their hands and had to arrest them. They can also say they were walking too fast and that triggered their arrest. The court and everyone else will understand, and it will look legit.

Conclusion

Currently, police brutality is still a problem in law enforcement. Even though police brutality is very common, police officers are rarely prosecuted and charged. This needs to change. It is crucial to find a solution on ways to stop such actions as the number of victims of police violence is increasing. Violation of human rights continues every day as some obstacles, such as criminal charges, prevent those police officers accused of brutality from being brought to the books. Thus, such impunities and obstacles permit them to continue with the brutality. Police violence may be reduced in the future if effective mechanisms are put in place to guarantee police accountability and professionalism. Although some isolated instances are unavoidable, accountability measures can be put in place to reduce police brutality.

Work Cited

Roiphe, Rebecca. "The Duty to Charge in Police Use of Excessive Force Cases." *Clev. St. L. Rev.* 65 (2016): 503.