

GAINS ON THE PROBLEM OF POLICE BRUTALITY

By James J. Fyfe

The videotaped Los Angeles police beating of Rodney King shocked most who saw it. For many black Americans, the King incident confirmed what they had already suspected: that police, especially white police, are quick to render nightstick justice in the streets. This perception should not surprise us. Every relevant study to date, including data presented in this issue's Public Opinion Report, suggest that attitudes toward the police generally are worst among inner-city minorities and poor people.¹

Regardless of how competent and humane they may be, the police usually come into our lives during unpleasant circumstances which are suffered more by the poor (who are disproportionately non-white) than by the working, middle, and upper classes. No matter what our race or social class, few of us are favorably disposed to officials who show up to investigate something we have done ("May I see your license and registration, sir?"), or something done to us which may be insoluble.

Citizens, black and white, know that the police have a very tough job, and most admire them for their efforts. Rightly or wrongly, most people believe that police are hampered in this work by judges who turn criminals loose on us after they have served short terms in country-club prisons. Despite our respect for their efforts, however, we do not altogether trust the police. As sociologist Jerome Skolnick observed 25 years ago, policing is a tainted occupation.² Some of the devil must rub off on anybody who deals with him as often as the police do. The devil certainly was evident in the King tape, but we should not be too quick to generalize from the incident. The record shows, in fact, that police have made great strides in reducing use of force by officers.

Strong Efforts to Curb Excessive Force

This trend began in the 1960s, when scholars and blue-ribbon commissioners reported that most of that decade's urban riots were immediately precipitated by what appeared to be unwise use of force by officers.³ In response, police began establishing guidelines to control officers' discretion in use of force, and to look more carefully at training. The need for guidelines in police use of force was great because, in their absence, police discretion was controlled only by broad criminal laws. In about half the states these laws authorized the police to use deadly force—to shoot to kill fleeing felony suspects, regardless of whether their crime involved any threat to officers or others. By 1985, when it ruled these "fleeing

felon" laws were unconstitutional, the Supreme Court suggested that it was not doing anything the police had not already done themselves: In a period of eighteen years, virtually every large American police department had established guidelines that prohibited "fleeing felon" shootings.⁴ As a consequence of these rules, the number of people shot and killed by American police has declined precipitously.⁵

In the more than two decades since the riots of the 1960s, police also have become much more sophisticated in dealing with another type of force they formerly regarded as an unavoidable occupational hazard. Where police firearms training once dealt exclusively with drawing quickly and shooting straight, it has more recently emphasized techniques that may help officers avoid the need for force. Officers are taught to approach potentially violent people and situations in cautious ways that minimize both their own vulnerability to attack and the consequent need to use force as a defensive measure. Since the Metro-Dade (Florida) Police Department completed training its officers in such a violence-reduction program in 1989, use of force by officers has declined by more than 30%.⁶

What More Can Be Done?

The best data indicate that public attitudes about the police have not changed in recent years, but the police certainly have changed. Still the King tape reminds us that the police are far from perfect. What can be done to improve things further? The answer is more accountability. It was no accident that the King beating—done publicly and by officers who apparently were confident that their false version would go unchallenged—happened where it did. Los Angeles is the only big American city in which the police chief is insulated by civil service tenure from accountability to elected officials. In effect, Los Angeles officers are accountable only to the police chief, and the police chief is accountable to nobody.

Preventing police brutality generally requires that we stop holding the police accountable for meeting standards that are *unreasonably high*. We typically regard the police as soldiers in a war on crime and disorder, but we have asked them to fight a war they cannot win. Crime and disorder are symptoms of social problems—poverty, lack of opportunity, inequities, ignorance and the like—about which police can do little or nothing. Consequently, with the winking encouragement of "law and order" politicians, some few officers deal with the frustrations of their no-win war by applying nightsticks to the worst of all offenders: those who show contempt for the police by refusing to submit to their authority. When such officers are exposed, they must be punished severely.

To prevent police brutality, however, we must reduce police frustration. We somehow expect the police to help keep us safe from the crime and violence that are systematically bred in our inner cities. The police have come to learn that they cannot meet this expectation, and they are frustrated and angry about it. We must use our imaginations to change our inner cities, and to scale our expectations of the police to a more realistic level.

ENDNOTES

¹See A. Daniel Yarmey, *Understanding Police and Police Work: Psychosocial Issues* (New York: New York University Press, 1990), pp. 107-141, for a good contemporary discussion of citizens' perceptions of police.

²Jerome Skolnick, *Justice Without Trial* (New York: John Wiley, 1966).

³President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Police* (Washington DC: US Government Printing Office, 1967).

⁴*Tennessee v. Garner* (1985).

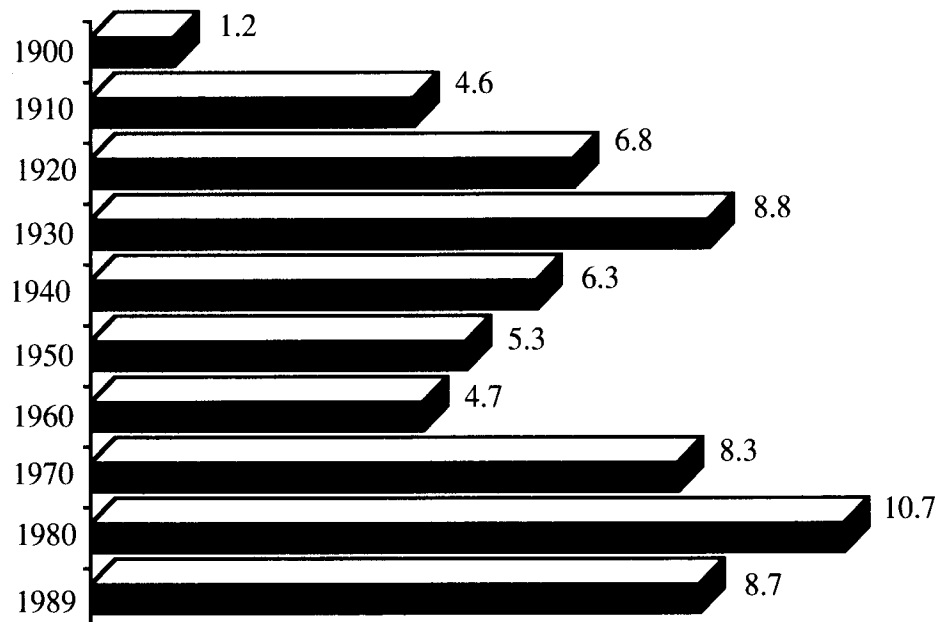
⁵James J. Fyfe, "Police Deadly Force: Research and Reform," *Justice Quarterly* (June 1988).

⁶Personal communication from Metro-Dade Police Director Fred Taylor, March 20, 1991.

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**THE MURDER RATE IN THE U.S. IN THIS CENTURY:
A MORE COMPLEX STORY**

[The murder rate shows the number of homicides per 100,000 population.]



Source: US Bureau of the Census, *Historical Statistics of the United States* (Washington, 1975); idem., *Statistical Abstract of the United States 1990* (Washington, 1990); and for 1989, Drugs and Crime Data Clearing House, Bureau of Justice Statistics, US Department of Justice.