

Mia-Myline Medina

Professor Plummer

English Composition 211

November 10, 2017

Title: Injustice from the Justice System

Introduction

Hook: In recent years, social media has seen a surge in police brutality posts that highlight a flawed system in which many officers are taking suspect retention to a new and dangerous level.

Clarification: The publicized deaths of individuals including Philando Castile, Eric Garner, Tamir Rice, and countless other unarmed victims in the past three years alone have amplified distrust of police officers by the public. In many cases, officers are not removed from their position in the police department, nor do they face jail time for their crimes. Incidents such as the shooting of Tamir Rice by Officer Timothy Loehmann- who was not convicted for his crimes, but has since been terminated from his position in the Cleveland Police Department- have raised concern over the effectiveness of training in the police academy as well as the issue of convicting members of law enforcement who have either killed or used excessive force against an individual.

Transition: Without proper training and conviction, the unnecessary brutalization and killing of unarmed civilians may continue to be a problem between officers and the public as it has been for decades.

Thesis: Therefore, officers must participate in updated training courses that take place regularly and extensive investigation must be done in the process of conviction so that officers are held to the same level of responsibility for their actions as the rest of the population is.

Clincher: Individuals in the police department have a combined responsibility to protect and serve the population within their jurisdiction.

Part 1: Training

Topic Sentence: An officer with incomplete or insufficient training has the potential to create dangerous situations that may lead to injury or death for both themselves and those around them.

Clarification: Access to proper, updated training techniques is imperative to the success of the officer. Without continuous training, incidences may occur where innocent lives are taken.

Example: When Philando Castile was shot- still seated in his car after a routine traffic stop for a broken tail light- many were outraged by Officer Jeronimo Yanez's justification for the attack.

Quote: Yanez expressed his fear and uncertainty during the situation, "I thought I was gonna die. And, I was scared because [...] I didn't know what he was gonna do" (Berman, para. 3). Thus, Yanez fired seven rounds into the car where Castile's girlfriend and her child were present.

Explanation: Yanez displayed a lack of knowledge by disregarding protocol and de-escalation tactics during a time that he assumed would result in his passing.

Why it is important: Yanez acted on instinct rather than protocol and that is a detrimental flaw that seems to arise often in cases such as this one. Officers often face dangerous situations in which they will have to work with both instinct and protocol to reach a desired outcome, but this case and many more have shown that protocol has been overshadowed by instinct.

Transition: A large number of people argue that the real problem simply lies on the individuals themselves.

Opposing Argument: Retired police chief of over 30 years in uniform, Donald Grady II, claims that concern should not fall heavily on training, but rather on “who it is that we’ve decided we would allow to police our country” (Lantigua-Williams, par. 8).

Rebuttal: To an extent, Grady is correct in that recruitment is a vital part of the reasons why society is faced with strategically or emotionally ill-equipped officers. Recognition falls short on his behalf, however, regarding the cruciality of training within the police academy. Though poorly qualified individuals do have the potential to make their way into the system, updated training is the best way to ensure that police officers have learned everything that they need to know before facing it on the streets. Extensive training should not stop after individuals graduate from the academy either.

Statistics: The Curve of Forgetting, developed by German philosopher Hermann Ebbinghaus, demonstrates how after only two days, the brain loses over 60 percent of the new information that it has been given (Shaefer, par. 4). Without consistent training reinforcement, much of the vital information that has been provided to the officer during their time spent in the academy may potentially be forgotten by the time they need to utilize it.

Transition: Bi-weekly training requirements, at the very least, may be just what an officer needs to feel better prepared when working on the field. Knowing what needs to be done in almost every situation, regardless of personal fears, will produce a greater outcome than if the officer is unprepared.

Why it is important: An officer is just as human as the rest of society and possesses the same fears and uncertainty, but an officer does not have the luxury of making these senseless mistakes. Officers are trained to act accordingly and that differentiates them from the public. Training is

what justifies allowing an individual to wear a badge and a gun. Training is what justifies an individual to stop someone on the street, to search their cars or homes, and to detain suspects. With updated, consistent training an officer will have the necessary knowledge of protocol to de-escalate situations in a timely and safe manner.

Clincher: Fear and a lack of readiness or knowledge, however, should never be a crutch for police officers to lean on. Officers, like anyone else, must be prosecuted and investigated with as much scrutiny as anyone else.

Part 2: Trial

Topic Sentence: Typically, when an individual is murdered, the assailant is prosecuted and stands trial for their actions.

Clarification: In some cases, the aggressor is unknown and investigators work vigilantly in order to find the individual responsible and bring them to justice. When that individual happens to be on the side of the justice system, however, things tend to play out differently.

Example: Officer Daniel Pantaleo, who tackled Eric Garner and placed him in a chokehold, subsequently causing his death, did not face charges (Park, par. 17).

Explanation: Though countless bystanders witnessed the indecent act, and even took camera footage, the events that took place were viewed as reasonable. The family and supporters of Garner were outraged and many were left with questions as to how this could be possible. In a 1989 decision by the Supreme Court, police use of force is deemed to be acceptable as long as it is “objectively reasonable” (Stoughton, par. 2). Therefore, the jury must look at these cases from the perspective of a reasonable minded police officer on duty. In this way, the law is on the side of the officer in question.

Why it is important: Seemingly preferential treatment of officers has detrimental effects on the way citizens view law enforcement- hindering the relationship between officers and civilians. However, the most important issue that comes with the release of guilty officers is the fact that officers are aware of this favorable treatment which, in a way, makes it okay for them to continue this behavior.

Transition: While a large majority of people are infuriated at the courts for not indicting Pantaleo and many other officers in his place, there are people who unconditionally support the law enforcement.

Opposing Argument: Retired Fireman, Dan McSwiggan reveals that if a police officer fails “to make that arrest, that police officer is now going to be charged by his officers, his supervisor, for failing or neglecting to do his job” (Wu and Liou, par. 21).

Rebuttal: While getting the job done is important, the livelihood of everyone present takes precedence above all else. A suspect can be captured again, but a life cannot be regained after death. Justification is quickly offered when an officer is facing charges, however the same amount of enthusiasm to help is not offered to the rest of the population.

Explanation: Officers took an oath to serve and protect. They are not above the law and should be facing the same consequences as any other individual who commits a crime.

Statistics: Yet, 900 people are killed by officers within a year and out of those cases only 89 police officers are charged- 29 of which are convicted (Villareal, par. 4).

Why it is important: The rate of officers being charged and convicted is significantly lower than the rate of officers who brutalize and kill unarmed suspects. To some extent, the lack of consequences for these officers has a role to play in the rate at which these cases happen.

Without consequence, officers have no reason to take responsibility for their actions and more shootings will continue to happen. Without proper and consistent training, more shootings will continue to happen.

Clincher: It is imperative that change happens within the police department, through training and conviction of guilty officers.

Conclusion

Everyday, someone in the country is facing an interaction with law enforcement- whether that be for a broken tail light, public indecency, or robbery. In any case, officers will need to know the appropriate tactics when handling their suspects. Training on a regular basis will ensure that the officers on duty know exactly what needs to be done and when- even if they decide to disregard protocol. Having knowledge of what is appropriate to do for each situation keeps the officers responsible for their actions. If they were taught how to handle a situation, yet they continued to do the wrong thing, there is no reason why that officer should not stand trial. In regard to the 1989 ruling of objective reasonability, having the knowledge of a safer, better way of detaining a suspect and choosing to use excessive force regardless does not seem like the decision of an objectively reasonable officer. At the end of the day, incidences will occur whether training is enforced regularly or conviction of guilty officers becomes more common than not. However, these incidences can be significantly reduced with updated training courses that take place often and extensive investigations that charge guilty officers.

Work Cited

- Berman, Mark. "What the Police Officer Who Shot Philando Castile Said about the Shooting." *Washington Post*, 21 June 2016.
- Lantigua-Williams, Juleyka. "How Much Can Better Training Do to Improve Policing?" *He Atlantic*, 13 July 2016.
- Shaefer, Paige. "Why Google Has Forever Changed the Forgetting Curve at Work." *Inkling*, 12 Aug. 2015.
- Stoughton, Seth. "The New York Times Company." *The New York Times*, The New York Times, 9 Apr. 2015.
- Park, Madison. "Police Shootings: Trials, Convictions Are Rare for Officers." *CNN*, Cable News Network, 24 June 2017.
- Villarreal, Mireya. "Why Is Convicting Officers so Rare?" *CBS News*, CBS Interactive, 26 June 2017.
- Wu, Annie, and Shannon Liao. "New York City Pro-Cop Rally Becomes Shouting Match With Eric Garner Protesters." *Www.theepochtimes.com*, 20 Dec. 2014.