Yet, again...(Minneapolis)

On May 26, 2020, it happened again. Another unarmed black man, George Floyd, was killed by a police officer. It occurred, this time, in Minneapolis. According to the news reports, Minneapolis police responding to a forgery call at a store found Mr. Floyd sitting in his car and demanded that he get out of the car. According to the police, Mr. Floyd got out of the car and physically resisted the officers. The video shows Minneapolis police officer Derek Chauvin with his knee on Mr. Floyd’s neck, while Mr. Floyd indicated that he could not breathe. The citizen video does not show Mr. Floyd resisting. In fact, the video shows an officer exerting pressure on Mr. Floyd’s neck while his hand was in his pocket. At one point, a surveillance video shows two other officers kneeling on or around Mr. Floyd’s body, while the officer was on Mr. Floyd’s neck.

Yet, again...

You can hear an officer making comments that appear to be callous and berating, as officers are observing and keeping the gathering crowd back. It appears that whatever alleged threat Mr. Floyd posed had been neutralized. The officer on Mr. Floyd’s neck did not appear to be in any hurry or distress during the incident, while his hand was in his pocket. In fact, the officer appeared calm as condescending comments were made that created the picture that the officer was trying to teach Mr. Floyd a lesson in the most barbaric manner through humiliation and intentional pain, while exerting his physical domination. There did not appear to be an urgency for the situation. There were four officers on the scene. There is no question that one of the officers should have taken action to stop the officer on Mr. Floyd’s neck to relieve the pressure on the man.

The next day, the city of Minneapolis responded with firing the officers. The act of firing the officers was a bold action, considering the long delays and seemingly inaction that usually follows critical incidents. The city did not wait for the conclusion of an investigation. Is it risky to act so quickly? I am sure the citizen video and other videos had an impact. We have not seen the video footage from the on-scene officers’ body-worn cameras; the citizen video shows the officer with his knee on Mr. Floyd’s neck, but does not appear to show the officer wearing a body camera. Surveillance video from outside a Minneapolis restaurant appears to contradict police claims that George Floyd resisted arrest before an officer knelt on his neck.

The U.S. Supreme Court cautioned against “Monday morning quarterbacking” providing that “the calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation,” and not from the “20/20 vision of hindsight.” This, however, does not absolve officers on the scene during police action from failing to act to stop another officer from doing unnecessary harm because they are there and in the moment. There is a difference between split-second judgments and a police officer kneeling on Mr. Floyd’s neck for seven minutes or more, despite protests from onlookers that his life was in jeopardy.
We may never know why George Floyd is dead. We do know that the officers on the scene who did not intervene to get the officer off Mr. Floyd’s neck failed. In 2016, the Minneapolis police department revised its policies to require officers to intervene or report whenever they witness another officer engaging in excessive force.

Communities depend on officers to respond during times of crisis. They should be able to expect all officers to respond appropriately whether the suspected wrongdoer is a citizen or a fellow officer. Too many times the ones who can stop the tragedy of a critical incident where citizen life is lost are the officers on the scene. I suspect some of the inaction could be attributed to the “us” against “them” mentality that prevents some officers from acting in the best interests of the community members. It may be the indoctrination that officers must submit to the “Blue Wall” to be a good officer in the eyes of their fellow officers. Perhaps, it could be that some officers do not know what to do; have not been trained on what to do; and if their intervention does not stop the errant officer, how far to go to stop the officer from inflicting unnecessary harm on and death of a citizen.

Police departments should have policies that explicitly require officers to intervene in certain situations where the citizen no longer poses a threat to the safety of officers or the public. Officers should be trained to recognize and understand when fellow officers are crossing the line and engaging in demeaning and barbaric actions. Officers should be trained specifically for officer intervention during an on-scene incident and receive a clear message that they will be supported by the police administration when they intervene. Of course, this is a difficult proposition for departments and officers, but it is needed and must be included.

Without question, policies are not enough if those in the position to enforce the policies shirk their responsibilities and thereby create and maintain an environment where failure to adhere to policies is tolerated as in this case. It is imperative that police departments decisively, with a sense of deserved urgency, fairly resolve complaints of officer misconduct. The effectiveness of any review of officer misconduct is related to the consideration given by the reviewing agency and, more importantly, the subsequent actions of the police department. In Minneapolis, the officer kneeling on Mr. Floyd’s neck and another involved officer have been the subject of more than a dozen civilian complaints, for which Chauvin has faced three verbal reprimands. The database confirmed that internal reviews of Chauvin and the other officer’s use of force by the Minneapolis police department resulted in no disciplinary action each time.

At the end of all the protests, policy/training reviews and changes, lawsuits, comments, prayers and promises, police departments must do more. Citizens deserve more.

Written: 5/27/2020