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A CALL FOR CHANGE: THE SOCIAL CONSTRUCTION OF CRIME, ACCOUNTABILITY, AND POLICE REFORM

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ABSTRACT

- Crime in the media is often shaped by social constructionism, which is a theoretical framework that our perceptions of reality are shaped by the social and cultural contexts in which we live.
- Claim makers utilize concepts of social constructionism to support a narrative of an issue that is out of control and to ignite action on the part of the citizens and the government to save and restore faith in humanity. This paper deconstructs a crime committed to show the concepts used to make this social construction a reality and help society adapt and want to change the future of policing. This crime was linked to prior cases of abuse of power and racially motivated attacks by police officers that support the enactment of the George Floyd Justice in Policing Act.
- Social construction has a greater chance of being accepted by society when there are reputable individuals who support the claim, the claim is easy to understand, individuals can visualize themselves in the situation, the claim incites some form of fear or other emotion, and the claim is repeatedly proven to be true when comparing with other cases of the same nature. The proposed solution to the social construction is that police reform is vital to reduce racial prejudice and ensure that police are accountable for their misconduct.

INTRODUCTION

- Crimes occur daily but only a select few are presented to the public with the hopes of igniting a cause for change in policy or procedure or shedding light on a reoccurring issue.
- Many are not familiar with the components that come together to present an issue to be adopted by society. This adaptation can form a constructed view of reality that places certain crimes as a major focal point that needs to be addressed immediately.
- The media circulates stories that influence this narrative which pulls on the viewer's emotions and vulnerabilities as they come to fear the world that they live in. These occurrences happen quite frequently shaping the social problems that are prevalent in our communities [9].

SOCIAL CONDITION

There is a demand for clear guidelines and restrictions on use-of-force standards and improved accountability provisions for law enforcement [1].

TYRE NICHOLS -CASE STUDY

The criminal case of 5 Memphis police officers who are charged with the murder of Tyre Nichols, an African American man who was pulled over for reckless driving. The officers chased, beat, and kicked Tyre, he was denied medical care. The beating was recorded on street cameras near his home.

MAJOR CLAIM MAKERS

WHO ARE OUR KEY PARTNERS?
The major claim makers are Benjamin Crump a civil rights attorney, President Biden, Kamala Harris Vice President of the United States, and Reverend Al Sharpton.

ALERTING SOCIETY

UTILIZING LINKAGE, NARRATIVES, AND FRAMES CLAIM MAKERS WERE ABLE TO

- draw attention to cases of deadly encounters African Americans have to endure at the hands of police officers
- show that use of deadly force is utilized when there is no justification
- display the constant fear that African Americans live daily
- call out institutionalized police culture that has an unwritten law that tolerates the engagement of excessive use of force against black and brown people [3].
- research shows there is a need to shift policing to community policing and de-escalation techniques and away from suppressive and racial disparities in policing [3].
- prove that the systemic racism framework exists: courts and police are agents of oppression [9] and require the cooperation of lawmakers in support of police reform and the George Floyd Justice in Policing Act [3].



KEY ACTIVITIES

- Connecting the case to similar cases (George Floyd) to provide imagery of a world where police lack accountability and the unconstitutional application of use of force
- Providing factual and interpretive claims to describe the world we live in and give context about why these situations are recurring

Claims were utilized to show a pattern of behavior and the demand for change [9].

- African Americans dying while in police custody is unacceptable which is why there is a need for mandated stricter use of force standards and accountability provisions for law enforcement [1]
- The murder of Tyre Nichols is an example of police brutality [2].
- The murder of Tyre Nichols is an example of the volatile police culture because it is not the race of the officer that is the determining factor of whether they will engage in excessive force it is the race of the citizen [2].



LITERATURE REVIEW

- George Floyd, an African American man was arrested for purchasing cigarettes with a counterfeit twenty-dollar bill. He was pinned to the ground by officer Derek Chauvin who had his knee on George's neck for at least eight minutes and fifteen seconds and he was unconscious [6].
- Derek Chauvin was charged with the murder of George Floyd [6]. Research has shown that people of color face a higher likelihood of being killed by police than do white men and women, that risk peaks in young adulthood and that men of color face a nontrivial lifetime risk of being killed by police [4]. Schwartz and Jahn found that 90% of fatalities involving police in this country occurred in metropolitan statistical areas (MSAs), which suggests that MSAs are a key geographic unit of analysis to identify areas where policy changes should be made to address fatal police violence [8].
- Furthermore, during investigatory stops, almost two dozen additional black civilians were subject to police violence every day and more than four had firearms drawn on them, compared to white civilians' likelihood of experiencing force during a stop [7].
- Wood proposed a legal framework to minimize the interaction between police and civilians by decoupling traffic enforcement from police functions [10].
- This solution has provided a needed starting point for renewed thinking about the basic organization of traffic enforcement, the role of police in traffic enforcement, and the means by which law and policy can be used as tools to achieve racial and economic fairness and equality in traffic enforcement moving ahead [10]. However, Attorney Ben Crump seeks a complete reform of the police to ensure traffic stops do not result in the death of African Americans.[3].

POLICY IMPLICATIONS

THE GEORGE FLOYD JUSTICE IN POLICING ACT OF 2021

- It increases accountability for law enforcement misconduct [5],
- Restricts the use of certain policing practices [5],
- Enhances transparency and data collection [5],
- Establishes best practices and training requirements [5].
- It establishes a framework to prevent and remedy racial profiling by law enforcement at the federal, state, and local levels [5].
- It limits the unnecessary use of force and restricts the use of no-knock warrants, chokeholds, and carotid holds [5]
- Creates the National Police Misconduct Registry—to compile data on complaints and records of police misconduct [5].
- It also establishes new reporting requirements, including on the use of force, officer misconduct, and routine policing practices (e.g., stops and searches) [5].
- Grants administrative subpoena power to the Department of Justice (DOJ) in pattern-or-practice investigations [5].
- Limits qualified immunity as a defense to liability in a private civil action against a law enforcement officer [5].

FINDINGS

- Claim makers seek swift acknowledgment of injustice, transparency regarding the details of the situation, accountability for all of those involved, and action to be taken immediately when violations of policies or human rights occur [3].
- Claim makers are against unethical police officers and seek to have equal protection for all [3].
- Claim makers claim was accepted by society, there is public support for their claim

CONCLUSION

PROPOSED SOLUTIONS

- The George Floyd Justice in Policing act needs to be enacted
- Transparency when injustice occurs
- Swift action was taken against those who violate policies
- Policing reform-Deescalation Training, Community-orientated Policing, and Trauma-informed Policing
- Enact Tyre's Law: Police officers have a duty to intervene when they see a crime being committed and will not be subjected to retaliation [3]



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