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Police brutality, racism, and sexual assault

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The unnecessary use of force and excessive use of force both are called police brutality and this essay reviews how police brutality is a serious problem and how people get mistreated by the police who use excessive force. Police brutality means unwarranted or excessive and often illegal use of force against people by the police. It affects society and innocent people get killed because of their race and color. Minorities across the nation are the targets of police brutality and harassment. This essay talks about the insight of certain cases where innocent people were tortured and killed during that process. There are two major cases specified in this essay that focus on three major topics: police brutality, sexual assault, and racism. It addresses police brutality as a revelation of the injustice of capitalism, a loss of trust, and fear of the police and it shows how people fear when they come in contact with the police. Also, how the police overact to certain situations and don't report their use of excessive force on people. It suggests how police brutality could be reduced and explains the police culture. Police brutality shouldn't be faced by anyone and the duty of the police is to detain people. Some suggestions that pertain to community oversight of the police and insistence that the police treat citizens equally and with respect. This Article addresses the major concerns of today's world and how it has affected people mentally and physically.

Keywords: *police brutality, racism, sexual assault.*

INTRODUCTION

Where does the pursuit of justice end? Where does the brutality begin? A total of 1,731 people died in custody in India during 2019 and almost 5 deaths daily. Reasons behind it are either alleged torture or suicide, 60% of these 1,731 belonged to the poor and marginalized communities. Police brutality has occurred all across the world and it's a major concern amongst societies and police organizations. This brutality ranges from assaults, died as a result of the use of force, harassment, etc. Police torture has been taking over the news for the past few months wherein people are conducting rallies and protests against the savagery.

This recent case of Jayaraj and Fenix has made it essential for lawmakers and the judiciary to step up and create laws that protect all genders from sexual assault. This treatment cannot be even given to serial killers and these two gentlemen were completely innocent. Firstly, their knees were completely crushed and smashed with sticks; faces were pushed up against a wall and they were stripped completely. The wooden sticks were shoved up their butt holes several times and three times during the course of the torture their blood-soaked clothes were sent back home. It is important for us as individuals to acknowledge and accept the existence of male rape without choosing to conveniently ignore it. It is society's patriarchal mindset that blocks the idea of the existence of male sexual assault victims as men are always projected to be a stronger and more dominant gender. A male survivor coming out and talking about abuse has never faced sympathy but instead with attacks on his masculinity. Eyewitness reports and statements from their family talk about a gruesome assault on their private parts/genitalia but section 375 of the Indian Penal Code which deals with sexual assault and rape criminalises only the rape of a woman by a man. In the past, many individuals had come out and made statements talking about how men are also raped to discredit feminist movements, but they remain silent now. This is the time for them to speak louder than they ever have before to push for gender-neutral laws.

The police officers responsible for the torture are not held for long before they are released to their normal duties. The point here is not the offense, as the insurers of justice, the job of the

police is to detain the offenders but not to decide their punishment. Most importantly not to put their life at stake for a mistake, every life matters, and reformation is possible.

Another mysterious death in 2019, a Kanpur businessman Manish Gupta died in Gorakhpur during a hotel raid, 6 cops have been suspended and booked for murder. The autopsy report has revealed serious body injuries on the right arm, wrist, middle of the head, and eyelid. As per the post-mortem report, the 5x4 cm injury in the middle of Manish's head proved to be the most fatal one. There were stick marks on the right arm and injuries around his left eyelid. Other than the post-mortem report, it was claimed that the businessman's wife found a blood-stained towel under the bed in their hotel room while collecting luggage. Phal Mandi Police post in charge, Akshay Mishra who was among the six cops who entered the hotel named Krishna Palace late on Monday. He submitted that they raided the place as they have a tip regarding three suspicious people staying in the hotel. "When we entered the room, Manish was drunk and he fell on the floor. Later, he died," said Mishra. But with video coming out, witnesses narrating stories, and most importantly the autopsy revelations, all their claims seem to be false. All the cops have been absconding.

People choose to believe that certain individuals deserve it, criminals deserve it but no one should face police brutality. Also, studies have proven that brutality to the general people is much more than the ideal victims of the offense. People who have been arrested should undergo the due process of law. Even the public shouldn't encourage and appreciate this viciousness as police should not be acknowledged for any type of torture. The police should be held accountable for their actions and this would lead to enabling them to treat individuals equally. Justice shouldn't be served with the blood and bones of the innocent, police should protect the people, not the predators and perpetrators.

Additionally, the ongoing farmer's protest, people participating in the Delhi riots suffered while standing for themselves and many have lost their lives. Farmers peacefully protesting were met with water cannons and tear gas in the harsh weather conditions of Delhi. On June 19, 2020; son and father were beaten, bled, and sexually assaulted. After three days, they were pronounced dead. August 14, 2019; 12 men were abused, stripped beaten for stealing cell

phones, of which one died while being tortured. Later, in December 2019; the police force met the protesters with batons, tear gas to disperse peaceful protestors in Jamia Millia. 3 out of every 4 police personnel believe that the police are justified in being violent towards criminals. 4 out of 5 believe that there is nothing wrong with beating up criminals to extract a confession, 36% of the police officers admitted to using punishment for minor offenses, as an alternative to a legal trial, 19% agreed that killing the convicts of heinous crimes was justifiable than judicial sentences and 427 people died in police custody in 2020. This extensive indifference towards police brutality might be because India's attitude towards police brutality has been retributive rather than preventive. Therefore, actions against policies must be taken to deconstruct police brutality and prevent its normalization. In light of increasing custodial deaths, torture, and rapes, legitimate authority that will monitor the execution and enforcement of laws needs to be established. Another contributing factor to this might have to do with society's overall belief in the cultural correction of misbehavior where violence begets violence and the police take it for granted that they have full autonomy to correct the misdeeds of society.

On the other hand, the United States has the highest rate of police brutality compared to other countries. US police kill 31 out of 10 million people which is more than any other wealthy country in the world. Police violence is a huge problem as many people die in police custody². Another global issue, the killing of George Floyd by a Minneapolis police officer had escalated and triggered protests in the United States; people around the world have taken to the streets to decry American racism. This pandemic has revived global issues that need to be dealt with immediately, police brutality and racism are one of the major ones. Protesters have lied down on the floor and chanted "I can't breathe" quoting George Floyd's dying words. The global impact of the Black Lives Matter movement has brought attention to black women deserve better, black trans women deserve better, black girls deserve better which has been a stumbling block for generations.¹ These people continue to do the heavy lifting when it comes to these pivotal moments; they carry the conversations on their shoulders. Since the abolition of slavery stereotypes of black people, they have been portrayed, deliberately as a violent

¹ Stephanie Papas, 'how to actually stop police brutality according to science' (*Live Science*, 30 May 2020) <<https://www.livescience.com/evidence-police-brutality-reform.html>> accessed 15 October 2021

threat. Police brutality in Black and Latino communities has been attributed to racist policies and practices. Racism is segregation of schools and underfunding schools with predominantly black children. Racism is seen and felt on regular basis by people of color. These exposures can have a lasting and negative impact on individuals and communities. Racism is manifested on the individual, institutional, and societal levels and when thinking of racism, people often consider acts like racial slurs and hate speech. Racism may also be reflected when giving different treatments and conveniently showing disparities between people of color.²

Furthermore, it can be evident in the disproportionate rates of expulsion and suspension of Black and Latino children, even when they exhibit the same behaviors as white children. Police jump to conclusions when they catch hold of a black doing something illegal, they have caused a striking fear in African Americans and made sure to keep them at their place. The supremacy of white over black has been cleared up within each one of them. Trying to control and intimidate the black community by brutalizing and torturing them has led to living in fear. Systematic changes of equality need to be brought rather than focusing on policing and punishments. Police brutality is often more in areas where there is discrimination for jobs, housing, education, and health care leading to massive poverty all over the world. Police have little or no consequences for killing, they don't get charged for the crimes they do just because of the authority they possess. Not all police officers are lawbreakers however they must act so that the rule of law prevails and not the rule of force.

If we all give police combat training, riot gear, batons, tasers, and guns of course they are going to use against protestors and suspects. If we train departments on de-escalation, compromise, community relations, and peaceful outreach they will use those tools and crimes will go down. Police brutality could be rectified by changing police culture.³ Firstly, training is often said to be the first major step towards molding an officer. Certain policies can be taught specifically during the training such as using guidelines that define the types

² *Ibid*

³ Md Sirazus Salekin Chowdury, 'Effects of police brutality on society' (*University of Dhaka*, 19 May 2016) <https://www.researchgate.net/publication/303401114_Effects_of_Police_Brutality_on_Society> accessed 17 October 2021

of forces to be used depending on the crime. Secondly, restricting the use of equipment that causes choking and strangling someone. Requiring a verbal warning before using force, requiring officers not to decide their punishment based on what they see. As mentioned before, their job is to detain and the judiciary gives the final say. It should be part of their training process wherein they should be kept under circumstances and taught to act in a certain way. Prohibiting shooting until it's necessary and there should be a duty established on the officers to intervene when one of their colleagues uses excessive force. Officers should be accounted for the intemperate force they use and they should report it immediately. Lastly, all options should be exhausted before using exertion. On the other hand, it is important to understand that experiencing racism can be quite traumatic. Racism is a form of toxic stress. Stress becomes toxic when it is prolonged, unpredictable, and unbreakable. Racism may also lead to people having PTSD, anxiety, etc.⁴

Society as a whole must combat racism on multiple levels by exploring our individual biases, demanding structural and institutional changes, remove laws that disproportionately hurt people of color. Replace them with laws that enact equity and ensure representation and diversity at all levels of leadership and government.

CONCLUSION

There is a need to be excessive research on police acting in the field; systematic changes need to be made. There are many disparities made in all outcomes with the police and it needs to stop. Police brutality shouldn't be faced by anyone and justice should have prevailed for everyone who has. Schools should teach every kid about racism, sexism and be taught to stand up for themselves and others when needed. It's high time and let's make things better.

⁴ *Ibid*