

Communication Skills Between Police and Community

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Lawsuit Seeking \$700K in Damages

Introduction

This is a case study about a 46 year old black man who filed a lawsuit against the department of police in Valdosta, GA as he claimed the police used excessive force and mishandled him. From the reports, the acting officer, Antonio Arnelo Smith had mistaken the suspect of panhandling investigation earlier in February and the attorney who represented Smith claimed that there was violation of civil right for his client.

This is the incident hit headlines on the 8th of February, 2020 after confusion occurred at the time of arrest. It is clear the Smith is obviously innocent. The clip of the conversation between the cops and smith is now a trend in social media. This clip also shows the use of excessive force on Smith and where Smith was pushed flat on the ground and the cops forcefully handcuffed him. According to the attorney who filed the lawsuit in the federal court, he claims that these cops violated his client's basic rights and proceeded to injure him (Kroll et al, 2019). This lead to an investigation on the body camera footage which was obtained from the scene.

From the reports the mayor of Valdosta, GA. Scott James Matheson these are the people who have been sued by Smith's attorneys. One police sergeant, Valdosta Police Chief Leslie Manahan, members of the Valdosta City Council, and three Valdosta patrolmen. In this lawsuit, they wanted compensation for punitive charges which amounts to \$700k as demanded by the victim. This case happened at a time where Black Lives Matter protests are plentiful, not only in the United States but also across all the major European nations (James, 2019).

There were thousands of people who marched in major cities and in central London who were part of the Black Lives Matter protests, and it also took place in Europe for about four to

six weeks. Those who were against racism gathered themselves in major cities which included Glasgow, Edinburgh, Manchester and London. They could be heard saying that unless there is justice, they will keep on fighting. They felt that there is much reform needed within the United States and in England and within the world. Racial Equality is a factor that needs to be put in place.

The city of Valdosta pressed forward to review the incident alongside the statement found on the social media. Walker, Haugabrook and Attorney Nathaniel of Haugabrook of Copeland claimed that the cops injured his client, Antonio Arnelo Smith and they violated his rights after they mistook him for a suspect. The lawsuit was filed in the federal court on Friday afternoon and lawsuit demanded for a jury trial. The suit states that deliberate indifference, omissions, and defendant's actions to violation of those clearly established rights that caused Mr. Smith to suffer emotional, mental and physical injuries. His arm was broken during the interaction with the police and Smith had to endure physical therapy because of this.

Smith had to ask punitive damages and compensation which amounted to \$700k as was stated in the lawsuit. The Valdosta Daily Times read they gave the city time until Monday for them to respond. On that Monday, they officially told the Valdosta DAILY TIMES that they had been briefed about the suit. There was a statement that they had not yet had enough time to review the document and therefore that meant they could not comment on the issue or the content of the suit.

After sometime, the city made a statement in their social media platform where they said they were fully committed to transparency. The Valdosta Police Department and the City of Valdosta made a point to take any report on the injury of the citizens seriously. They claimed that they had not received any complaint from the VPD and that once the shift supervisor was

notified it will review process of the incident by the chief of police, internal affairs division, patrol bureau, and officer's supervisor. After the body camera footage with a time in length of about five minutes and forty two seconds was released by the city on that Monday afternoon Haugabrook gave Valdosta Daily Time a video which last for about eleven minutes and thirty one seconds.

The incident

On the date of February 8th, 2020 at about mid-evening time the officers responded to a report about pad-handling as stated by Haugabrook. According to the lawsuit, it states that the cop made contact with the man on the north of pharmacy. The man had a outstanding warrant after a routine background check was done. When the man had been arrested, The male officer who had just arrived at the scene was told to watch on the west side of the building. He was instructed to check on an unknown male who had been asking the customers for money . The customer told the officer that the suspect was headed south and he didn't give him the description of the man.

During this search, the cop saw a man who was walking towards south of the hotel and he was 100 yards away from the hotel. The cop took his car and drove towards the man and he made contact with a man named Smith. The footage was retrieved by Valdosta Daily Times which had been recorded on the officers' body camera. There was interaction with the man in a video which lasted for 11 minutes.

Body Camera Footage

One cop is heard telling the man that he seemed to be suspicious of something, according to the video. The man said he was waiting for his sister to send him money and he maintains that he was seen in the camera waiting for the money. The man was asked to remove his

identification and he complied. Sergeant arrived at the scene shortly and he walked towards the man who was being questioned and he appeared to grab his right wrist before he reached across his back and grabbed his left arm. He wrapped his arms around Smith and instructs him to put his hands behind his back he made this prompt three times.

The third time, the sergeant then lifted the man and slammed him on the ground then two more officers arrived at the scene and put the man in handcuffs. Smith was heard telling the cops that he wasn't doing anything. When the cops realized that Smith had sustained an injury at the time of arrest he was told to relax and the handcuffs were removed. He was told that there was a warrant of arrest for him, but at this point the patrolman stated that a mistake had been made.

The officer explains the situation to the other cops in result they try to help Smith who had been injured to a standing position. They informed him that an ambulance was on the way after they saw smith hold his arm in pain he also screamed "you broke my ribs" after he was slammed to the ground. He refused any assistance for medical attention. He stated that he was ready to put his hands behind his back, but they forcibly picked him up and slammed him to the ground. After the sergeant returned and asked the Smith if he understood what happened Smith said yes before he left. He later went to the hospital for medical assistance .

Police Account

The sergeant in his report stated that he was monitoring his police call and there was a call from the North Ashley Street pharmacy which described a black man who was harassing customers and disrupting the store. The caller said the man was trying to leave the store. According to the report, the dispatch gave a name of a wanted person in the city of Valdosta and Cook County. The Sergeant said he heard the patrolman state that the subject was walking through the hotel and he believed that he was trying to evade meeting with the police so he drove

towards that direction. As the sergeant drove nearby the restaurant he didn't find anyone, he then seen his fellow officer with who would be later identified as Smith

Based on the observation and what he believed, he thought this person was the one under warrant of his arrest and he grasped his wrist. He said that he felt Smith was tensed up and he began to pull away from him. At this time he started to wrap his arms around Smith in a bear hug according to the report. He then adjusted his grip when the patrolman requested Smith to put his arms on the back while smith continued to press his arms against the sergeant's arms. According to the sergeant, he stated that Smith didn't comply with the orders which forced him to pull Smith off balance while rolling him to the ground to gain control so that he may arrest him. This is when he yelled and stated that his wrist was hurting said the sergeant. At this point he noticed that Smith had potential injury in his left wrist. The sergeant was unsure whether it was broken or dislocated and they removed the hand iron and assisted him.

He said there was no further action for Smith since he didn't want to add him anymore pain he then called for emergency medical services. The Sergeant immediately learned that Smith was not the suspect with the warrant of arrest and he immediately reported the matter to the lieutenant and he was informed that by the patrolman that Smith refused medical attention from them and asked them to leave. The sergeant confirmed his refusal for medical attention. He asked if Smith understood what had happened and he said understood and he wasn't angry with them, he just wanted to leave. It is at this point where the sergeant noticed that his actions were being recorded on his body camera and the camera on his car was not in the view of the incident. As reported by Haugabrook, there was an administrative review of the incident which was completed and there was no action taken on these officers involved.

The Lawsuit

On behalf of Smith, the Haugabrook filed the lawsuit on the federal court on the grounds of conspiracy to create false arrest, false detention, excessive force, false report and assault and battery. As claimed by the Haugabrook, the patrolman tried to falsify the report only to reflect that Smith was told to put his hands behind his back before the arrest and before the sergeant touched him which was not the case. According to the documents filed at the court, it stated that Smith sustained ulnar fractures and distal radial and he was fitted with a sling before he discharged and he was on pain medication from the hospital. He was also referred to an orthopedic surgeon for further checks.

According to the Haugabrook, this case should be a case on civil rights since the officers violated basic and civil rights of Smith to be free from unlawful detention, unlawful arrest and all other rights that being a citizen you deserve to have them. The lawsuit stated that it was illegal and unnecessary for the sergeant to put Smith in a bear hug and then detain him. It also went further to state that there was no reason to believe that Smith had committed any crime or was about to commit the crime, threat, armed or was a danger. The lawsuit asserts that the sergeant acted with reckless indifference and with malice.

Treatment of African-Americans by the Police Force

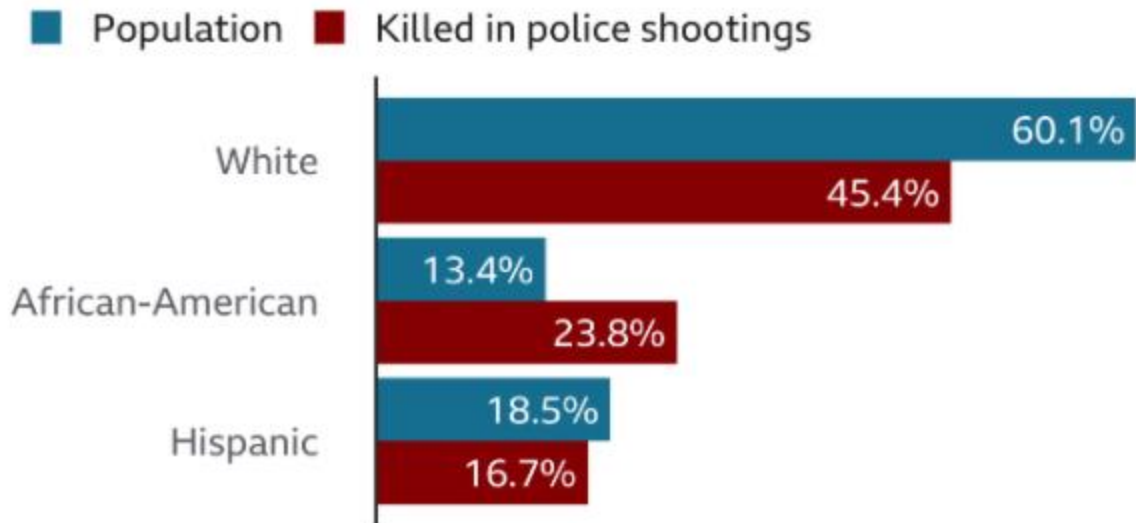
Race has continued to influence how African-Americans are being treated by the law enforcement agencies in the United States. There has been racism over in America and it has become a systematic feature in the society and has been happening since the inception of the nation. Acknowledgement of the role of overt biases and implicit have been used over years to create desperate law enforcement practices which has resulted in frictions between the police and the African-Americans. This reality should be addressed almost immediately.

There is data which shows the crime and justice around. African-Americans are likely to be fatally shot more than any other race. This is shown in the figures that are available which shows the incidences of police shooting and killing people of color. There are higher numbers and possibility for the people of color to be shot more overall than any other race in the US population. Although African-Americans make up to 14% in the population, they have accounted for about 6000 of the fatal shooting which is like 24% by the police since 2015 (Pryce et al, 2021). The overall shootings have remained steady and almost 1000 people are killed every year by the police. According to research the rate at which the police and shoot and kill unarmed black people in the country is three times more than the number of white people killed.

According to research it has also shown that black people are more likely that they are pulled over in the traffic stops by the. A concluded study by the Stanford University in 2020 analyzed 100 million traffic stops by the department of the police in the United States and they found out that black drivers are likely to be stopped more than whites by a margin of 20%. It also found out that once these blacks have been stopped they are search two to three times more than the white drivers even though statistically they are less likely to be carrying along them illegal items.

Fatal police shootings and population size by ethnic group

Total shootings reported between Jan 2015 and Mar 2021



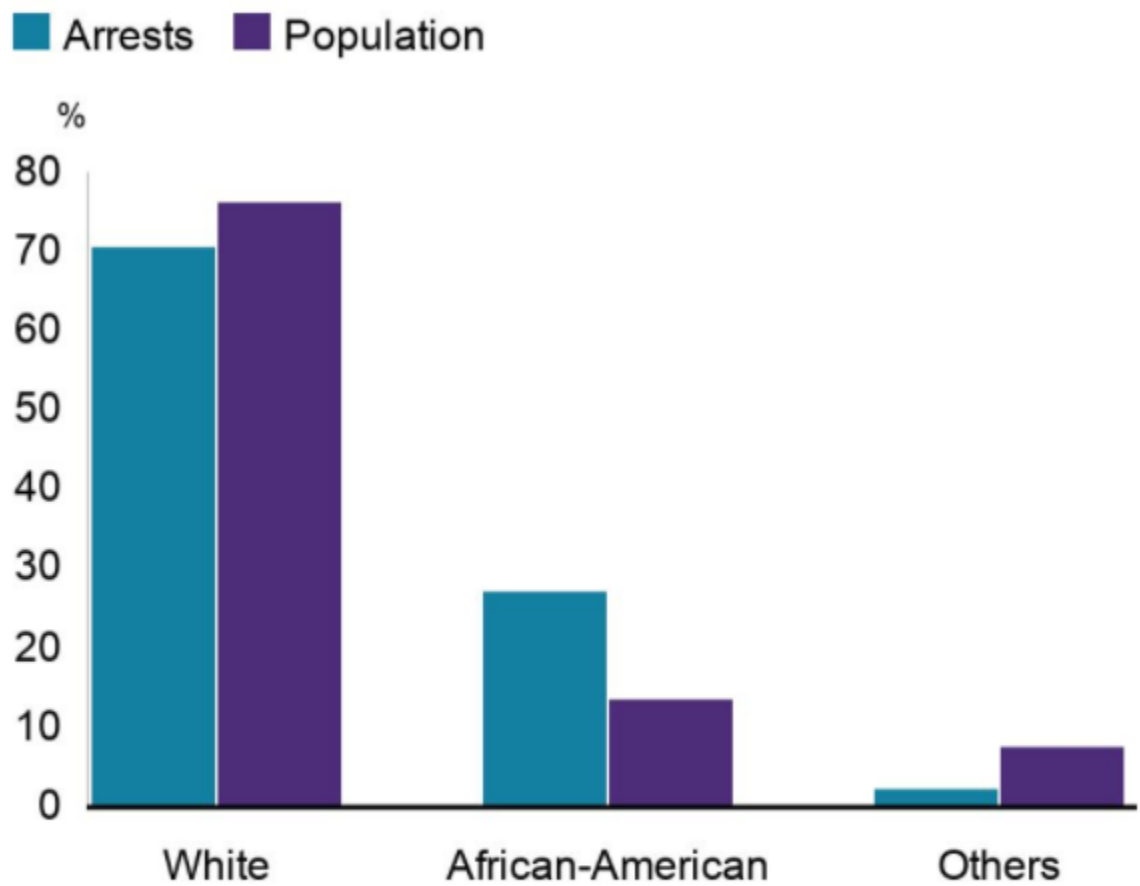
Note: Remaining fatal shootings among other minorities or unknown ethnicities

Source: US Census Bureau, Washington Post police shootings database



Figure 1: shows the fatal police shooting and the size of population by ethnic group.

The rate at which African-Americans are being arrested for drug abuse is higher than the whites. This survey also suggests that the level of use of these drugs between the whites and the blacks are at similar levels. Below is the presentation of figures (Haider- Markel, 2017). It shows that in 2018 people close to 750 in every 10000 African-Americans were being arrested for drug abuse while among the white Americans they were around 350 for every 10000. According to the previous national surveys, it shows that the use of drugs by the whites was similar with the African-Americans but African-Americans were being arrest more often than the rest. According to a research by the American Civil Liberties Union, it showed that African-Americans were 3.7 times more likely to be arrested for possession of marijuana more than the white even though the level of usage is almost comparable the same.



Hispanics are not counted separately. Others is Asian, American-Indian, Hawaiian or Pacific islanders.

Source: FBI and US Census Bureau data for 2018



Figure 2: shows the drug abuse arrests per race.

There is likelihood again those African-Americans are likely that they will be imprisoned more than any other race. They are twice more likely to be arrested than Hispanic-Americans and five times the rate of white Americans in accordance to the latest research. Even though African-Americans make up a small percentage of around 13%, in the population of the United States according to the report of 2019, they are the third population who are represented in the prison's

population of the country. Whites make up the 60% of the population in the United States and they also represent 30% of the prison population. For every 100000 African-American residents, there is more than 1000 African-American in prisons as to compared to every 100000 white Americans they have only 200 prisoners. The united states prison population is determined through the number of inmates that have been sentenced for more than a year in the federal or state prison. For the last one decade, there has been a decrease in the number of imprisonment rates for the African-Americans but they still make up more population in the prison than any other race.

US prison population per 100,000 residents

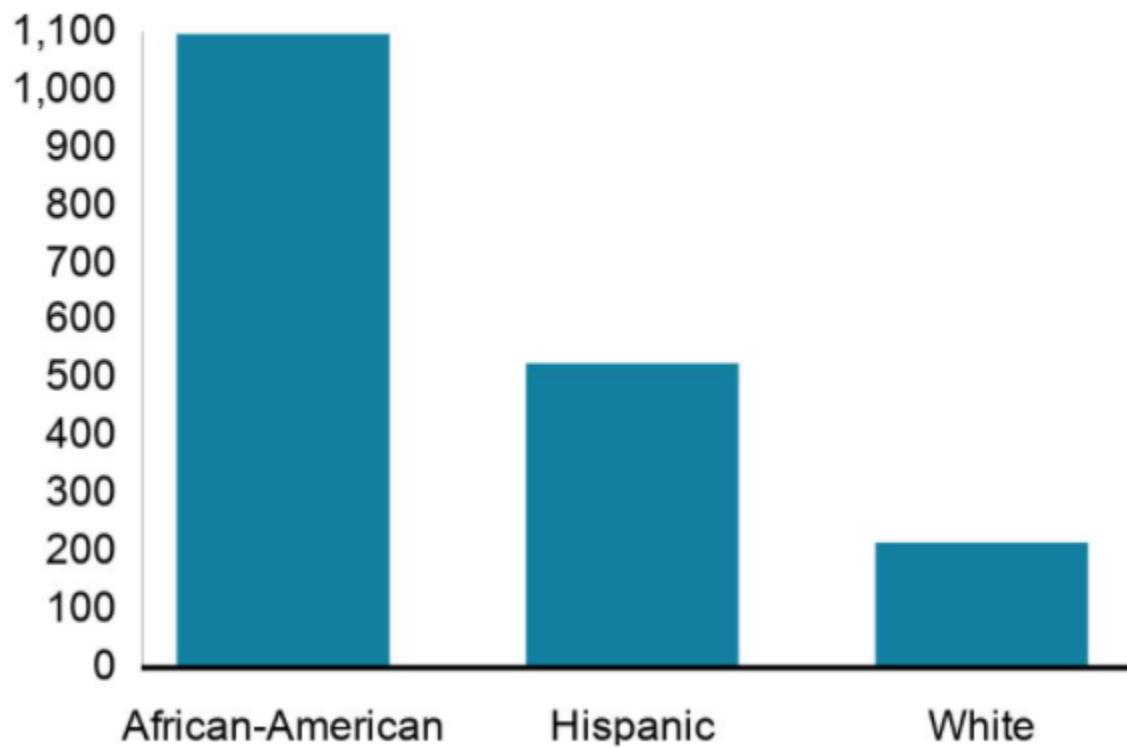


Figure 4: source: Bureau of Justice Statistics, 2019 data.

Conclusion

We studied a case about a 46 year old black man who filed a lawsuit against the department of police in Valdosta as he claimed the police used excessive force while mishandling him. From the reports, the acting officer, Antonio Arnelo Smith had mistaken the suspect of panhandling investigation earlier in February and the attorney standing for the case of Smith claims that there was violation of civil right for his client.

Race has continued to influence how African-Americans are being treated by the law enforcement agencies in the United States. There has always been racism in America and it has become a systematic feature in the society where in all the institutions it happens and has been happening since the inception of the nation. There is likelihood again those African-Americans are likely that they will be imprisoned more than any other race. They are twice more likely to be arrested than Hispanic-Americans and five times the rate of white Americans in accordance to the latest research.

COMMUNICATION SKILLS IN POLICING

The reason this case goes in hand with communication skills in policing is because if the police officers slowed down a little and became more rational with their actions this case would have never transpired the way it did. Communication skills in policing factors not only within the police crew but also the community. As an officer it is their duty to ensure safety in the community. It is critical to have control over emotions. When an officer racially profiles a suspect that puts a blind spot on that aspect of safety management. Strong communications is a extremity when put into the aspects of policing. In the case with Smith there was insufficient information available to proceed with a take down. As Criminal Justice majors the need to be

able to be successful in the community is key. With cases like the one stated above this builds a barrier between the police, and the community which makes it even harder to communicate properly. Henceforth this is why in situations like this officers need to remember to keep their integrity. Instead of being so quick to shoot or become violent officers need to keep compassion for the lives that are took or injured in the process of overuse of force. Officers need to realize that even though they communicate well in places of comfort that they also need to be able to adapt in areas of uncertainty. It is also important for officers to communicate within the office if their mental state is not there they need to communicate that help is needed. With all of these examples will result in better conflict resolution

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