

**Title:** *CIVIL RIGHTS AND CIVIL LIBERTIES: VIDEOTAPING THE POLICE*,  
**By:** KLEINIG, JOHN, Criminal Justice Ethics, 0731129X, Winter/Spring98, Vol.  
17, Issue 1

**Database:** *MasterFILE Elite*

Section: ETHICS IN CONTEXT  
CIVIL RIGHTS AND CIVIL LIBERTIES: VIDEOTAPING THE POLICE

Early on August 9, 1997, Abner Louima, a Haitian immigrant, was arrested outside Club Rendez-Vous in the Flatbush section of Brooklyn, NY. According to witnesses, police responded to a disturbance outside the club, and in the ensuing scuffle Louima was arrested and handcuffed behind his back. Allegedly, on the journey to the 70th Precinct station house in Brooklyn, the two patrol cars in which the handcuffed Louima and four officers were traveling stopped twice so that the officers could punch and beat him. They arrived at the station house after four a.m., where Louima was charged with disorderly conduct, obstructing governmental administration, and resisting arrest. (The charges were later dropped.) Stripped from the waist down, he was apparently then taken into a bathroom where, still handcuffed behind the back, he was kicked and beaten, and the wooden handle of a toilet plunger was shoved first into his rectum and then into his mouth. He was then led out through the work area to a holding cell. After a delay, an ambulance was called and just before eight a.m. he was taken to Coney Island Hospital. Louima suffered a ruptured bladder and colon, several broken teeth, and blood clots, and eventually required three surgeries.

At the Coney Island Hospital--not the nearest available hospital--the description and cause of the injuries might have been concealed had not a Haitian nurse called Internal Affairs some twelve hours later. But her call was not acted upon until Louima's relatives called Internal Affairs nearly thirty-six hours after the initial incident. When an investigation was begun, one officer who was present in the station house volunteered to provide information on what he had seen. On February 27, 1998, after an investigation conducted by the U.S. Attorney's Office, the FBI, and the Internal Affairs department of the NYPD, four officers were indicted on civil rights charges, and a supervisory officer was charged for attempting to cover up the alleged assault.<sup>(n1)</sup> The coverup included an assault on a second person who had witnessed the circumstances of the original arrest. Even though one officer volunteered information, the delay in handing down the indictment was caused to a significant extent by the "blue wall of silence," the unwillingness of officers to testify against each other.

That a blue wall should have operated in such circumstances has prompted many recommendations for improving the organization, supervision, ethos, and accountability of the NYPD. Among them were several proposed by Richard Emery, a civil rights lawyer, including the suggestion that station houses be equipped with fixed video cameras.<sup>(n2)</sup>

To review and assess the issues raised by this recommendation, the editors of Criminal Justice Ethics invited Mr Emery to expand on his proposal, and then submitted it to four scholars for comment: Richard Leo, Professor of Criminology at the University of California, Irvine; James J. Fyfe, Professor of Criminal Justice at Temple University; Peter Hobson, Senior Lecturer in Education Studies, University of New England (Australia); Andrew von Hirsch, Honorary Professor of Penal Law and Penal Theory, University of Cambridge (U.K.); and Harold Pepinsky, Professor of Criminal Justice at Indiana University.

#### NOTES

<sup>(n1)</sup> *US v. Volpe, et al.*, <<http://www.courttv.com/legaldocs/newsmakers/louima.html>>

<sup>(n2)</sup> *Emery, Four Ways to Clean Up the Police, N.Y. Times, August 26, 1997, at 19.*

~~~~~

By JOHN KLEINIG

Copyright of Criminal Justice Ethics is the property of Institute for Criminal Justice Ethics and its content may not be copied or e-mailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or e-mail articles for individual use.

Source: Criminal Justice Ethics, Winter/Spring98, Vol. 17 Issue 1, p42, 1p

Item: 1341523