

## Commentary

# Police shootings

The police review commission in Miami is unlikely to bring the justice many seek. The solution: Work with the cops.

The intransigent problem of the abuse of blacks by white and or Hispanic police officers has re-emerged as a potent issue in Florida, especially in South Florida where local blacks are threatening to block the national Democratic and Republican parties from holding their next presidential nominating conventions in Miami.

This tactic has raised a hailstorm of debate among blacks themselves. Some feel that to punish the larger community also punishes the black community. Other say, so what; unarmed black men are being slaughtered in the streets by assassins wearing badges.

Recently, a huge rally involving hundreds of blacks was held at Miami-Dade County Hall where the shrill, angry voices of speakers challenged the gathered throng to retreat to the heady days of the civil rights movement when peaceful civil disobedience opened closed doors for African Americans.

It was at this rally that the idea of boycotting the political conventions became public. Police officers watched from a distance, unsmiling, silent and serious in their bearing.

Is it as bad as all that? Apparently, it is. Over a dozen Miami police officers have been officially implicated in wrongful shootings with charges of planting weapons and lying to cover for fellow officers. In one of the most controversial incidents, officers killed a black man in a wheelchair whom they say was about to aim a pistol at officers. The man was shot in the back.

Although the number of blacks killed by the police in Miami-Dade County has dropped over the past decade, it only takes one "bad shooting" to erase years of declining incidents. This wheelchair shooting appears to have met that standard.

Many people in Miami, and elsewhere in Florida believe that one answer may lie in establishing independent civilian review panels to monitor the police. In Miami, advocates of police review panels demanded, and got, a panel with subpoena powers.

The establishment of the panel was approved by an overwhelming vote of the

citizens of Miami, who, incidentally, are primarily Hispanic.

But the people of the city of Miami are in for a sobering disappointment. Independent



police review panels do not work. It's a shame that this is so, but it is true nevertheless. There is not one city in the nation of which I am aware that has an independent police review panel that works. This is true even of those few that have subpoena powers.

The problem is essentially this: can the panel, in using its subpoena powers, force an officer to come in and testify against himself? The answer is no. The panel cannot compromise the officer's constitutional right against self-incrimination. Thus, the officer may be called in but he has no obligation to say anything.

Beyond this, it is the role of the state attorney to prosecute officers who may have abused citizens. If a high-profile shooting takes place, the state attorney conducts an investigation of the matter and makes the decision to file or not to file charges.

What role then, is left to the independent review panel? The answer is that the panel would have no role. Since these types of shootings led to the establishment of the panel in the first place, is it not ironic that the panel would have no role in resolving the very types of incidents that led to its existence?

Rather than employing a failed tactic with limited demonstrated results, perhaps blacks and their allies on this issue, should concentrate their efforts elsewhere. For instance, they could press for changes at the administrative head of the police department and other high ranking officers who may be looking the other way (if not actually rewarding officers) for their overly aggressive

tactics.

The command structure of the police department is the most effective target for change. They should stop the abuse and punish those officers who are guilty of it. Often cops know that the men at the top will condone, or at least ignore, complaints against them, thus they are unimpeded in their abuse of citizens.

Advocates for change should also focus on police training. Cops can be taught when to shoot and when not to shoot. They can also be trained in interracial and intercultural understanding such that working with people who are different from themselves does not compromise their judgment. Advocates for change should also push for more community policing in which officers actually park their police cars and walk among the public making contact with people and building trusting relationships.

The answer does not lie in setting up a system that has failed everywhere else it has been tried. Nor does the answer lie in calling in the feds as has happened in Miami where the United States Department of Justice has opened a preliminary hearing into police abuse of citizens.

The record of the Department of Justice in such matters is very poor indeed. The Department seldom wins or even files cases usually following months, if not years of investigation.

The answers lie in working with, rather than against, the police. After all, the cops are going to be with us forever, and so too will be the crimes we need them to fight on our behalf. \*

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