

The Arrogance of the Police

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How should we think about the phenomenon of contempt of cop? Whereas contempt of court is a punishment for disobeying a judge, contempt of cop occurs when a police officer penalizes a civilian for disrespect. We should respond with a national mandate to overhaul policing.

Contempt of cop is linked to the recent spate of police killings of unarmed black men. For instance, in April 2015, Michael Slager, a white North Charleston, South Carolina police officer got into a conflict with unarmed middle-aged black man Walter Scott then shot him in the back as he fled. Slager felt so sure that his claims about Scott would be believed that he planted false evidence on Scott without checking to see if there were witnesses. Luckily, someone videotaped the event. A few weeks later, the Baltimore Police Department punished young black man Freddie Gray for a bad attitude by giving him what they call a “rough ride.” Gray died a week after he was handcuffed in the back of an empty van that careened around corners and leapt over bumps in the road.

I have previously argued that esteemed feminist theorist Martha Fineman’s vulnerability theory offers promise as a way for addressing police targeting of black men. The theory is based on the truth that we all are born susceptible to harm, may suffer from natural disaster, and can be let down by social institutions. The problem with the theory is that it tries to get beyond identity even as police officers are still shooting black men with impunity. The theory is valuable, though, because it calls for a strong state with an affirmative duty to remove social barriers, rather than to just avoid creating a limited list of harms. The solution is a federal ban on racial profiling and an affirmative duty to hire, train, and investigate racial bias out of policing.