

A Struggle for Dominance: Competing Interpretations in the Rodney King Case

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On March 3, 1991, a shocking, amateur videotape graphically showing Mr. Rodney King receiving kicks, stun gun jolts, and 56 baton blows from four Los Angeles police officers within an 81 second period was publicly released on television (see note 1). The video-tape was produced by Los Angeles residents living near where Mr. King was apprehended for alleged traffic violations. The nation was shocked at this vicious display. Police brutality had been vehemently and frequently charged by citizens not only in Los Angeles, but across many of the nation's cities. Past brutality victims and minority spokesmen had complained bitterly for years of police abuse and violence but few legal actions resulted. Only a small number of police misconduct cases formally entered the criminal justice arena; dismal few of these cases resulted in criminal convictions. The legendary police code of silence; prosecutors' reluctance to press cases of this sort without substantial, winning evidence; and a majority public sentiment favoring strong police action countering inner-city crime all conspired to doom most police brutality prosecutions and to mute complaints registered through accepted mainstream channels, namely, the criminal judicial system.

Inner city residents have previously engaged in socially, economically, and politically explosive episodes when real and symbolic frustrations peaked; when alienation, disconfirmation, and brutality became intolerable; and when hope, even in one's fantasies, seemed to ebb away. These violent explosions shook Watts, Washington, D.C., Detroit, Chicago, Milwaukee, and Miami among other cities (see note 2).

In addition to numerous police brutality complaints and the oppression of an insensitive legal system wreaking havoc in the inner city, deep economic recession gripped the nation in the early 1990s. Many inner city communities have long suffered debilitating economic depression for years, even when the rest of the nation experienced an economic boom. To the vigilant, the perceptive, and the sensitive, a powder keg had been building in Los Angeles; one that was, for a long time, close to exploding. A sliver of hope, a glimmer of justice, and a flicker of dignity entered the Los Angeles African-American community during the Rodney King trial: they were awaiting guilty verdicts for four Los Angeles policemen accused of Mr. King's beating. Never before, since Jack

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Ruby shot Lee Harvey Oswald on national TV in 1963, had such seemingly irrefutable criminal evidence been so vividly captured. Few doubted that guilty verdicts would be forthcoming; the only questions seemed to be: on how many of the multiple charges would each defendant be found guilty, and how severely would these men be punished in the form of the judge's sentences? It seemed to be a question of degree, not of kind (Church, 1992).

Time reporter, George Church, captures minority sentiments when he writes:

This time...it would be different....This was not merely the word of a Black with an arrest record against the word of one or more cops. This time there was hard evidence in the form of a tape on which the jurors, like hundreds of millions of TV viewers around the world, could actually see the beating (p. 20).

When the not guilty verdicts for the four police officers were read in court, a numbing, chilling shock gripped the court-room, the Los Angeles minority community, the nation, and the world ("A jarring verdict," 1992).

How could a jury, viewing the same videotape of Mr. King's beating as national TV audiences had seen on numerous occasions, see it repeatedly and come to a not guilty verdict on all counts against three of the four defendants and on all counts except one on a single defendant? Disbelief, confusion, and rage sparked and grew to mind-boggling proportions after the verdict announcement. This verdict had serious social implications including "a final loss of faith by Black Americans in the fairness of the criminal-justice system and hence in the rule of law itself" (p. 11). It seemed that "the criminal-justice system simply will not convict policemen of using excessive force" (Alter, 1992).

Defense lawyers publicly claimed not to be amazed at the vindicating verdict for their clients. This was interpreted by many as false bravado or arrogance. This essay explains how defense attorneys cleverly and methodically offered two clearly opposing constructs of what happened the night Rodney King was stopped by police officers in Los Angeles. These divergent interpretations were matched against each other much like Luke Skywalker battling Darth Vader in Star Wars. Like that famous movie duel, the Rodney King v Los Angeles police case included: a life and death struggle, symbolic hegemony, venerated cultural myths, and high-tech weapons. Unlike Star Wars, we had no Yoda to simplify and explain the verdict's vexing complexities or to offer comfort to those who felt betrayed. Inner-city Los Angeles residents felt victimized, mocked, and disconfirmed; they were

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temporarily unwilling to listen to "reason" and refused, for several days, to employ discourse in substitute for violence. The worst U.S. riots in terms of people killed and injured and in terms of destruction to the physical, economic, political, emotional, and spiritual community in South Central Los Angeles erupted only hours after the verdict became public knowledge. In the days immediately following the L.A. riots, other U.S. urban centers became beset with similar civil disturbances.

This study analyzes how the accused police officers' legal defense team deconstructed the mediated view of what occurred to Mr. King and assembled, for the jury, a newly constructed and hopefully superior view of the King incident by (1) cleverly re-naming elements raised in the case as well as renaming the whole tenor of the disputed evening; and (2) astutely refocusing and deftly altering the jury's initial interpretation of the video-taped evidence through repetitive and desensitizing replays and by sometimes agonizing micro-examination. I offer an explanation of how the jury came to accept the defense's interpretations of events and rejected the prosecutor's version of events. The very technology that buoyed public confidence in guilty verdicts turned out to be the vehicle for the defense's success.

Pre-Trial Events

Immediately following disclosure of the videotape showing Rodney King's altercation with Los Angeles police, a torrent of replays ensued on local and national TV for more than a week. In addition to repetitious news stories, TV talk and magazine shows fueled the publicity flames by producing an almost endless volley of shows in which the King case and the now infamous videotape were prominently featured. Among the TV shows that aired segments on the King incident and which showed part or all of the videotape were: evening and late night news on ABC, NBC, CBS, CNN; the MacNeil/Lehrer News Hour [PBS]; 20/20, Good Morning America, Nightline, This Week With David Brinkley [ABC]; 48 Hours, 60 Minutes [CBS]; and the Larry King Live Show [CNN]. Many of these shows have aired multiple segments relevant to the Rodney King case and most of these segments have shown one or more whole or partial reruns of the videotape (see note 3). Saturation coverage prevailed; almost all

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chronicling of the event was portrayed from the "Rodney King, the victim -- LAPD the villain" posture. Both radio and television news programming and talk show presentations tended to encourage and facilitate audience identification with Rodney King (Burke, 1950, p. 20). The consubstantiation sought here was not designed to build bridges between Mr. King and the mediated audience; rather, it seemed crafted to convey links between: (1) familiar and recently in-creasing racist, uncaring, and brutal generalizations aimed at the L.A. police and (2) the videotaped beating incident that just happened to involve Rodney King. The identification (Burke, 1966, p. 301) sought was institutional rather than humanistic.

Some small efforts were made on select TV shows to mitigate police actions, to question Mr. King's antecedent behaviors, and to warn against public opinion bias prior to trial; however, no examples of such admonitions seemed to appear on shows employing the videotape. Efforts to explain, mitigate, or excuse police actions on TV shows discussing the King case typically appeared sans video. The neglect of the view of Rodney King as antagonist while the perspective of King as victim was being exploited and sensationalized may help to explain why the courtroom defense strategy later employed in the case against the four L.A. police officers succeeded, in part, due to its novelty and its lack of a disparaging public analysis.

A formal, but not legal panel, the Christopher Commission, was empowered to examine public and civic group accusations of Los Angeles County police brutality and excessive force. The King case was embedded in the Commission's deliberations. The Commission publicly released a set of conclusions recommending changes be made in the L.A. County police force (Price, 1991). The police officers' defense attorneys used the Christopher Commission report, L.A. Police Chief Darryl Gates' ongoing public controversies, the media pre-trial saturation of the videotape and surrounding issues, and public opinion polls to establish change of venue grounds, claiming that a Los Angeles fair trial had been irreparably compromised (Stevens & Lubman, 1992). Not everyone saw the request for a venue change or its being granted as justice (Church, p. 20).

The original jury pool was deemed by an appellate court to be tainted by pre-trial publicity and Los Angeles Superior Court trial judge, Stanley Weisberg, was ordered to select a new trial venue. Simi Valley, a Los

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Angeles peripheral suburb, was chosen as the trial site (Stevens & Lubman). Simi Valley is a fairly homogeneous, White, affluent community with residential ties to several L.A. police officers. Vocal Black leaders and other opinion leaders concerned about racial/social class inequities publicly complained that Simi Valley was chosen to constrain minority jury participation in the King case and to enhance defendants' chances of winning not guilty verdicts (Lacayo).

The trial judge, prosecutor, and others defending the Simi Valley site selection pointed out that proxemically, this venue straddled the fence between: (1) being close enough to L.A. so as not to gravely inconvenience the judge, lawyers, and jurors; and (2) being far enough away from L.A. so as to avoid the publicity bias that caused the venue change in the first place. Such fence positioning was shown by Kenneth Burke to be elusive. In 1945, Burke developed his disassociation principle. Guided by De Gourmont's work and that of other French writers of "the dead illusions" period following World War I, Burke noted that societal topoi are shadowed by their dialectical antithesis: disassociative pairs. Thus, received truths such as: supply and demand, work and success, might be confronted by their antitheses or they might be deliberately pulled apart from their causal frames. Demand causes supply or success brings more laborious work could be followed by the assertion that success and work have nothing to do with each other, or that supply and demand have no necessary relationship. The Simi Valley venue selection is an example of disassociation: the relocation of the trial was in response to massive, potentially prejudicial media influence; however, the move itself would generate even greater media attention and controversy that would permeate the Simi Valley area and be noted by its potentially "untainted" juror pool.

It was also stressed by the new venue supporters that Simi Valley was but the court site; that jurors would be drawn from the wider Ventura County area (King, 1992a). Changes of venue are not commonly granted. Time reporter, Richard Lacayo, tells us:

In a typical year, about 10 felony trials are moved in California. But it has been more than a decade since one was moved out of Los Angeles, where even such celebrity monsters as Charles Manson and the Hillside Strangler were tried locally (1992, p. 30).

The jury was a segregated one; ten members were White, one Asian, and one Hispanic; no Blacks were on

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the jury nor served as alternates. There were six men and six women. Ages ranged from thirty eight to sixty five. "Three of the jurors had worked as security guards or patrol officers in the U.S. military....One was the brother of a retired L.A. police sergeant" (p. 31). Jury makeup variables sent vivid symbolic signals to L.A.'s minority population. The exclusion of Blacks is interpreted by many as evidence of racial strategizing in prosecuting the case. The present and past vocational backgrounds of several jurors suggests either that a successful defense team job was done seeking police sympathy by jurors or an inept job was done by the prosecution in challenging such juror bias. These questions regarding jury composition jaundiced public perceptions regarding the case verdict.

Philosophically, a serious and perplexing legal-social dilemma arises: Should jury selection be totally devoid of public image and sensitivity connection; thus living in the "law as a sacred vacuum" stance; or should jury selection admittedly consider public interpretation, desire, and reaction; thus living in the raw pragmatic world? Pragmatic proponents remind us that if the public ignores, dismisses, and delegitimizes verdicts from juries they see as tainted, biased, or unrepresentative, our legal system is in serious jeopardy. This dilemma has no simple or clear resolution; it is a philosophical and social minefield.

The jury in the Rodney King case was beset with many of the same biases, cultural myths, and social constraints that face the general population. Lacayo (p. 32) argues: White jurors frequently favor police claims in brutality when charges are made by Blacks. Charles Murray, of the American Enterprise Institute asserts: "I don't think the jurors' reaction had as much to do with race as fear of violent crime. But most of the fear [by non Blacks] of violent crime is fear of Black crime" ("Race," 1992). Lacayo further maintains that "... race is the inescapable factor that is present when a jury without Blacks is asked to choose between the police and a Black man accused of a crime" (p. 30). Perfect justice is but a dream. As long as we have racial, ethnic, gender, class, and economic disparity, justice is bound to be skewed. The most important questions are: (1) How tilted can our system of justice become and still be legitimate? (2) How best can inequities and aberrations be reduced and mollified? and (3) Is the fabric of our system endangered by too little attention to these first two questions?

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The Trial

The trial of the Los Angeles policemen, in its simplest form, can be divided into five parts: (1) opening statements, (2) analysis of the nefarious videotape, (3) testimony of the accused police officers, (4) a meager number of prosecution witnesses, and (5) closing arguments. Each part of the trial framed issues and contributed to the final verdict.

The prosecution opened its case by claiming the four police-men used unjustifiable, plain-to-see excessive force on Rodney King and informed the jury that its primary evidence would be the infamous videotape. The prosecutor's second line of attack would be expert corroboration of police abuse. Thus, the state's case was previewed as straightforward, simple, supported by vivid, compelling videotaped images, and its presentation was judged by some who saw it in court as bordering on arrogance (King, 1992b). The defense's opening appeal to the jury took many observers by surprise. Defense attorneys admitted straight out that Rodney King was treated roughly and that a videotape had captured some of what transpired that March evening; however, they asked the jury not to finalize their interpretation of events until all evidence had been presented (King, 1992b). Such an opening gambit would seem, at first glance, to have benefited the prosecution; a sure sounding, direct, clear accusation versus a tentative, indirect, vague defense.

The eighty second videotape was the star witness for both the prosecution and the defense. Prosecuting attorneys played the tape in parts and in its entirety numerous times pointing out: the numerous blows aimed at Mr. King, the lack of apparent police officer restraint, the dearth of assistance offered to Mr. King by any of several bystanding police officers (Lacayo, pp. 30-32; Magner, 1992). The prosecutor, in essence, asked the jury to view the videotape as representative of a whole scenario, what preceded and followed it, and without dwelling on micro details. It was to be seen as one continuous event, a singular blur of un-provoked violence. Prosecutors asked the jury to view and interpret the tape as a dance macabre of casual, almost studied, violence. King writhing on the pavement, [being] kicked by his uniformed assailants, jolted with a stun gun, and hit with nightsticks 56 times ("A Jarring Verdict, p. 10).

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The defense lawyers, on the other hand, took a different tack. They played the videotape backward and forward "hundreds of times during the trial," possibly inuring some jurors to its images. Some analysts claim the repeated showings of Mr. King's beatings were scrutinized in such riveting and incisive detail, that "the impact of the whole paled" (Stevens & Lubman). Video-tape replays "may have dulled its initial horror for the jury" (Lacayo, p. 32). The King video acted like a "freeze frame instant replay" in an NFL pro football game; it was used to "discredit a referee" (Mathews, 1992). Defense lawyers relied on the theory that if they could raise doubts about one portion, even a tiny part, of the videotape, the rest could be discredited or placed under suspicion. The videotape initially created anger for virtually anyone who saw it; "but emotionally, even the most appalled viewer cannot maintain the same level of outrage time after time. Repetition breeds banality" (Alter, p. 22). Jurors were systematically desensitized to the repeated portrayals of violence by the incessant replays of the videotape.

Individually, baton blows, participants' moves, policemen action sequences, distances between involved people, speeds of various actions, effects of what happened on both policemen and on Rodney King, and specific baton blow placements and stun gun administrations were scrutinized in repetitive and excruciating detail. The jury was led away from the single continual flow of events scenario offered by the prosecution into an almost endless sequence of isolated micro acts, each with their own antecedents, their own techniques, their own purposes, their own limits, their own training, and their own effects. The horror of the whole was subsumed by an avalanche of testimony details from the defendant police officers, uninvolved police officers, and experts in criminal justice.

Jurors were asked to "sympathize with the dangers police officers face." Defense lawyers stressed that the defendants had acted within LAPD guidelines; however, "LAPD's policy regarding these matters seems to have it both ways" It permits "minimum reasonable force "if" other reasonable alternatives have been exhausted or would clearly be ineffective under the circumstances" (Lacayo, p. 32). Defense lawyer, Paul De Pasquale, personalized the LAPD regulations when he told jurors: "[my client] dealt with the situation as it unfolded in accordance with his experience and training" (p. 32). While this may seem a subtle difference from the previous argument involving policy it added the dimension of being methodical, planned, and experienced to the fact that policy is legitimate,

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superior approved, and public. All of this gnawed at the state's case which implied the officers acted spontaneously, apart from regulation, and out of personal animus towards Rodney King.

The jury was invited to share what Burke (1935) calls "occupational psychosis." This is a term borrowed from John Dewey; it is a "pronounced character of mind relating to one's occupation or a certain way of thinking that went with a certain way of life. It reinforces certain life patterns" (Foss, Foss & Trapp, 1991, p. 192). To equip one's self for work, certain attitudes, biases, and discriminations need to be established and believed in (Burke, 1984, pp. 40-44, 237, 240; 1941, p. 315). Such was the case for the accused police officers, according to the defense. Defense lawyers argued that their clients acted consistent with peace officer occupational standards and expectations. Prosecuting attorneys counter argued that the behaviors of the accused L.A. police officers were contrary to public and professional rules of conduct.

In addition to testimony being used to create or refute factual matters, it was clear that metaphoric images were being created by attorneys for the jury. Prosecution lawyers painted images of savages, racists, out-of-control macho men taking out their anger and bigotry on a defenseless man, Rodney King; while defense lawyers painted the accused policemen as representatives of the "thin blue line," the civil defense protection against drunk, drug using, and violent offenders to law abiding, innocent members of the public. Prosecutors painted the policemen's actions as lawless and inspired by hatred while defense lawyers portrayed these same acts as necessary and properly limited for the protection of the citizenry. Here, again, is an example of what Burke, 1950, pp. 150) calls "disassociation": limited official violence is employed by police to assure community peace. The criminal rules of evidence do not allow such metaphors to be directly extolled by layers; however, skilful layering and placement of comments and pieces of allowed evidence gradually form, for the jury, those images lawyers desire to create.

Once it was metaphors that were vying for control and not substantive accusations, evidence of wrong-doing by the police officers, and rebuttals against government attacks and denials, it became easier for the jury to acquit the accused men. The defense lawyers carefully wove rebuttal images of righteous police officers under siege valiantly fending off zealous, un-swavering enemies, criminals. Citizen groups demanding unbending

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rules and overly protective attention to criminals and suspects became foes; pleas for gentle care of criminals and suspects on the street and for less aggressive action by the police became portrayed as threats to public safety and to possible anarchy; the press were portrayed as yet another example of attempts at dominance over police affairs. This is just how the authorities have used carnival: "You see what chaos occurs when the lower orders are let loose" (Bakhtin, 1884, p. 97).

The jury was deftly invited by both the prosecution and the defense to engage in unconscious persuasion (Burke, 1951). That is, they were asked to form identifications they were unaware of, forming unconscious structures. Such unconscious identification was not an idle goal by competing lawyers. If desired juror identification could be achieved, that relationship would constitute a message in the jurors' unconscious that later could act as relevant messages to the self, as audience (p. 301). Such messages are "unspoken" to the jurors who possess them and are there-fore less likely to be subject to outward refutation; they are self generated and unexplainable, messages with deep potency.

Policemen's acts seen on the video were not denied outright; they were renamed, reframed, mitigated, and justified. Defense lawyers showed, using slow motion and employing freeze framing, Mr. King on the ground regaining his feet and apparently lunging at the officers. "Expert witnesses" testified that L.A.P.D. rules permit officers "to use force to subdue a suspect or over-come resistance" (Cohn & Kaplan, 1992). There was a clear defense ploy to counter the stark videotape; this strategy was "to put the jury in the shoes of the police officers so they see things through his eyes (p. 37). Some of the messages to the jury were: Mr. King refused to obey orders and posed a threat to officers (p. 36); King was portrayed "as a large, aggressive man who was legally drunk (Lacayo, p. 32); The defense seemed to be telling the jury "it was all right to keep beating him until he assumed a 'compliance posture' by lying still and putting his hands on his head [as he was repeatedly ordered to by the police] (p. 32). Police officers graphically and poignantly testified about the dangers of their job, the suspicion that Rodney King was under the influence of powerful drugs, the fact that Mr. King had eluded police by speeding and refusing to pull over prior to his eventually being stopped (Rose & Nazario, 1992), and that they genuinely were fearful of

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King as a threat to their safety and to the safety of anyone else he might come in contact with. The defense posed a dilemma for the jury. They were asked to decide between civil loyalty to police and Rodney King's individual rights. "Defense lawyers portrayed the accused policemen as the 'thin blue line' between law-abiding citizens and the rebellious, intransigent forces embodied, so the argument implied, in Rodney King" ("A Jarring Verdict").

The videotape was first presented by the prosecution as a single stream of unconscionable brutality by four out-of-control police officers who allegedly beat Rodney King unmercifully and randomly. The defense deconstructed the events on the tape, arguing various actions to have been strategic; tactical; reactive; and incredulously, even merciful [one officer claimed his blows were carefully placed so as not to cause serious injury to Mr. King] (King, 1992b). Although the parts of the tape were analyzed individually, they were reconstructed into a whole again, one that contradicted the prosecutor's view of the tape. The defense portrayed the events on March 3, 1991 as police doing what they needed to do to subdue a drunk, one who appeared to be drug induced, a very dangerous man who had eluded police in a long car chase. Police were portrayed as using necessary force to subdue Mr. King who was shown to repeatedly resist police efforts. The two versions of events were wildly divergent; it was as if two events were being presented to the jury. In order for the jury to find the policemen guilty, they had to simultaneously find the state's case to be totally credible and the defense case to be totally non credible, for if the defense case was at all plausible, reasonable doubt was established.

Three other trial proceeding features seemed to be advantageous to the defense: (1) the imbalance of witnesses for opposing sides; (2) the absence of Mr. King and his testimony about what happened; and (3) the way potentially damaging police radio communications were handled in court. In a month of courtroom testimony, the prosecution "presented only six witnesses, including a passenger from King's speeding car and a husband-wife team of California Highway Patrol officers who were present at the beating" (Lacayo, p. 31). The evidence elicited from witnesses to the event did not seem to impress jurors. One juror was quoted after the verdict as saying of King: "He refused to get out of the car. His two companions got out of the car and complied with all the [police] orders and he just continued to fight." The prosecution, it seems, did not do as good a job on this point as it might have

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(Stevens & Lubman). The defense, on the other hand, called forty nine witnesses, most of whom were police officers or law enforcement experts. There were "thirty civilian witnesses to the beating whose testimony might have contradicted" defense witnesses, but none were called to testify by the prosecution (Lacayo, p. 31).

Rodney King, the case's central figure, was never called to the witness stand. The prosecution likely ignored his first hand testimony for two reasons: (1) He would have reinforced images of a big Black man, one large enough to be seen as: a threat to police when drunk, frightened, and possibly on drugs; and (2) His facing cross examination on speeding, possible mood altering sub-stance use, and previous felony jail time would have damaged the prosecution's case. The prosecution had faith that the video would elicit a guilty verdict without Mr. King's presence in the courtroom. Such faith was proven to be ill placed.

Transcripts of police communications exposed potentially damaging banter between the officers on the scene in the King case and police dispatchers. Talk of "big time force" and disparaging racial comments equating Blacks and gorillas were raised by the prosecution. Defense witnesses conceded such conversation occurred and even allowed that it occurred frequently. Claims were proffered that such "routine" radio banter offered a tension release to stressed officers and meant no harm to anyone. This view was either believed by the jury or the damning nature of the comments, if seen as racially motivated, were not interpreted by jurors as crucial to their deliberations. Jurors who spoke to print and electronic media reporters after the trial dismissed racially slanted comments made by police officers as relatively trivial.

The trial pitted a gruesome portrayal on videotape of a Black man being repeatedly beaten by policemen while other un-involved policemen stood by passively observing against the defense scenario portraying a dangerous man eluding and menacing police and refusing to submit to authority demands even under awesome attack. The "trial - and trial by media - that resulted was essentially about the videotape" (Alter, p. 43)." Each side offered the jury a version of reality; only one could dominate. Hierarchies were established (Burke, 1950, pp. 118, 138-141). At the start of the trial, the need to restrain police brutality was transcendent over whatever transgressions Rodney King may have perpetrated that fateful evening. As the trial evolved, however, the

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hierarchical emphasis seemed to transform into the need to preserve the protectors of social order, the police, even at the expense of one man's well being. Hierarchies work that way, they come and go, they change ephemerally (p. 139).

The Verdict

On April 29, 1992, the jury rendered its verdicts: "not guilty" on all charges against three of the four police officers and one no verdict decision on one charge against the fourth officer. The verdicts came as a shock to almost everyone. Not even members of the press who had sat through the proceedings anticipated such a result. Could it be that this verdict was an out-of-the-blue decision that could not have been foreseen or were people who were in positions to portend such an event embarrassed to admit its likelihood, frightened by its very implications, or kidding themselves it could not happen? Jurors readily admitted that the initial jury vote was 8-4 in favor of acquittal on all charges; it wasn't close from the start. Not everyone agrees that case merits were the whole determinant of the verdict. "It appears," say some, "that the jury simply chose to nullify the evidence; to put it aside in making their decision; which American law allows" (Lacayo, p. 32).

The verdict spawned massive civil unrest -- riots in Los Angeles and, to lesser degrees, in other urban centers. Arson, looting, and death resulted. Such mayhem, I believe, did not stem only from the release of the four L.A. police officers. It stemmed from mythological expectations of vindication for long-term accusations against a system of "injustice, oppression, and brutality" asserted, without results, for years. It was the sense of invalidation of Black equality, insensitivity to minority anguish and mistreatment, and a personal slap-in-the-face to many who decried the verdict, and an excuse, an opportunity, and a cause for rioters who likely would have found another reason to do their acts had not the King verdict triggered their anger.

Implications

Even a graphic, easy to see videotape is not sufficient evidence to be used without contextualizing and

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explaining by skilled prosecutors. As Alter tells us:

While authorities are using videotape more, juries are believing it less, especially when police officers are involved. This [the King case] is hardly the first time a jury has gone with its gut over its eyes (p. 43).

This does not suggest that videotape evidence is useless; it does suggest that corroborating, amplifying, and framing evidence is needed to accompany such mediated images.

The symbiotic, ongoing relationship between the police and prosecutors may also have indirectly contributed to a weakened state's case. Los Angeles attorney, John Burton contends that the jury is not so much to blame as the prosecutors from the office of a district attorney who must normally work with the police in convicting criminals. "That alliance is more important than any conviction," he insists. "From the way it was tried, I can't believe that the D.A.'s office actually wanted a conviction in this case" (Lacayo, p. 32).

The upcoming Reginald Denny case, involving the L.A. truck driver who was "savagely beaten," depressingly mirrors the King case (Alter, p. 42). The Denny case will present prosecutors with a challenge -- how to successfully present videotaped violence to a jury. The symbolism on videotape is startlingly similar to the Rodney King case (Mydans, 1992). Studies need to be conducted to discover whether or not the incessant public playing of the King tape unjustly influenced the verdict. We may need to revisit the clash between the first and sixth amendments to the U.S. Constitution -- free speech and fair trial.

The vexing problem of defendant and witness backgrounds being introduced in courtroom testimony was once again raised in this case. The tension arises between whether defendant or witness histories are probative or prejudicial to their testimony. The comparative weight of such extra-case information becomes heightened when it is realized that:

The problem is that most victim's [and many witnesses] are not totally innocent....Rodney King was not totally innocent. Racial issues aside, the jury is put in a funny position of having to decide that a person who was victimized by the police did not get just what he deserved (Magner, 1992).

The case's central evidence was the videotape; it was "the oxygen that gave life to the Rodney King story" (Alter, p. 43). How could the camera lie? One of the defense lawyers, Darryl Mounger, said: "A picture is worth a

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thousand words...but a lot of times it takes a thousand words to explain a picture" (Cohn & Kaplan). Pictures sometimes lie, but this case draws attention to the fact that "reality" is elusive (Alter, p. 22). Stevens and Lubman explain the outcome succinctly:

In the end, prosecutors weren't able to convince the jury that the tape presented a full and accurate portrait of what had transpired the night Mr. King was beaten (p. A6).

Lacayo argues: "To most Americans, Black and White, in this case, good lawyering triumphed over justice itself" (Lacayo, p. 32).

Notes

1. All network evening news shows on March 3, 1991 featured the tape's public release.
2. For more in-depth insights into these riots, see: Sears, D. O. The Politics of Violence: The New Urban Blacks and the Watts Riot. Boston: Houghton Mifflin, 1973; United States National Commission on the Causes and Prevention of Violence: Miami Report: The Report of the Miami Study Team on Civil Disturbances in Miami. Washington, DC: G.P.O., 1969; Gilbert, B. W. Ten Blocks from the White House: Anatomy of the Washington Riots of 1968. New York: Praeger, 1968; St. John, J. Countdown to Chaos: Detroit: Wayne State UP, 1969; and Flaming, K. H. Who Riots and why? Milwaukee: Milwaukee Urban League, 1968.
3. See 1991 Transcript/Video Index. Denver, Colorado: Journal Graphics, 1991 & 1992 for shows on this case and related police brutality cases.

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