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Police Beating, Los Angeles, 1992

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When, on 3 March 1991, Tim and Melanie Singer, both California Highway Patrol officers, stopped a Hyundai on the 210 freeway for traveling too fast, they anticipated a routine experience. As they prepared to arrest the offender, however, four LAPD officers intervened, striking the driver, Rodney King, with fifty blows, resulting in his hospitalization. The case might have stopped there, even if King had tried to file a complaint against the officers, whose reputation for mistreatment of African Americans was regularly singled out. But it turns out that just across the parking lot from where King's car was stopped, George Holliday, a neighbor alerted by the sound of sirens and the presence of helicopters, decided to use, for the first time, the Sony Handycam he had recently acquired as a gift. He filmed the beating of King, thus opening the possibility of transforming this moment into a newsworthy event.

The next day, Holliday carried the tape to a local television station, KTLA, which in turn took it to the LAPD, and also aired it that evening. Two days later, CNN broadcast the tape, thus precipitating an FBI investigation. On 6 March, other networks aired the video, and soon thereafter the LAPD Chief Daryl Gates announced that the officers involved in the case would be prosecuted. Influenced by viewing the tape, a grand jury returned an indictment against the four officers on 11 March 1992. The subsequent trial, held in predominantly white and conservative Simi Valley, resulted in a jury acquittal of three of the officers of all charges. The jury could not reach verdict on one charge against the fourth officer.

Barely two hours later, South Central Los Angeles fell into riots, resulting in the death of more than 50 people, 2,000 people injured, and more than \$1 billion in property damage.¹ In turn, the unprecedented images of domestic urban violence forced President George H.W. Bush to intervene by holding a press conference broadcast live on TV. On 30 April, he announced that he had ordered the Department of Justice to investigate the possibility of filing charges against the LAPD officers for violating King's civil rights.

A second, now federal, trial would eventually take place, resulting in penalties for the officers. The prosecuting attorney, Allan Tieger, said: "The significance with the Rodney King case, I think, is that it represented a kind of breakthrough in public awareness of the ways in which, and to some extent the legal ways in which, video can be used. Now those who might consider crimes have to know that, surprisingly, what they do can be preserved. And it can be preserved and can be used essentially in a way that is beyond dispute."²

During the trial of the LAPD's officers, the prosecutor said: "the videotape shows conclusively what occurred that night and it's something that can't be rebutted. It's there for everyone to see. It is the most objective piece of evidence you can have."³ Remarkably, the defense also understood Holliday's footage as a useful piece of evidence, but as evidence of their clients' innocence. Discussions went far in order to describe exactly what was shown, and mostly, to interpret the behavior of King as well as of the officers.

Consistent with American jurisprudence since the 1920s, which privileges the photographic still over the moving picture in its hierarchy of evidence, the defense decided to argue by using the video as a series of still images.⁴ First, it is easier to proceed pedagogically in front of the jury, inserting the image into a discursive argument. In addition, the defense wanted to show that the police respected the codes of behavior in the context of an inquiry where the suspect seems to be aggressive.

The "stop-motion," as Fritz Lang used it in *Fury* (1936), isolates, one by one, the segments of an action. Through such a method, you can more easily cross-examine the video, which is probably the best way to recognize—while at the same time to trivialize—the value of film and video as evidence. But a still image is not a photograph. It is one out of the thirty frames that make up one second of video. If then it were not possible, today you can slow down a video, which allows you to simultaneously observe the movement of the filmed images and the cutting in sequential frames.

The images of Rodney King's beating have played in different venues since 1992. In LA, the Police Department decided to henceforth generate their own film evidence through the implementation of surveillance cameras to self-monitor routine police work. The King images are considered, too, as the start of so-called "citizen journalism." And they were immediately used in and by Hollywood: Spike Lee's 1992 *Malcolm X* begins with a title sequence featuring an American flag being consumed by fire intercut with extracts of the video. In such feature films, the video is used as an icon, something that doesn't provoke any doubt about its meaning. The first African American audience of *Malcolm X*, in Harlem, was shocked by the revelation that the man who shot the leader of the Nation of Islam was a member of the organization and not a white man.⁵ But they took as evidence the footage of the beating of King, just because they were so many others who had suffered the same fate. The video was perceived as a generalized revelation of what each of them had endured, which had been willfully hidden from the camera by the police.

While a filmmaker such as Spike Lee might re-use such footage, originally journalists played a critical role as mediators, giving the tape to the police and pushing the FBI to open an investigation. But the discussion of the accuracy of the video did not come from the media, but from justice. This may seem contradictory, but it is not. By qualifying the video as evidence, it opens the process of cross-examining it, as it would for any other piece of evidence. Establishing the truth is a construction, which admittedly is based on documents considered true and authentic, but subject to interpretations proposed by each party present in the trial. Usually, the news shown on TV is not subject to a sort of permanent criticism, because the journalists work in compliance with the ethics of their profession. The video amateur cannot avail himself of such a contract, even if he may be considered an impartial witness. The fact that George Holliday's footage was the subject of debate in the courtroom has increased its probative value.

Notes

1 See <http://www.laweekly.com/microsites/la-riots> (accessed 2 October 2014).

2 See <http://www.coursehero.com/file/7536626/The-Rodney-King-trials/> (accessed 2 October 2014).

- 3 Proceedings of the LAPD's Officers Trial, <http://law2.umkc.edu/faculty/projects/ftrials/lapd/lapd.html> (accessed 2 October 2014).
- 4 See Christian Delage, "The Jurisprudence of Film as Evidence," *Caught on Camera. Film in the Courtroom from the Nuremberg Trials to the Trials of the Khmer Rouge*, edited and translated by Ralph Schoolcraft and Mary Bird Kelly (Philadelphia: University of Pennsylvania Press, 2014): 13–18.
- 5 See the magazine *24 heures* aired on Canal+ in February 1992.