

## ***PEOPLE v. POWELL, WIND, BRISENO, AND KOON (1992)***

Rodney King, a 250-pound African-American male, was stopped by the police for speeding and driving an automobile while under the influence of alcohol. Four white Los Angeles police officers tried to subdue him with a stun gun and then beat him repeatedly with billy clubs.

The officers were charged with the crime of assault. Because of the media publicity in Los Angeles, the first trial was moved to a state court in a primarily white suburb. At trial, the police officers argued that they had only used the force needed to get King under control so they could arrest him. King argued that they had used excessive force against him. A videotape of the incident had been made and became an important element of the state's case against the police officers. The trial was held before a jury that did not include any African-Americans, who found the police officers not guilty.

Many people protested the verdict. Some marched and demonstrated. Others rioted, burning and looting stores, throwing rocks at cars, and pulling white drivers from automobiles and beating them. Federal government prosecutors, questioning whether there had been a fair trial, decided to bring a new case in federal court charging the officers with violating King's civil rights. The second trial took place in Los Angeles before a jury made up of people of different races. In the second trial, two of the four police officers were found guilty.

### **Discussion Questions**

1. In the first trial, do you think it was a violation of King's right to due process for the case to be tried before a jury that did not include any African-Americans? Can a person of one race ever receive a fair trial before a jury made up entirely of people of another race?
2. What if the lawyers defending the police officers at the first trial purposely excluded African-American jurors, believing such jurors would be more sympathetic to King? Would this have been a violation of King's rights? Which rights? Should the defense attorney be able to limit the number of African-Americans on the jury in a case in which a white person has assaulted an African-American?
3. Do you think the federal government did the best thing in bringing the case again in federal court? Why or why not? Do you think the federal government's prosecutors were influenced by the first jury verdict, the protests, and/or the riots? Should they have been?
4. Do you think the second jury was affected by the riots? Should it have been?