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**POLICE BRUTALITY IN THE UNITED STATES OF AMERICA AND
NIGERIA: A COMPARATIVE ANALYSIS**

DISSERTATION

Presented in Partial Fulfillment of the Requirements for
the Degree Doctor of Philosophy in the Graduate School
of Texas Southern University

By

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2022

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NIGERIA: A COMPARATIVE ANALYSIS**

Oludayo P. Famakin-Johnson, Ph.D.

Texas Southern University, 2022

Professor Ihekwoaba Declan Onwudiwe, Advisor

The recent spate of incidents regarding excessive use of force by law enforcement in the United States against mostly unarmed African Americans has elicited protests across the country. The ensuing outrage about police brutality brought to national attention the discriminatory practices in the criminal justice system. It also demonstrated that human rights violations by law enforcement are not an exclusive experience of developing nations, which are expected to look up to countries like the United States as a model for standard policing. Extant research, however, indicates excessive use of force is a common phenomenon in every country, including the United States of America. This comparative study examines the motive, cause, police culture, and effects of police brutality in Nigeria and the United States. This study looks at the history and structure of policing in the two countries, against a background of agitation for police reforms in Nigeria by scholars who look to the United States as a model of policing. This qualitative approach study relies on secondary data from articles, journals, agencies, news posts, and media and compares cases of police brutality in both countries from 2010 to 2020. Preliminary findings indicate lack of accountability is a common factor in law enforcement in the two countries, despite their different standings in the comity of

nations. Other predictive factors evident in the police forces of the two countries, including the leadership problem and weakness in recruitment policy, are also outlined in the study. Finally, policy recommendations and suggestions for future research are outlined.

Keywords: Police, Brutality, United States, Nigeria. Corruption, Racial Bias

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LIST OF ABBREVIATIONS

ACJA – Administration of Criminal Justice Act

BLM – Black Lives Matter

CID – Criminal Investigation Department

CLEEN – Centre for Law Enforcement

CLO – Civil Liberty Organization

UNCTCIDTP United Nations Convention against Torture and Other Cruel, Inhuman or
Degrading Treatment or Punishment

CPA – Criminal Procedure Act

CPC – Criminal Procedure Code

DPO – Divisional Police Officer

DPP – Director of Public Prosecution

FCID Force Criminal Investigation Department

FCT – Federal Capital Territory, Abuja

ICCPR – International Covenant on Civil and Political Rights

IGP – Inspector General of Police

IPO – Investigating Police Officer LAC Legal Aid Council

MOPOL – Mobile Police

NGN – Nigerian Naira (currency)

NGO – Nongovernmental Organization

NHRC – National Human Rights Commission

NOPRIN – Network on Police Reform in Nigeria

NPF – Nigeria Police Force

PCPCRNPf - Presidential Committee Presidential Committee of the Reform of the

Nigeria Police Force

PSC – Police Service Commission

SARS – Special Anti-Robbery Squad

SCID – State Criminal Investigation Department

SIIB – State Investigation and Intelligence Bureau State

SOS – Swift Operation Squad

SSS – State Security Service

SWATS – Special Weapon and Tactics Squad

VITA

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DEDICATION

I dedicate this dissertation to God Almighty for the gift of life; my late Father, Pastor Johnson Olayiwola Famakin, who, even on his death bed, was always asking me about my program; my mother, Deborah Olasunbo Famakin, for the gift of nurture; my family, for the gift of love; my friends, for being there for me; and finally, to the quest for knowledge and a better society.

CHAPTER 1

INTRODUCTION

Historically, the incidences of corruption, excessive use of force, and other unethical conduct have been identified as hindrances to the growth and development of effective policing in virtually every country in the world. These anomalies appear to be particularly common in developing countries (Ahire, 1991; Bayley, 2004). For instance, in 2010, a study conducted by the global anticorruption institution Transparency International found that police in most countries were adjudged the fourth most corrupt public institution. Police–public interactions raise concerns about police integrity. From their beginnings, police institutions all over the world evolve through various stages, and different kinds of strategies are adopted over time regarding policing and rendering services to the different communities they serve. However, the contribution of the police as an institution with regard to controlling crime, as well as maintaining law and order, these days may appear to raise some germane and fundamental questions (Bayley, 1997, Reiner, 1992). It may, however, be desirable, right from the onset, to draw a distinction between the ideas of “police” and “policing.” These two concepts, on the face of it, may appear the same, but there is a distinction. Although the police, on the one hand, is an institution on its own, “policing” on the other hand simply implies a set of processes or rules with specific social functions—principal of which is the maintenance of law and order. The ways and manners these functions are carried out may differ from one country to another, or from one society to another, depending on the peculiarities of the society in question, but the aims and objectives remain the same, which is primarily to maintain law and order.

All over the world, one mantra appears to be common with police as an institution, though there may be slight variations in the way the mantra is worded from community to community or country to country, depending on the police structure. The phrase “to serve and protect with integrity,” which is commonly used by various police departments globally, seems to have been generally adopted by police institutions. The three key words “serve,” “protect,” and “integrity” should ordinarily make everyone in the community, irrespective of race, gender, sex, or national origin, to repose unassailable confidence in the police as an institution. It is, however, unfortunate that news of infractions, especially cases of brutality by the police (which is the focus of this study), in different communities is being broadcasted regularly.

The importance of the police in our societies cannot be overstated because, without the police, societies are doomed, as people would be left to the mercies of criminal elements. A society without the police, either formal or informal, would simply be unimaginable. There are instances of police brutality in different jurisdictions of the world, but the cases vary from country to country or community to community, depending on the peculiarities and need. It is the purpose of this study to look at the peculiarities in two different jurisdictions and conduct a comparative analysis of police brutality in the United States of America and Nigeria, starting with the history of police as an institution in the two countries.

History of Policing in the United States

Contrary to popular belief, the police as an institution has not always co-existed with human civilization. This wrong impression was created by the 35th President of the United States John F. Kennedy, during the dedication of the week of May 15, 1962, as

“National Police Week,” in which he noted that law-enforcement officers had been protecting Americans since the nation’s birth (Kennedy, 1962). As a matter fact, the U.S. police force started informally. U.S. law enforcement as we know it now is a relatively modern invention that was sparked by the changing notions of public order and driven by factors such as politics, business, and economics. According to Gary Potter (2013), a crime historian at Eastern Kentucky University, Policing in Colonial America had been very informal, based on a for-profit, privately funded system that employed people part-time. Towns also commonly relied on a “night watch,” in which volunteers signed up for a certain day and time, mostly to look out for fellow colonists engaging in prostitution or gambling. (Boston started one in 1636, New York followed in 1658, and Philadelphia created one in 1700.) This old system of policing was not very efficient because the watchmen often slept and drank while on duty, and some people were put on watch duty as a form of punishment. Night-watch officers were supervised by constables, but that was not exactly a highly sought-after job, either. Policemen in the early days were reluctant to wear badges because of the bad reputation and infamy they had acquired, and they did not want to be identified as people with whom other people did not like or want to associate. When localities tried compulsory service, the people who were rich enough or who could afford it paid someone to do it for them. More often than not, the people hired were either criminals or community thugs.

As the country began to grow, different regions began to use different structures in their policing systems. In most cities, the expansion of urbanization began to render the night-watch system completely obsolete because communities were becoming too big for them to handle. The first structured and publicly funded police force, with policemen

employed and on full-time duty, was the one established in Boston, Massachusetts, in the year 1838. Boston was then a large shipping commercial center, and businesses had been hiring people to protect their property and safeguard the transport of goods from the port of Boston to other places. These merchants came up with a way to save money by transferring the cost of maintaining a police force to citizens by arguing it was for the “collective good.”

However, in other parts of the country, particularly in the South, it was not economics that led to the establishment of police forces, because there were no shipping or business interests to be protected, as they had in Boston. Rather, it was the need to preserve the slavery system that led to the creation of the police force. Many of the initial policing institutions were merely the slave patrols, whose primary engagement was chasing down runaways and preventing protests and revolts by the slaves. According to Potter, the first formal slave patrol was created in the Carolina colonies in 1704. During the Civil War, the military became the primary form of law enforcement in the South, but, during Reconstruction, many local sheriffs functioned in a form that was similar to the earlier slave patrols, enforcing segregation and the disenfranchisement of freed slaves.

In general, throughout the 19th century and beyond, the definition of public order which the police officers were charged with maintaining, largely depended on whom was asked. For instance, many of the businessmen in the late 19th century had both connections to politicians and an image of the kinds of people most likely to go on strike and disrupt their workforce. So, it was no coincidence that, by the late 1880s, all major U.S. cities had police forces. Fears of labor-union organizers and of large waves of

Catholic, Irish, Italian, German, and Eastern European immigrants, who looked and acted differently from the people who had dominated cities before, drove the call for the preservation of law and order, or at least the version of it promoted by dominant interests. For example, people who drank at taverns rather than at home were considered “dangerous” people by others, but they might have pointed out other factors such as how living in a smaller home makes drinking in a tavern more appealing. (The irony of this logic, Potter points out, is that the businessmen who maintained this belief were often the ones who profited off the commercial sale of alcohol in public places).

At the same time, the late 19th century was an era of political machines, so police captains and sergeants for each precinct were often picked by the local political party ward leader, who often owned taverns or ran street gangs that intimidated voters. They then were able to use police officers to harass opponents of that political party or provide payoffs for officers for them to turn a blind eye to allow illegal drinking, gambling, and prostitution (Gaines et al., 1999).

This situation became worse during Prohibition, and this led the 31st President of the United States, Herbert Hoover, to set up a commission known as the Wickersham Commission in 1929, whose term of reference, among others, was to conduct an investigation into the ineffectiveness of law enforcement across the country. To ensure the police were independent of political parties and politicians, the commission recommended the map of police precincts be changed in such a way that they would no longer corresponded with political wards. This was followed by a quest to professionalize the police. The implication of this was that the concept of a professional or career officer, as it is widely known today, is not up to 100 years old.

By the 20th century, agitation and calls for police professionalism had become popular, though there were calls for caution in some quarters. For instance, Samuel Walker (2012), a crime historian in his book *The Police in America: An Introduction* took the position that the step toward professionalism was not all good. He posited the movement to professionalize the police promoted the establishment of police departments that were “inward-looking” and “isolated from the public, and they were crime-control tactics that ended up compounding the tensions between police and the communities they serve. It is instructive to state that more than 60 years after President Kennedy’s 1963 assertion, the improvement, professionalization, and modernization of America’s police force up till today remains a continuous exercise.

It must be noted that, during the 1960s, African Americans began to challenge the way police were treating them and their communities. To protest the treatment and racial injustices, riots, boycotts, demonstrations, and peaceful protests were breaking out in communities across the United States, particularly in the South. In response to the emergence of protests against unfair treatment, the police began using harsh methods to maintain law and order, including but not limited to tear gas, batons, high-pressured water hoses, and attack dogs. Some of these were televised nationally and internationally. Fortunately, or unfortunately, there was no social media at this period, which probably limited how much these events were brought to the public domain.

History of the Nigerian Police

The establishment of the Nigerian police can be traced back to the 1820s. In the year 1879, the 1,200-member armed paramilitary Hausa Constabulary in the northern part of Nigeria was formed. Later, in 1896, the Lagos Police was established, but not before a

similar force, the Niger Coast Constabulary, was formed in Calabar in 1894 under the newly proclaimed Niger Coast Protectorate. In the north, the Royal Niger Company set up the Royal Niger Company Constabulary in 1888. When the protectorate of Northern and Southern Nigeria was proclaimed in the early 1900s, part of the Royal Niger Company Constabulary became the Northern Nigeria Police, and part of the Niger Coast Constabulary became the Southern Nigeria Police. During the colonial period, most police were associated with local authorities, which has been changed to the local governments. During the First Republic in the 1960s, these different forces were initially regionalized and later nationalized. This was how the Nigerian police became centralized. In 1914, The British, Nigeria's colonial masters, merged the Lagos colony, which was a separate colony, with the southern and northern protectorates and named the new colony Nigeria. The northern and southern regional police forces were officially merged, in 1930, to form Nigeria's first national police force, known as the Nigeria Police Force (NPF), a structure that has continued till today (police.gov.ng).

It is imperative to point out that these different police forces were merged for what was termed "administrative convenience." From that time, the different regional forces were merged, and the Nigerian police was administered from Lagos, which was then the capital of Nigeria. The main purpose of the then police was to deal with those who are opposed to colonial rule. This mission of dealing with dissent was important because, except from a few isolated cases, the Nigerian police were never really an investigating force. This was the trend until Nigeria became independent in 1960 (Otu, 2004).

When Nigeria obtained independence in 1960, the police officers just swapped masters because their brief did not change. The police were continually used by the federal government of Nigeria to enforce its point of view and serve its own interests—and not that of the people. Some of the time, these views were not for constitutional or legitimate purposes, but at least they had the equipment to do their jobs.

The first Constitution of Nigeria after independence in 1960 gave different regions the right to have regional police forces, whereas the federal government retained oversight function with the Nigeria Police Force. However, because of the role played by the Northern Police Force in the two consecutive coup d'états of 1966, one in January and another in July, the then military regime of General Gowon disbanded the regional police forces. The process of disbandment started in October 1966 and was complete by the end of 1972.

As of 1960, Nigeria had 12,000 police officers. By 1979, as a result of post-war expansion, the 12,000 police officers had increased to 80,000, though most of these police officers were poorly trained. The Constitution of Nigeria empowers the federal government to control the NPF by giving it the singular jurisdiction over police control. As a result of the failure of the democratic experiment of the First Republic, which was short-lived, and the various military regimes Nigeria experienced, the NPF was seen as a potential threat to the power and control of the military, and thus it was purposely starved of necessary funds (FAS Intelligence Research Program, 1998).

The decadence of the Nigerian police is due to neglect by the successive Nigerian government, which have made no serious attempts at reforms. The first attempt at looking at decadence and police behavior was a committee set up by the government in

1967. The committee in its recommendations concluded the police were hopelessly corrupt. Over the years, that reputation of being hopelessly corrupt has continued and was confirmed through their actions and various negative reports. For instance, one report in 1994 concluded most people only join the police to make money. It has been reported that, in the past, whatever security budgetary allocation to the police was shared by stakeholders (Nwanze, 2014).

According to the United Nations, one police officer should police 400 citizens to ensure effective policing. When Nigeria returned to civil rule in 1999 after a long experience with military rule amid several botched civil rule attempts, there were 140,000 police officers in Nigeria. The implication of this is that there was 1 police officer for every 852 Nigerians, with the then population of about 119.5 million. In 2000, President Olusegun Obasanjo, a former military leader himself, who later became a civilian president, ordered a recruitment drive to add 40,000 new officers each year for 5 years. The recruitment did not stop in 2005, and, by the year 2008, Nigeria had nearly 400,000 police officers, a growth of almost 300% in less than a decade.

During this time, an anti-graft agency known as the Economic and Financial Crimes Commission was established. It also drew from the police budget initially, but it is unclear whether this budget has proportionally gone up. Nigeria's police force now has around 450,000 police officers, servicing a population of about 200 million, which translates to 1 police officer policing about 445 Nigerians. No doubt, this is a major improvement from where the country was, but problems remain.

One major issue is that most police recruits are either not properly trained or not trained at all in policing techniques because it appears many of them were only trained on

just how to shoot and then sent to the streets. Moreover, there is a guard assignment for the wealthy, influential people, and politicians, popularly referred to as very important personalities (VIPs). According to statistics, at least about 150,000 of the 450,000 Nigerian police officers are on guard assignment for these VIPs. This suggests Nigeria has only 250,000 police officers for the entire population of about 200 million (Access to Justice, 2018). This implies there is only 1 police officer policing about 800 Nigerians. It also means that, even with the low man per population ratio, the police are chronically under-funded, which allows the VIPs to buy their own protection at the expense of the people. This is thus a huge problem. However, aside from the numbers, what are the other, probably more pertinent, structural problems of the NPF?

Background and Significance

On May 25, 2020, the world watched with shock and horror as George Floyd was killed in a gruesome and dehumanizing way by Minneapolis police officers; one of them knelt on his neck for over 8 mins. The victim, who was already in their custody, was in handcuffs and defenseless, begging for his dear life and calling on his late mother. He specifically told the officers he could not breathe, and every part of his body hurt. He begged them to give him water. The reaction to this viral and disturbing video was protests and demonstrations across the country and beyond. There is no doubt these protests were hijacked in some areas because a few cases of looting and harassment took place, and politicians took advantage of the situation to play politics—exacerbated by the fact America was in an election year. The killing not only led to protests but also brought to the fore once again the issue of police brutality in the United States, especially against people of color, which many term *systemic racism*.

Data show there are about 500,000 cases of police brutality cases annually in the United States, and police officers are responsible for 1 in every 13-gun death (*Washington Post*, 2020). Not all police shootings or killings are because of brutality. According to the *Washington Post*, in the first 5 months of 2015, 385 people were shot across the United States, an average of 2.5 people per day. Additionally, according to a report by the Federal Bureau of Investigation (FBI), about 400 people are shot by the police annually, an average of 1.1 persons per day. In the same vein, it was reported by the Guardian (2015) that about 22 percent of the victims in its dataset were unarmed—whereas the *Washington Post* put its unarmed victims at 13%. The Guardian further reported that one third of African American suspects shot were unarmed, compared to one fourth of Hispanic suspects and one sixth of White suspects. Out of the unarmed suspects shot, two thirds were minorities, either African American or Hispanic. African Americans are shot at three times higher rates than any other group.

In what appears like the United States' experience, Nigerians have been over the years experiencing their fair share of ongoing police brutality. There have been agitations from different quarters, both individuals and organizations, for the government of Nigeria to fix the rot in the Nigerian police and end police brutality. The matter came to a head on October 8, 2020, when a video surfaced on social media of a young man shot by the police in front of a hotel in Delta State of Nigeria. This viral video became a watershed in the agitation against police brutality in Nigeria because Nigerian from all walks of life took to the streets in droves in cities across the country and paralyzed the economic, social, and other activities of all the major cities and towns across Nigeria, forcing the Nigerian government to take action.

It has been a difficult challenge getting the actual numbers of victims of police brutality in Nigeria, but reports from the media, both print and electronic, and social media not left behind have shown that several people have and are still experiencing one form of brutality or another. Many Nigerians have tales about their unpleasant experiences at the hands of the police—who are supposed to protect them. It is quite unfortunate that some are not even alive to share the experience

This study could not have come at a better time because the issue of police brutality is a burning issue in the two countries under analysis. Citizens of the two countries are on the street in droves, protesting police brutality. In the United States, for instance, police brutality will perhaps be one of the major issues of the presidential election. In Nigeria, politicians who are gearing toward the next election in 2023 have been airing their views, mostly in support of the people on the street protesting against police brutality.

Purpose of the Study

The objectives of this study are threefold: (a) to examine the motives, causes, and effects of police brutality in Nigeria and United States; (b) to comparatively analyze cases of police brutality in Nigeria and the United States; and (c) to make suggestions and recommendations on how the governments of Nigeria and the United States can tame the monster of police brutality. The phrase “tame” is used because it is strongly doubted whether police brutality can be completely eradicated, but strongly believes police brutality can be greatly ameliorated with commitment and seriousness of purpose on the part of policymakers.

Despite the plethora of literature on police brutality in the United States and Nigeria, there is still a paucity of research on the comparative analysis of police brutality between the two countries, even though both countries have their fair share of police brutality. The need for this study arises from the devastating effects of police brutality on the victims, their families, and the collateral consequences for society. This study is necessary because the maintenance of law and order, as well as protection of lives and property, should be the underlying factor in the conduct of not just police officers but also every law enforcement officer, whenever they are carrying out their lawful duties. Previous researchers outlined the problem of police brutality in isolated cases without doing a comparative analysis, which is a gap this study intends to fill.

Statement of the Problem

Policing in the United States in comparison to Nigeria is deemed by most countries as a model for effective policing. However, the United States is bedeviled by cases of police brutality, which is even worse than countries that look up to the United States for help with regard to policing. In Nigeria, for instance, the majority of the people calling for police reforms or state police in Nigeria cite the example of a country like the United States as a model of policing. However, despite being looked up to as a model of policing, the United States has as terrible a record as Nigeria when it comes to police brutality. Although situations and circumstances may be somewhat different, the results are always the same, as citizens are victimized and traumatized. Many questions, however, remain unresolved, despite the perceived standardized policing backed by strong institutions in the United States, as opposed to Nigeria—why does the United States still experience such large-scale police brutality? It is unknown, for instance,

whether police and other law enforcement officers have enough training to deal with certain situations without necessarily resorting to brutalization. This study essentially seeks to contribute to the existing body of knowledge with regard to police brutality by conducting a comparative analysis of policing in Nigeria and the United States. It also examines the motives, causes, and effects and proffers some suggestions that may assist policymakers in decision-making to curb cases of police brutality in the two countries under focus. Who knows, floodgates of further studies may be opened by this study?

CHAPTER 2

LITERATURE REVIEW

Duty and Responsibilities of Police Officers

According to the United Nations Charter on Human and Peoples' Rights adopted by the General Assembly Resolution 34/169,

Article 1 provides,

Law enforcement officials shall at all times fulfill the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession.

Article 2 provides,

In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.

Article 3 provides,

Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.

Article 5 provides,

No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment.

The combined effect of the provisions of these articles is that the human rights in question are identified and protected by national and international laws. Among the relevant international instruments are the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; the United Nations Declaration on the Elimination of All Forms of Racial Discrimination; and the International Convention on the Elimination of All Forms of Racial Discrimination. Additionally, the use of force by law enforcement officials should be done only in exceptional circumstances. Although it is implied that law enforcement officials may be authorized to use force, as is reasonably necessary under the circumstances for the prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders, no force going beyond that may be used. The use of firearms is considered an extreme measure. Every effort should be made to exclude the use of firearms. In general, firearms should not be used except when a suspected offender offers armed resistance or otherwise jeopardizes the lives of others, and less extreme measures are not sufficient to restrain or apprehend the suspected offender. In every instance in which a firearm is discharged, a report should be made promptly to the competent authorities.

According to the international rules and standards for policing under the articles of the United Nations regarding law enforcement organization, concepts, and governing principles (Resolution 34/169), it is the individual state's responsibility to maintain law and order, peace, and security within its territory. The structures set up by states for the purpose of maintaining law and order, peace, and security, as well as the underlying law

enforcement policies, philosophies, and concepts, may vary considerably across the world, and it is unlikely that two completely identical systems exist, though there may be one or another form of similarity. Whatever the choices made by states with regard to the maintenance of law and order, they must ensure that law enforcement is carried out in a way that respects their obligations under International Human Rights Law. The implication of this is that both domestic legislation and the practice, regulation, and policies adopted by law enforcement agencies of individual states must comply with the applicable provisions of International Human Rights Law, as established by the United Nations.

As an agent of the state, law enforcement officials are expected to fulfill the above obligations when carrying out their responsibilities (i.e., to maintain public order; to prevent, deter, and detect crime; and to provide aid and assistance in all kinds of emergencies). They are given specific powers to enable them to carry out their duties: the power to use force and firearms, to arrest and detain, and to carry out searches or seizures. They are expected to respect human rights, irrespective of who the person is or where the exercise is being carried out when exercising those powers. To ensure this is done, four fundamental principles that should govern all state actions with a possible impact on human rights were set out:

- Principle of legality: all action should be based on provisions of the law.
- Principle of necessity: it should not affect or restrict human rights more than is necessary.
- Principle of proportionality: it should not affect human rights in a way that is disproportionate to the aim.

- Principle of accountability: those carrying out the action should be fully accountable to all relevant levels (the judiciary, the public, the government, and the internal chain of command).

To be able to carry out their responsibility effectively, law enforcement officials are authorized, among other things, to use force and firearms. The rules made it of utmost importance for law enforcement officials to act in full compliance with the policies and legal frameworks governing the use of force and firearms and to comply with the highest possible standards of discipline and professionalism whenever using firearms. There is no doubt the use of force when carrying out one's duty may negatively affect fundamental human rights, such as the right to life, liberty, dignity, and security (Universal Declaration of Human Rights, Article 7; International Convention on Civil and Political Rights, Articles 6(1) and 9(1)). It is expected that the highest priorities are always given to the protection of those rights, as well as during the carrying out of law enforcement responsibilities. Any law enforcement action affecting human rights must therefore be the result of a careful balancing act and comply with the principles governing the exercise of any law enforcement power (i.e., the principles of legality, necessity, proportionality, and accountability). Where law enforcement officials are authorized to use force and firearms, the local legal framework should determine the legitimate purposes and circumstances permitting the exercise of this power. Law enforcement officials must then use force and firearms only as far as is necessary to achieve their objectives. Law enforcement officials are not expected to apply force at all if the objective can be achieved without the use of force and, where this use of force becomes inevitable, law

enforcement officials are expected to resort only to the minimum force needed for that purpose and ensure no or as minimal damage and injury as possible occurs.

The way in which law enforcement officials use force and firearms no doubt has both immediate and remote effects on the relationship between law enforcement institutions and the community, particularly where the use of force is arbitrary, excessive, or otherwise unlawful. The three law enforcement powers are use of force and firearms, arrest and detention, and search and seizure. When force needs to be used to achieve the legitimate objective, the consequences of such force are nevertheless not expected to outweigh the value of the objective to be achieved, which otherwise would render the use of force disproportionate and unnecessary. In other words, law enforcement officials may not pursue their objectives regardless of all other considerations. They even have to consider withdrawing and thus not continuing to pursue legitimate objectives if the negative consequences of the use of force would be too grave or serious, given the reason for the use of such force. In particular, the utmost attention must be paid to the protection of uninvolved people. When law enforcement officials have to resort to the use of force, they need to be fully accountable for their actions. Adequate reporting mechanisms should therefore be established, particularly where the use of force can result in death or injury or where a firearm has been used. Arbitrary, unnecessary, or otherwise unlawful use of force and firearms needs to be investigated thoroughly, and the proper disciplinary procedure undertaken. Responsibility for such use of force lies not only with the individual law enforcement officer concerned but also with superior officers who have given unlawful orders or who did not act when they knew, or should have known, that a subordinate would resort to unlawful use of force. Unlawful orders are not an excuse if

the law enforcement official(s) had a reasonable opportunity to disobey the order. Law enforcement agencies must create an operational framework that enables law enforcement officials to act in accordance with the above-mentioned principles. Measures may include operational procedures that clearly seek the peaceful settlement of conflicts, adequate training in that respect, the availability of protective clothing and equipment to reduce the need to resort to force, and the development and careful evaluation of less-lethal weapons and equipment.

From the foregoing, one may not be wrong to opine that the duties and responsibilities of police officers and other law enforcement officials, which appear to be international by nature but have been domesticated by almost all countries in the world, are clear and direct. One expects that every police officer will abide by the tenets of these duties and responsibilities.

Police Structure in Nigeria

Section 214 of the Constitution of Nigeria reads,

There shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provision of this section no other Police Force shall be established for the Federation or any part thereof.

The provision of section 214 of the 1999 Nigerian Constitution says it all (. . . or any part thereof). The Nigeria Police Force (NPF) is the principal law enforcement agency in Nigeria. It has staff deployment across the 36 states of the country and the Federal Capital Territory (FCT). The command and control of the NPF is under the inspector general of police. However, for ease of administration, the NPF is divided into seven major administrative departments—Finance and Administration; Operations; Logistics;

Force Criminal Investigation Department; Training; Research and Planning; and Information and Communication Technology—with each department headed by a deputy inspector general of police. The NPF is further divided into 12 operational zonal commands, which may comprise between two and four state commands, depending on certain parameters, and 37 state commands, including the FCT. Although the zones are headed by an assistant inspector general of police, the state commands are headed by a commissioner of police, the area commands by an assistant commissioner of police, and the division by any officer in the superintendent cadre. The tenure of the current inspector general of police, IGP Mohammed Abubakar Adamu, NPM, is about to lapse because he has reached the mandatory age of retirement.

Section 4 of the Nigerian Police Acts and Regulations lists the duties of the police force to include the following:

- The prevention and detection of crime
- The apprehension of offenders
- The preservation of law and order
- The protection of life and property
- The due enforcement of laws and regulations with which they are directly charged
- The performance of such military duties within and outside Nigeria as

may be required of them by or under the authority of the police act or any other act.

The police's command structure has the president in charge of the Police Service Commission, then the 12 zonal commands, then the 37 state commands, and then the 127 area commands. There are 1,129 police divisions in Nigeria, 1,579 police stations, and a

total of 3,756 official police posts, all under the inspector general of police, whose office is in Abuja.

Figure 1

Police's command structure and officers Rank



Police officers are often deployed, redeployed, or transferred across state lines at the whims and caprices of the inspector general of police, often without local knowledge of their new deployment or command. Police officers in new postings often have to resume cases from the beginning, which can lead to problems. There has, over the years, been major agitation for each of the thirty-six states and the Federal Capital Territory in Nigeria to have their own police forces, particularly in response to the apparent unwieldiness of the NPF. This has been long-run agitation, but some people in the corridors of power at the national level have kicked against this idea of state police

because of a fear that state governors might hijack the police and turn them into private armies. It is important to note that the fears of hijack may not be unfounded, based on past experiences. Even though fears of state governors hijacking and turning them into private armies are not misplaced, they seem to appear irrational in the light of the present-day reality. It is irrational to expect a police officer who was born and has lived all his life in a locality in a different state or region of Nigeria, to suddenly become effective in another locality in another state or region, a place he has never been to in his entire life. He does not speak the language, neither does he understand the custom, traditions, and general ways of life. What may be offensive to him may be a way of life to the people he is expected to police. So, this can result in mistrust between the officers and the community they are expected to serve. Often, criminals come from the communities in which they perpetrate their crimes, either indigenes of that society or residents therein, and people are more likely to give them up to trusted police officers.

Then, there is the issue of salary and remuneration. It is true that police officers in Nigeria are grossly underpaid even though they still must feed their families and take care of all other businesses they must meet financially. The logic is straight, simple, and direct: if a man is grossly underpaid, then hand him a gun, giving him an indirect order to rob and harass helpless people. There are too many instances, just to mention a few, of police officers and other service people using their weapons provided by the Nigerian state to commit atrocities such as robbery and kidnapping. Some of these police officers have even rented out their weapons to men of the underworld, who later came back to give them returns after successful operations. Aside from the reported cases of these

unethical behaviors, there are so many more cases of police brutality and exploitation of Nigerians across Nigeria.

Police Structure in the United States

Unlike Nigeria, there is no national police force in the United States, where policing is organized on a state and local basis. Law enforcement operates primarily through governmental police agencies and departments. There are about 18,000 police departments and agencies in the United States. These police departments and agencies include city police departments, county sheriff's offices, state police/highway patrol, and federal law enforcement agencies. Police forces include city police (possibly with separate departments to deal with schools, traffic, and even refuse), county police, transport police, sheriffs' departments, state police (state troopers), and highway forces such as the California Highway Patrol. An ordinary police officer is usually called a patrolman.

In addition to regular full-time police officers, many towns have auxiliary, part-time police officers, who are special duty and volunteer sheriffs who assist sheriffs' offices in one area or another. The American response to increasing crime is usually to put more cops on the beat. In the United States, policing is mostly local, as one police department is independent of another police department. In essence, policing in America is local.

What Is Police Brutality?

Police brutality appears to be all too common today, and people are being confronted on a regular basis with horrific images, news, and reports through news and social media of police brutality, which can be difficult to understand, process, and relate

to. Police brutality particularly in the United States cannot be talked about without confronting the racism and racial profiling that underpins it, as literature abounds laying credence to this fact (Babovic, 2000; Miller, 1998) Police brutality may be said to be one of the most serious and enduring human rights violations, not only in the United States or Nigeria, which is the focus of this study but in the world over. Police brutality, which is the excessive use of force or torture, deadly or otherwise, by law enforcement officers is no doubt a civil rights violation. Law enforcement officers engage in torture, unjustified and unprovoked shooting, choking, beating, exploitation, and generally rough handling of suspects and sometimes non-suspects (Babovic, 2000). Often, some of these cases of brutality lead to death or permanent disability.

Police Brutality in the United States

More than 20 million Americans are stopped or pulled over every year in the United States for one form of traffic violation or another. This makes this medium one of the most common ways in which the public interacts or has contact with the police (Baumgartner et al., 2018; Davis et al., 2015). As a result of the decentralized system of policing in the United States, and probably the shortage of comprehensive, uniform, and standardized data, it may be somewhat difficult to determine the mode and level rigorously and conclusively to determine which racial bias plays a part during traffic stops. One of the most widely reliable national statistics comes from the Police–Public Contact Survey, which is based on a nationally representative sample of approximately 50,000 people, who report having been stopped by the police. In addition to such survey data, different local and state agencies have released periodic reports on traffic stops in

their jurisdictions and have also made their data available to outside researchers for analysis.

It should be noted that, apart from those pulled over by the police during traffic stops, there are many other areas of contact with police. For instance, in many cases, police must respond when called for diverse situations, such as theft, burglary, affray, public disorder, and more, though it appears the most predominant among them is domestic violence. In looking at the complex nature of the relationship that exists between racial bias and policing in the United States, studies show decisions about whom to stop and, subsequently, whom to search, are biased against minorities, particularly Black and Hispanic drivers (Chaney & Robertson, 2013). Considering the nature and system of policing in the United States, they appear to capture the wider impacts of law enforcement only partially on communities of color (Chohlas-Wood et al., 2018). It looks like police officers in a disproportionate way patrol Black and Hispanic neighborhoods; the downstream effects can be injurious, even if individual stop decisions are not directly affected by the color of one's skin. In the same vein, enforcement of minor traffic violations, like broken tail-lights—even if conducted uniformly and without animus, can place heavy burdens on Black and Hispanic drivers, without improving public safety (Chohlas-Wood et al., 2018).

In 2020 alone, police in the United States killed 164 persons between January and August, half of which will be itemized below (CBS news report of September 10, 2020). The data according to the report show that police have continued to kill Black men and women at disproportionate rates. Even after the death of George Floyd sparked local and international protests against police brutality. The Mapping Police Violence database

from the *Washington Post*, which is based on reported and verified cases, may not necessarily include all incidents of police brutality, as not all forms of police brutality necessarily led to death. Some of those killed and the circumstances leading to their deaths are itemized below.

1. 05/06/2020 – Dreasjon Reed (21) was fatally shot by Indianapolis metropolitan police while being chased, as reported by the *Indianapolis Star*.
2. 04/29/2020 – Malcom Williams (27) was fatally shot, according to the Associated Press, by an Indiana state police probationary trooper following a traffic stop.
3. 05/01/2020 – Brent D’andrew Martin (32) was killed in Little Rock, Arkansas, by police while investigating a house, as reported by the *Arkansas Times*.
4. 05/01/2020 – William Lamont Debose (21) was killed by a Denver police officer who was conducting a traffic stop, as reported by CBS Denver.
5. 05/01/20 – Said Joquin (26) was fatally shot by Lakewood police during a traffic stop, as reported by *the News Tribune*.
6. 05/04/2020 – Demontre Bruner (21), a murder suspect, was killed by Muskogee police while responding to an anonymous tip, as reported by KOTV, an affiliate of CBS.
7. 05/05/2020 – Jah’sean Iandie Hodge (21) was killed by St. Cloud police in Florida after he reportedly beat and stabbed a 9-year-old girl, as reported by WKMG, a CBS affiliate.

8. 05/05/2020 – Qavon Webb was shot and killed by a Webster Groves police officer in Missouri, who had stopped to help him, as reported by the Associated Press.
9. 05/07/2020 – Finan H. Berhe (30) was killed by a Montgomery police officer in Maryland while responding to a call from a neighbor, as reported by the Associated Press.
10. 05/07/2020 – Mchale Rose (19) was killed by Indianapolis police during a burglary investigation in an apartment complex, as reported by the *Indianapolis Star*.
11. 05/08/2020 – Adrian Medearis (48) was killed by Houston police after being pulled over for suspected drunk driving, as reported by Reuters.
12. 05/09/2020 – Yassin Mohamed (47) was killed by an Evans police officer, who was responding to a report of a man walking in the middle of the road, as reported by WGCL, a CBS affiliate.
13. 05/13/2020 – David Tylek Atkinson (24) was killed by a Raleigh police officer in North Carolina while responding to a report of armed robbery, according to WNCN, an affiliate of CBS.
14. 05/14/2020 – Rayshad Scales (30) was killed by a Houston police officer, who was responding to a report of a suspicious person with a firearm.
15. 05/16/2020 – Randy Roszell Lewis (38) was killed by a Houston police officer who was responding to a report of a woman stabbed in the chest, as reported by KHOU, an affiliate of CBS.

16. 05/16/20 – Robert Johnson Jr (29) was killed by a Baltimore County police officer who was responding to a report of some people drinking in a parking lot, as reported by CBS Baltimore.
17. 05/19/2020 – Terry J. Caver (57) was killed by Seattle police officers for reportedly chasing and threatening people with multiple knives, as reported by KIRO, an affiliate of CBS.
18. 05/20/20 –Tobby LaRon Wiggins (45) was killed by FBI agents in Atmore, Alabama, while trying to take him into custody for a suspected murder.
19. 05/21/20 – William Johnson Jr. (48) was killed by metro Nashville police after he allegedly shot an off-duty police officer who was walking his dog, as reported by WTVF, a CBS affiliate.
20. 05/21/20 – Willie Lee Quarles (60) was killed by a Greenwood police officer in South Carolina while responding to a report of domestic violence, as reported by the Associated Press.
21. 05/23/2020 – Maurice S. Gordon (28) was killed by New Jersey police during an altercation on the Garden State Parkway, as reported by CPS Philadelphia.
22. 05/25/2020 – Dion Johnson (28) was killed by an Arizona Department of Public Safety trooper while trying to arrest him, as reported by the Arizona Family, a CBS affiliate.
23. 05/25/2020 – George Floyd (46) was killed by a Minneapolis police officer, who knelt on his neck for several minutes while trying to arrest him for allegedly spending a fake bill, as reported by CBS.

24. 05/25/2020 – Tony Mcdade (38) was killed by a Tallahassee police officer after he reportedly stabbed his next-door neighbor, as reported by the Associated Press.
25. 05/27/2020 – Modesto Reyes (35) was killed by a Jefferson parish sheriff after a traffic stop, as reported by the *New Orleans Advocate*.
26. 05/28/2020 – Ruben Smith (35) was killed by North Little Rock, Arkansas, police for allegedly shooting a handgun into the parking lot of a tobacco company, as reported by KTHV, an affiliate of CBS.
27. 05/29/2020 – Jarvis Sullivan (44) was killed by a Fernandina Beach, Florida, police officer for what was described as a drug bust outside a liquor store, as reported by WIXT.
28. 05/29/2020 – Terrell Mitchell (35) was killed by Philadelphia police for allegedly chasing and threatening someone with a knife.
29. 05/29/2020 – Momodou Lamin Sisay (39) was killed by a Gwinnet County police department SWAT after a vehicle pursuit, as reported WGCL, an affiliate of CBS.
30. 05/30/2020 – Derrick Thompson (46) was killed by a Calhoun County sheriff's deputy while intervening in an altercation, as reported by WECP, a CBS affiliate.
31. 06/01/2020 – David Mcatee (53) was killed during a protest when Louisville metro police and the Kentucky National Guard shot into his restaurant, as reported by CBS News.

32. 06/02/20 – Malik Tyquan Graves (34) was killed by New York police after he reportedly shot someone in the leg the previous night, as reported by WPIX, a CW affiliate.
33. 06/05/2020 – Kamal Flowers (24) was killed by New Rochelle police while trying to run away during a traffic stop of a vehicle in which he was a passenger, as reported by CBS New York.
34. 06/09/20 – Lewis Ruffin (38) was killed by an Orange County sheriff while trying to effect his arrest on a previous charge, as reported by WKMG, a CBS affiliate.
35. 06/11/2020 – Phillip Jackson (32) was killed in a police chase incident in which he was a passenger, as reported by WDEF, an affiliate of CBS.
36. 06/11/2020 – Michael Thomas (62) was shot and killed in his living room by a Los Angeles County sheriff while responding to a case of a domestic violence, as reported by CBS Los Angeles.
37. 06/12/2020 – Rayshad Brooks (27) was killed during a struggle with Atlanta police officers who were trying to handcuff him after failing a sobriety test at a parking lot of a Wendy's, as reported by CBS.
38. 06/12/2020 – Caine Van Pelt (23) was killed by an Indiana state police trooper during a pursuit on the interstate, as reported by CBS Chicago.
39. 06/16/2020 – Donald Ward (27) was killed by a Phoenix police officer while responding to a report of domestic violence, as reported by AZ Family, a CBS affiliate.

40. 06/16/2020 – Brandon Gardener (24) was killed by a Beach Park, Illinois, police officer while being served with an arrest warrant but instead reportedly opened fire as reported by *Chicago Sun Times*.
41. 06/17/2020 – Terron Jammal Boone (31) was killed by a Los Angeles County sheriff during a search for a suspect wanted for various offenses, as reported by the Associated Press.
42. 06/22/2020 – An unidentified victim was killed by police in Giddings, Texas, after he allegedly stabbed multiple people, as reported by KVUE, an affiliate of ABC.
43. 06/24/2020 – Skyleur Young (31) was killed by Victorville police deputies while responding to a report of a suspected vehicle, as reported by CBS Los Angeles.
44. 05/25/2020 – Robert D’lon Harris killed by an Oklahoma highway patrol officer during a traffic stop.
45. 06/25/2020 – Rasheed Matthew Moorman (26) was killed by Roanoke police officers on patrol while trying to speak to him, as reported by WDBI, a CBS affiliate.
46. 06/27/2020 – Aloysius Larue Keaton (58) was killed after he allegedly stabbed an Arkansas Department of Transportation highway police officer, as reported by KTHS, an affiliate of CBS.
47. 07/02/2020 – Ky Johnson (31) was killed by Kansas City police in Missouri while responding to a call that he was waving a gun outside of a McDonald’s, as reported in the *Kansas City Star*.

48. 07/02/2020 – Kevan Ruffin (32) was killed by a Sheboygan police officer, who was responding to a call of a man chasing a woman with two knives, as reported by CBS Chicago.
49. 07/06/2020 – William Wade Burges (27) was killed by an off-duty St. Louis sheriff deputy while trying to steal a truck and running over the truck owner and another victim, as reported in the *St. Louis Post-Dispatch*.
50. 07/06/2020 – Joseph W. Denton (35) was killed by the police in Milwaukee, Wisconsin, when he reportedly pulled out a gun on the property of a Veterans Affairs medical center, as reported in WDIT, an affiliate of CBS.
51. 08/07/2020 – An unidentified victim, reportedly to be a veteran who served in Iraq and seeking treatment for PTSD, was killed by Houston police while responding to a domestic disturbance, as reported by KHOU, a CBS affiliate.
52. 07/08/2020 – Malik Canty (36) was killed in a New Jersey apartment by a federal marshal while trying to arrest him, as reported by the Associated Press.
53. 07/08/2020 – Erroll Johnson (31) was killed by a Louisiana state trooper who was trying to arrest him for a prior offense, as reported by the Associated Press.
54. 07/09/2020 – Richard Lewis Price (49) was killed in San Diego when he reportedly pointed an airsoft gun at officers who were responding to a 911 call, as reported by CBS San Diego.
55. 07/10/2020 – Hakim Littleton (20) was killed by Detroit police who were trying to arrest the man he was with, but he drew a gun at the police, as reported by CBS Detroit.

56. 07/10/2020 – Kanavis Dujuan Glass (31) was killed in Conley Georgia by the police while responding to a case of domestic violence, as reported by WECP, a CBS affiliate.
57. 07/14/2020 – Vincent Bemario Truitt (17) was killed by a Cobb County police officer after a traffic stop, which ended in a foot chase, as reported by WGGL, a CBS affiliate.
58. 07/15/20 – Antwane Burrise (39) was killed by Stockton police in California, who were attempting to arrest him on suspicion of murder, as reported by CBS Sacramento.
59. 06/17/2020 – Malcolm Coomeaux (24) was killed by FBI agents in Houston, Texas, who were trying to serve him warrants at his house, as reported by KHOU, a CBS affiliate.
60. 07/18/2020 – Darius Washington (24) was killed by Chicago Heights police officers during a narcotic investigation, as reported by the *Chicago Tribune*.
61. 07/20/20 – Vincent Harris (51) was killed by Baton Rouge police in his home while trying to arrest him, having been on a wanted list for a violent felony charge, as reported by WASP, an affiliate of CBS.
62. 07/21/2020 – Jeremy Southern (22) was killed in an apartment complex by police, who had matched him with a shooting suspect, as reported by CBS Sacramento.
63. 07/23/2020 – An unidentified victim was killed by Detroit police for reportedly aiming a pistol at them, as reported by *the Detroit News*.

64. 07/24/2020 – David Earl Brooks (45) was killed on a highway in Roxboro, North Carolina, by police while responding to 911, as reported by WNCN, an affiliate of CBS.
65. 07/29/2020 – Winston Joseph Latour (37) was killed by Lake Charles police officers while responding to a report of a stolen vehicle, as reported by KFMB, an affiliate of CBS.
66. 07/30/2020 – Darrien Walker (28) was killed by Detroit police officers during a confrontation with the police on the street, as reported by *the Detroit News*.
67. 08/04/2020 – Ashton Broussard (30) was killed by an off-duty police officer in Houston when he reportedly punched a female security guard and stole her gun, as reported by KYTX, an affiliate of CBS.
68. 08/06/2020 – Amir Johnson (30) was killed in New Jersey by police officers while working on the road with a broken glass bottle, as reported by CBS Philadelphia.
69. 08/07/2020 – Julian Edward Roosevelt (60) was killed by a Georgia state trooper while trying to flee from a traffic stop, as reported by the Associated Press.
70. 08/07/2020 – Salaythis Melvin (22) was killed by an Orange County officer at a parking lots of a Dick's Sporting Goods on suspicion of being in possession of a gun, as reported by WKMG, an affiliate of CBS.
71. 08/08/2020 – Jonathan Jefferson (34) was killed by an officer in Bossier City, Louisiana, for advancing toward them while holding a knife, as reported by KSLA, a CBS affiliate.

72. 08/13/2020 – Rafael Jevon Minniefield (29) was killed during a police chase in Moreland, Georgia, according to the Atlanta Journal Constitution.
73. 08/15/2020 – Kendrell Antron Watkins (31) died on the way to the hospital, even without being shot, though he was tased by the police, as reported by WIAT, a CBS affiliate.
74. 08/15/2020 – Anthony McClain (32) was shot and killed while running away after a police vehicular stop, as reported by SBS Los Angeles.
75. 08/18/2020 – Adrian Jason Roberts (37) was killed while being served with an involuntary committed order by a Cumberland County deputy, as reported by WNCN, a CBS affiliate.
76. 07/21/2020 – Hasani Best (39) was killed during a response to a call of a loud domestic dispute in Asbury Park, New Jersey, as reported by the Associated Press.
77. 08/21/2020 – Trayford Pellerin (31) was killed by a Lafayette police officer after creating a nuisance at a convenience store with a knife, as reported by KLFY, a CBS affiliate.
78. 08/25/2020 – Damian Lamar Daniels (30) was killed by Bexas County deputies, whom family members called to go to his residence, as reported by KENS, a CBS affiliate.
79. 08/26/2020 – Julius Paye Kehyei (29) was killed by Houston police while allegedly trying to steal a vehicle, as reported by the Houston Police Department.

80. 08/29/2020 – An unidentified victim (43) was killed, despite police pleas, in Dearborn Heights, Michigan, after he reportedly killed his mother and sister and was told to drop his gun, as reported by *the Detroit News*.
81. 08/29/2020 – Michael Anthony Harris (22) was killed by Daytona Beach officers when he reportedly opened fire on them while they were trying to serve him an arrest warrant, as reported by CBS Miami.
82. 08/31/2020 – Dijon Kizee (29) was killed by the Los Angeles County sheriff officials while attempting to stop him for a code violation while riding his bike.

The statistics about American law enforcement are astounding when compared to those of other developed nations, including those that make up the Organization for Economic Cooperation and Development. According to U.S. Statistics, in 2020, a total of 429 civilians were shot by police officers, 88 of whom were Black, as of June 4, 2020. In 2018, there were 996 fatal police shootings, and, in 2019, this increased to 1,004. Additionally, the rate of fatal police shootings among Black Americans was much higher than that of any other ethnicities, standing at 30 fatal shootings per million of the population, as of June 2020.

For reasons still unexplained, the number of fatal shootings by police in the United States declined by about 6% in 2019 compared to 2018 and compared to most preceding years (*Washington Post*, 2020). This fact has attracted little attention in the United States, nor has it changed the level of public concern when people are killed by police or police officers are killed by citizens. Just as evidence on crime trends takes a backseat to emotion-driven headlines about shocking individual cases of violence, much

the same can be said about fatal police shootings. The goal of minimizing injuries caused by police may help support police legitimacy. However, achieving that goal is not enough.

Three weeks before George Floyd was murdered in a dehumanizing way by four police officers, an exhaustive study carried out by a research team at Stanford University led by Emma Pierson et al. (2020) was published in *Nature Human Behavior* entitled, “A Large-Scale Analysis of Racial Disparities in Police Stops Across the United States.” It presented the truth of America, and the findings are not just damning but also horrifying:

We assessed racial disparities in policing in the United States by compiling and analyzing a dataset detailing nearly one hundred million traffic stops conducted across the country. We found that black drivers were less likely to be stopped after sunset, when a ‘veil of darkness’ masks one’s race, suggesting bias in stop decisions. Furthermore, by examining the rate at which stopped drivers were searched and the likelihood that searches turned up contraband, we found evidence that the bar for searching black and Hispanic drivers was lower than that for searching white drivers. Finally, we found that legalization of recreational marijuana reduced the number of searches of white, black, and Hispanic drivers—but the bar for searching black and Hispanic drivers was still lower than that for white drivers’ post-legalization. Our results indicate that police stop, and search decisions suffer from persistent racial bias and point to the value of policy interventions to mitigate these disparities.

It is heartbreaking to note that, shortly after the 1992 riots that occurred when Rodney King, a Black man, was savagely beaten by police at a traffic stop, a deputy chief, who

had risen through the ranks and had been a sworn officer for almost 30 years, was asked how many police officers would participate in something like the King beating. He was reported to have said,

About 15% of police are heroes, the very best you could ever ask for. Another 15% are thugs and bullies who become police because they think they can act out without fear of punishment. The remaining 70% go with the flow. If they are with heroes, they behave heroically, if they are assigned to work with thugs, well bad things happen (New York Times, August, 2020).

He explained that what he was trying to do was identify the thugs before they were hired. And to break through the “Blue Wall” if they were hired. He lamented further it was not easy, and one of the problems was the police union, which protected its members at all costs.

So, in 2020, do we know any more? We do, although still far from enough. In 2019, a research team led by Frank Edwards of the School of Criminal Justice at Rutgers University published a report, “Risk of Being Killed by Police Use-of-Force in the U.S. by Age, Race/Ethnicity, and Sex.” They reported,

We use novel data on police-involved deaths to estimate how the risk of being killed by police use-of-force in the United States varies across social groups. We estimate the lifetime and age-specific risks of being killed by police by race and sex. We also provide estimates of the proportion of all deaths accounted for by police use-of-force. We find that African American men and women, American Indian/Alaska Native men and women, and Latino men face a higher lifetime risk of being killed by police than do their white peers. We find that Latino women and

Asian/Pacific Islander men and women face a lower risk of being killed by police than do their white peers. Risk is highest for Black men, who (at current levels of risk) face about a 1 in 1000 chance of being killed by police over the life course. The average lifetime odds of being killed by police are about 1 in 2000 for men and about 1 in 33,000 for women. Risk peaks between the ages of 20 and 35 for all groups. For young men of color, police use-of-force is among the leading causes of death (page 1).

According to a joint poll from Ipsos and ABC News, 74% of all Americans believe Floyd's killing is a sign of broader problems in the treatment of African Americans by police in the United States.

Whereas 94% of Black Americans have this viewpoint, a large 70% of White Americans and 75% of Hispanic Americans also find broad problems within the police department. Moreover, although 92% of Democrats believe the killing of George Floyd, for instance, is part of the broader problem of the treatment of African Americans by the police in the United States, 55% of Republicans also share the same view. This goes to show that Americans, irrespective of their race or political inclination or affiliation, clearly recognize that systemic problem exists in policing in the United States of America.

The central problem of police using lethal force in the United States is not *legality* but a perceived *necessity*: why can't more injuries from police use of force be avoided? Whatever the limitations of universal suffrage and the Electoral College in the United States may be, they are not a major issue in U.S. fatal police shootings. The United States has a police legitimacy problem, but it is not from having "one country with two

systems.” It is, rather, a problem that stems from one country with two cultures. When the President of the United States makes a public statement that encourages police to use excessive force with gang members (Sherman, 2018), he was supported by members of one culture or political affiliation. When police chiefs across the nation issued statements criticizing the president’s message (Rosenthal, 2017), they were supported by members of another culture or political affiliation. Divisions of Americans along other lines, such as race, age, and political affiliation, can also be identified in U.S. emotions about police use of force. Citizens and police on both sides of the cultural divide can become highly emotional regarding the question of when shooting is necessary, versus when a confrontation can be avoided. One of the incidences of police brutality in America involves the killing, on October 26, 2020, of Walter Wallace Jr., a 27-year-old African American man, who was fatally shot by Philadelphia police officers Sean Matarazzo and Thomas Muniz in Cobbs Creek, Philadelphia. The two officers arrived in the area to respond to a domestic dispute. When they got to the scene, they saw the victim holding a knife, though not attacking anybody. Their actions raise a lot of questions with regard to police brutality and the kind of training police officers receive while in the police academy. From this case, it is crystal clear that either the officers were not well-equipped to do the job, or they lacked basic training or skills with regard to crisis de-escalation. Other tactics could have been used without necessarily killing the victim. A taser, rubber bullets, or other less fatal weapons could have been deployed in circumstances other than outright shooting. Additionally, looking at the numbers of rounds shot by the cops, it appears they were out to kill the victim, and this to my mind raises a lot of questions.

This is one of many cases that could have been resolved better without necessarily resulting in fatalities. Therefore, the kind of training and instruction given in police academies across the country should be reviewed with a view to looking at de-escalation because it appears police now escalate matters when called upon. Moreover, it is also pertinent to look at the use of firearms—firearms should not as a matter of policy be the first weapon used, except in certain circumstances when life or lives are in danger.

Police Brutality in Nigeria

There is no doubt that the NPF is widely perceived by the Nigerian public as the most corrupt and violent institution in Nigeria (Alemika, 2003). The country has been bedeviled by the sad experience of prolonged military rule, where high-handedness and lawlessness on the part of law enforcement officers became the norm. This might have been the genesis of the behaviors of the men of the Nigerian police, who feel brutality is a core aspect of policing. The NPF, which is reputed to be the largest police force in Africa, has a long history and unenviable reputation of constant harassment, selectively and randomly preying on the people it was established to protect (Human Rights Watch, 2010; Rotimi, 2001). The legacy of the Nigeria Police Force is that of “arbitrariness, ruthlessness, brutality, vandalism, incivility, low accountability to the public, and corruption” (Alemika, 1993). Officially established in 1930, every attempt by successive Nigerian governments to structurally reform the NPF to make it act in a more professional manner so it can serve the purpose for which it was established has been futile (Hills, 2008; Human Rights Watch, 2010; Smith, 2007). The popular opinion and general perception among virtually every Nigerian as of today is that the police as an institution is a failure because the institution has failed woefully to live up to expectations

and fulfill its role as guardians and protectors of the people of Nigeria (Alemika, 1988; Hills, 2008; HRW, 2010) The Nigerian police is now seen as nothing but a symbol of unbridled corruption, mismanagement, and brazen human rights abuses, ranging from “arbitrary arrest and unlawful detention” to “threats and acts of violence, including physical and sexual assault, torture, and even extrajudicial killings” (Human Rights Watch, 2010). It should be noted that the rate of police corruption, which is so glaring for all to see, as well as the brutality, appear to have dealt the legitimacy of the federal government in Nigeria a very severe blow and eroded any form of confidence the people of Nigeria ought to have in the police (Nwanze, 2014).

To fully appreciate the role of the police in the control of crime, as well as the maintenance of law and order in Nigeria, it is crucial and important to have knowledge of the historical factors in terms of the political and economic forces that led to the establishment of the police institution in Nigeria by the colonial masters (Alemika, 1988). This is because these socioeconomic and political factors, to a large extent, have a great impact on the ideology, character, and functional roles of the police as an institution. Nigeria, being a former British colony, has a population of over two hundred million, which makes it the most populous country in Africa, with one in six Africans being a Nigerian. It is also a country that boasts a very young population, with 50% of the population younger than 20 years old. The country is also diverse, ethnically and culturally, with over three hundred ethnic groups, tribes, and languages, though the three main tribes or ethnic groups are the Hausa/Fulani, Igbos, and Yorubas, as these three main groups alone constitute almost 70% of the Nigerian population.

Long before the British colonization of Nigeria, different ethnic groups and tribes had their own peculiar, indigenous, and traditional social control agencies (Holleman, 1974.) Matters relating to crime control and the resolution of disputes in pre-colonial Nigerian societies were originally left for institutions such as cults, secret societies, age grades, messengers, palace guards, and several others, as society deemed fit (Rogers, et al, 1996). Traditional rulers such as king and village heads were the ones who ensured the protection of lives and the property of their subjects. This they were doing effectively within their jurisdiction by maintaining law and order through the native authority system, as well as their vast network of intelligence gathering systems (Chinwoku & Chijioke, 2017). It is through this medium that the vast majority of these traditional institutions dealt with those who offended the norms and mores of those societies. The perspective deployed in this analysis, which is theoretical in nature, is called the historical materialistic approach, a perspective that gives primacy to material conditions, particularly the economic structures (Ake, 1981). Different scholars are of the opinion that one cannot separate the history of the establishment of the police institution in Nigeria from those factors that gave room to the establishment of colonization in Nigeria by the British. The circumstances that led to the European colonization of Nigeria and other societies around the globe have become a topic of much bitter controversy among scholars.

The first colonial police established in Nigeria was established primarily in response to rioting and protests directed against British interests (Ake, 1986). There is a need to recognize and comprehend three important historical factors that have shaped the development and attitude of the police and police public relations in Nigeria. These

factors are the colonization of Nigerian nationalities by the British, which occurred at different stages over a long period of time, particularly between 1863 and 1901. Different Nigerian ethnic groups or tribes were colonized at different times. As soon as an ethnic group was colonized, a British colonial system was established through the creation of a police force for the conquered territories. Additionally, the introduction of violence and fraud was included in the colonization of those ethnic groups or tribes through creating police forces, which they used as mercenaries of violence, intimidation, and oppression against the indigenous peoples of the conquered territories (Alemika & Chukwuma, 2000)

The Military and the Institutionalization of Brutality in Nigeria

It is common knowledge that the military governed Nigeria for many years after its political independence and has intervened on a regular basis in the country's political affairs since independence from 1960 to 1999, when there has been some form of stability. Some scholars are of the opinion that no other country in Africa has been as coercively dominated for so long a period by their own military as the people of Nigeria (Ekinah, 1997). Although the Nigerian military prior to 1999 made it a norm to overthrow their democratic government through illegitimate, forceful, and unconstitutional methods, they always found justification for their unlawful actions by claiming them to be necessary and corrective (Adekanye, 1993; Agbese, 1992). As Nwankwo (1999) opined, the new Nigerian military leaders often claim their regime to be

A child of circumstance and necessity; an administration whose short regime is expected to curb the drift into crisis, restore national peace, orderliness, and

stability, improve the social and economic well-being of Nigeria and Nigerians, and leave behind a prosperous, democratic nation (page 167).

For instance, after the very first military coup that ended the administration of Sir Abubakar Tafawa Balewa in the First Republic in 1966, the man who led the coup, Major Kaduna Nzeogwu, informed Nigerians that the intention of the military elites was to rid society of “irresponsible and opportunistic politicians, and incompetent and corrupt civil servants; restore respectability, professionalism, transparency, and accountability to Nigeria’s public service; and then return to the barracks” (Agbese, 1992, as cited in Agbiboa, 2010). In a similar vein, after the second coup that ended the Second Republic led by Alhaji Shehu Shagari in 1983, the current president of Nigeria who was the leader of the coup, the then Gen. Muhammadu Buhari in 1983 rationalized the coup thusly:

The corrupt, inept, and insensitive leadership in the past four years has been the source of immorality and impropriety in our society, since what happens in any society is largely a reflection of the leadership of that society.

As of today, Nigeria has witnessed one civil war, seven military regimes, and three botched attempts at building democracy. One key factor account for the failure of virtually all attempts to govern Nigeria: corruption (Iyoha & Oriakhi, 2013). Since the inception of military regimes into the Nigerian political space, virtually all the military governments have behaved almost the same (if not worse) as the civilian counterparts that they overthrew from office. They have either been engaged in many forms of corruption to enrich themselves and their cronies at the expense of the people or have allowed members of their regime to turn governmental structures into instruments of waste” (Mbaku, 2000). Former Nigerian President Olusegun Obasanjo (a retired military

general and one-time head of state himself) acknowledged the military's role in entrenching corruption in Nigeria:

One of the greatest tragedies of military rule in recent times is that corruption was allowed to grow unchallenged and unchecked even when it was glaring for everyone to see (Excerpts of President Obasanjo's speech, 1999).

There is no doubt that the rise of police brutality to the current level and the general tolerance in Nigeria today may be traced to the various dictatorships that the country has experienced. The two dictatorship regimes that stand out due to their high level of corruption and brutality are the regimes of General Ibrahim Babangida (1985–1993) and that of his military successor General Sani Abacha (1993–1998). As one commentator notes,

Demonstrations of political recklessness in the matter of the control of corruption abound in Nigeria's political history. However, brazen acts of venality in the public service reached unprecedented levels under the military regimes of Ibrahim Babangida (1985-1993) and Sani Abacha (1993-1998). From the very apex of political leadership to the bottom of the ladder, public officers . . . wallowed openly in corruption (Ocheje, 2001 at page 175)

One may not be wrong to conclude that, in comparison, military forays into Nigerian politics have been a curse rather than a blessing to the Nigerian social, economic, and political life more than any other factor because it has legitimized and institutionalized brutality as a norm by law enforcement officers in Nigeria. A prolonged and completely unnecessary military disruption and interruption of the Nigerian political process for many years has only served to facilitate the country's collapse into an unfettered

downward trend. It also assisted the emergence of increasingly predatory and self-interested members of the armed forces, who made themselves untouchable. By extension, it weakened the structures regarding federal and state government, accountability, institutions, and the democratic process in general. In essence, successive Nigerian military regimes consciously or otherwise strengthened only the institutions to enhance their arbitrary, oppressive, brutal, and insensitive personal rule, as seen and exhibited today by the officers of the NPF.

There are no doubts that the elongated and successive military regimes in Nigeria have had a lasting impact on the NPF. In particular, the periodic break-up of Nigeria into states under successive military regimes has affected the structure of the NPF, for example, the creation of 12 states on May 27, 1967, which were used as police commands, with each headed by a commissioner of police—which then rose to 19 in 1976 with the creation of the 19 state structures. In 1986, 1991, and 1996, more states were created, thereby reworking the federal structure into 36 states, apart from the FCT. On October 14, 1986, the zonal command, headed by the assistant inspector general of police was introduced to unify the political structure of the country. Today, there exist 12 zonal commands in the country while the force headquarters operates as a police command (Omotola, 2007).

Another major impact of military rule on the Nigerian police is the problem of marginalization and funding. Nigeria's first 40 years after independence were dominated by disruption because of a series of military coups (Chukwuma, 2000). The police force, which was about 12,000 personnel and much more in number than the armed forces personnel, was perceived by the military leaders as a threat. This may have contributed to

some of the reasons why the different military regimes over time have deprived the police of needed funds (Dayil & Sjoberg, 2010). Because there was no constitutional provision that a certain percentage of the federal budget be allocated to the police, the Nigerian police were subjected to constant problems regarding a lack of funds (Omotola, 2007).

The breakdown of the funds allocated to the Nigerian police since 1980 reveals a pattern of regular and continuous underfunding (Open Society Justice Initiative, 2010). Besides 1983, under Alhaji Shehu Shagari's administration, when the police received an allocation of about 11% of the national budget. In all other years, the police, with its approximately 400,000 personnel, were allocated an average of about 5% (Open Society Justice Initiative, 2010). Furthermore, when the funds were released, the headquarters, zonal, and area commands withheld substantial amounts, leaving very little for intelligence-gathering, street patrols, and policing at the divisional and station levels, where most of the law enforcement was done (el-Rufai, 2012). Consequently, rather than benefit the public, the expansion of the NPF merely increased the numbers of rank-and-file officers involved in corrupt and deviant practices such as brutality across the country.

In Nigeria, successive military administrations have not done much to see that effective checks on abuses by police officers are in place, thereby encouraging misconduct, brutality, and corruption to flourish among the police officers (Chukwuma, 2003). One thing common with the military is the suspension of the constitution and other democratic institutions, such as the National Assembly, the Police Council, the Police Service Commission, and the weakened judiciary through intimidation, threats, and the arrest of judges. According to Osayande (2008), all these cowed institutions should ordinarily exercise oversight functions over the Nigeria Police Force, but the

military government left the police institution as “an orphan at the mercy of the ruling military government.

Additionally, appointment into the police force and capacity building were put on hold for decades, whereas a large chunk of good and experienced police officers was forced out of service through compulsory and premature retirement and dismissals (Mwalimu, 2009). This and other methods are how unethical conduct such as corruption, brutality, greed, indolence, tribalism, god-fatherism, nepotism, and injustice became institutionalized in the police hierarchy (Mwalimu, 2009). As a result, morale declined, and the police’s deteriorating public image discouraged highly qualified and quality candidates from joining the police because of their battered image. A one-time senior police officer who is now retired was quoted to have said that “It ended up with most of the people who were joining the Nigerian police, [they] joined it simply because it was a very easy way of making money” (Human Rights Watch, 2010).

Scholars have suggested that credentials should be given to informal policing by providing enlightening phenomenological accounts of the daily practices at the local level. As this may institutionalize both formal and informal policing. This may also help intelligence gathering through the cooperation of the locals (Onwudiwe et al., 2016). According to Onwudiwe (2000), organizations such as the customary and sharia courts (judiciary) are local in nature and localized police networks will serve the communities better. People are more likely to use traditional or customary systems to settle their disputes rather than formal courts (Wisler and Onwudiwe, 2009). Sharing this sentiment, Onyeozili (2005) argued that, though decentralization of police might not be a panacea to a perfect police force, it will however improve their effectiveness in the communities they serve.

Forms of Police Brutality in Nigeria

A major constraint against police effectiveness in the current democratic dispensation is the pervasiveness of the culture of corruption and deviance in the police as an institution. Article 324 of the Police Act provides the standards of conduct required of a police officer, including to “offer prompt obedience to a lawful order” and “be determined and incorruptible in the exercise of his duties” (Police Act, Cap 154 Laws of Nigeria, 2004). The virus of corruption has completely consumed the NPF, both as an institution and in their individual capacities (Omotola, 2007). Corruption, brutality, and other deviant practices in the NPF are institutionalized through a lucrative system of “returns.” This is a situation where police officers give returns from part of the money they make illegally at checkpoints and other illegal means to senior officers higher up the chain of command (Nguyen, 2010). Corruption in the NPF usually takes various forms, including but not limited to traffic duties; arrest and prosecution of criminal suspects; court trial in the form of delay of justice; undue adjournment of cases; destruction of exhibits and evidence; issuing of licensing and permits; falsifications; and tampering with statements and police investigations (Omotola, 2007). Sometimes, some police officers fail to arrest, investigate, or prosecute offenders because of family or friendship ties to colleagues in the force. Others collect bribes from suspects or their families and friends either to overlook their offenses and not arrest them or to present weak cases in court. However, the most visible forms of police brutality in Nigeria are bribery, extortion, and brazen human rights abuse (Human Rights Watch, 2010).

Police brutality in Nigeria occurs by coercion and usually affects the poorest people in Nigeria. Ordinary, Nigerians commuting on the country’s roadways, buying, or

selling at markets, and running daily errands are routinely subjected to police extortion and abuses. Refusal to give in to repeated demands for bribes by low-level, trigger-happy police officers often holds serious consequences. Ordinary Nigerians are frequently threatened and illegally detained—and at times physically and sexually assaulted, tortured, or even killed (Human Rights Watch, 2010). Police corruption appears to have become acceptable due to the fact no effort is made by members of the NPF to hide the illegal collection of money collected, as it is now done in full view of everyone. This shows a total lack of political will on the part of the Nigerian government to hold police officers accountable for their gross misconduct, brutalization, and all other unethical practices. This lack of accountability has led to what is now known as a culture of corruption in Nigeria, to the extent that it is now considered a “normal” part of life, usually referred to as “the Nigerian factor” As one police commissioner once stated, “People just want to pay and go their way” (Human Rights Watch, 2010).

Brutalization by the men of the Nigerian Police mostly takes place at police roadblocks and checkpoints because that is where most Nigerians have contact with the police. These checkpoints and roadblocks, which are usually put in place to check for crimes on Nigerian roads, have in themselves become a haven for criminal activities and points of corruption and brutalization. Motorists, especially commercial drivers and riders in Nigeria, are forced to stop at gunpoint at these sometimes illegally mounted roadblocks, where they are subjected to extortion under threat of arrest, detention, physical injury, and even sometimes death (HRW, 2010; Oluwaniyi, 2011). One civil society report estimated that, in 2008, the police collected roughly ₦540 million (U.S. \$4.5 million) in extra-legal “tolls” from some 70 police checkpoints along Anambra

State's roadways (Intersociety Statement, 2008). The report further noted that, in 2008, there were approximately 70 police checkpoints located on Anambra State roads and that about 1,000 commercial minibuses and motorcycle taxis passed through each checkpoint daily. Taking an average "toll" of ₦20 as a point of reference, the report estimated that the average checkpoint makes ₦20,000 per day. This means that 70 checkpoints collected roughly ₦1.4 million daily, ₦42 million monthly, and ₦504 million yearly (Intersociety Statement, 2008).

Another method of police corruption and brutality in Nigeria is impounding cars and motorcycles on the pretext that vehicle registration papers are either expired or not in order, but as soon as the owner or driver of the car part with some money, which must be negotiated, they are allowed to go with the expired papers. Commercial drivers are often required to pay bribes to police officers, ranging from ₦20 to ₦20,000 (\$0.13 to \$167)—a substantial amount of money when considered in the Nigerian context, where over 100 million survive on less than US\$1 a day (Agbibo, 2012). Commercial drivers of minibuses are often required to pay a pre-arranged amount ranging from ₦20 to ₦100 (depending on the distance of the journey) to the first police-mounted roadblock and then are usually waved through without incident. In cases where drivers fail to pay this amount, or to "understand the language of the police," as it is described, their vehicles are "parked," and their passengers are ordered to get out of the vehicle. These passengers are then ordered by the police officers to "drop something" or to negotiate payment directly with the driver to give them the "right" of passage. Commercial vehicle drivers have come to accept this as a sacrifice they have to make to avoid higher penalties and waste of time. As one commercial bus driver noted, "We don't waste time in giving them the

money. When you do not bring out the money in time, they will tell you at gunpoint to park and then you might be required to pay more than the regular bribe (Okereke, 1999: Omotola, 2007).

Police in Nigeria are among the worst offenders against the law: they mount illegal tolls for motorists, especially the so-called mammy wagons (heavy lorries with benches and roofs), which usually carry many more passengers than they are allowed and transgress a variety of minor regulations. These vehicles are allowed to proceed regardless of the infractions of the law if they pay the police officer's private toll (Okereke, 1995).

The problem of illegal and innumerable police roadblocks and checkpoints, and the corruption and barefaced abuses they give rise to, is hardly novel in Nigeria. Indeed, the usefulness of these checkpoints for crime cleanups was questioned by the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions (UN Commission on Human Rights, 2006), which found that, rather than preventing crime, police checkpoints in Nigeria are "used primarily for the purposes of extorting money from motorists." As corrupt police officers are more concerned with how much money they can extract from commercial drivers and motorists, members of criminal gangs often find it easier to simply pay off money-thirsty police officers (Human Rights Watch, 2010).

Acknowledging the veracity of this finding, the police leadership in Nigeria has on more than one occasion ordered the removal of checkpoints. For instance, in 1992, the then inspector general of police, Aliyu Attah, ordered the withdrawal of the mobile police from checkpoints, but checkpoints soon returned under the facade of "stop-and-search" patrols (Civil Liberties Organization, 2005) Today, the problem of police checkpoints,

and the extortions that pervade them, is getting worse (Human Rights Watch, 2010), despite dubious claims made by the then Nigerian inspector general of police, Mohammed Abubakar, that the withdrawal of police roadblocks has reduced 80% of the corruption in the Nigeria police. At the very least, what has changed is the nomenclature: Police checkpoints have been replaced by “tipping points” or “stop-and-check” operations (Human Rights Watch, 2010). At the end of the day, members of the police still look for every means to obtain money from the people, especially commercial drivers, mostly by forceful means and brutality.

In addition to checkpoints and roadblocks, another major form of police brutality and unethical practice in Nigeria is the unlawful detention of individuals and groups of citizens, many of whom are never formally charged, with the intention of extorting money from either them or their families and friends. This type of police brutality is common in Nigeria (Oluwaniyi, 2011). If the person unlawfully arrested by the police is unable or unwilling to part with the required money (bribe) for their release, nor do they have families or friends who can come to their aid, they are subjected to threats, beatings, sexual assault, torture, thumb-up charges or even death (Human Rights Watch, 2010). Although most victims who are arbitrarily arrested appear to be detained for a matter of hours, those who are either unwilling or unable to pay are typically held in a police cell overnight and may be detained for several days or even weeks. The longer the unlawful detention, the more opportunities the police have to extort money from the victims and their friends or relatives. The police strategy, according to one civil society leader in Nigeria, is “to cast the net very wide so they can arrest as many suspects as possible. This affords them more chances for extortion and corruption” (Human Rights Watch, 2010;

US Department of State, 2013). According to the law and police code of conduct in Nigeria, it is prohibited to demand or accept money (bribe) to release a person detained in police custody, and there are often posters at police stations to this effect, stating that “bail is free” and the “police is your friend” (Dayil & Sjoberg, 2010).

Many of the victims of police brutality are low-class people who struggle to make a living. Many of them make their living on what they earn as day laborers, drivers, and market traders (Oluwaniyi, 2011). In most cases, the mode of operation of the police is to simply round up groups of citizens from public spaces, especially restaurants, bars, bus stops, football viewing centers, and markets (something this researcher has twice experienced) who are then transported to the police station in a police pickup van. Sometimes, they drive them around for hours while bargaining with them on what to pay. These raids are often done under the pretext of a crackdown on crime. Once at the police station, police officers will then demand money for their ransom, either from them and/or from those close to them (Akin, 1984). It is not uncommon to hear stories in Nigeria about how Nigerian police officers had seized or hijacked a commercial minibus, collected unsuspecting passengers at bus stops, and then diverted the minibus to a nearby police station where they detained them and demanded money for their release (Network on Police Reform in Nigeria). This crime is commonly known in Nigeria as “raid or one chance.”

The above cases of police brutality clearly negate the provisions of the Nigerian Constitution, which provide every individual shall be entitled to their personal liberty, and no person shall be deprived of such liberty except in accordance with a procedure permitted by law (Section 35(1) Constitution of the Federal Republic of Nigeria, 1999).

The constitution further stipulates that, for an arrest without a warrant, “reasonable suspicion” must exist that the suspect committed a criminal offense (Constitution of the Federal Republic of Nigeria, 1999). In addition, the Nigerian Constitution provides that any person who is arrested “shall be brought before a court of law” within 24 hours (Constitution of the Federal Republic of Nigeria, 1999, Sec. 35(4)). The problem of unlawful arrest and detention has not escaped the notice of government officials. For example, a 2008 Report of the Presidential Committees on Police Reform in Nigeria concluded that the police “extort money from accused persons” and “those who do not cooperate usually suffer unlawful arrest and detention.” But acknowledgment of the problem never translates into action (Ocheje, 2001). Until now, the police leadership has failed to embrace best practices to curb the pervasiveness of brutalization and unlawful detention, and police officers are rarely held accountable for their actions or inactions (Human Rights Watch, 2010).

One major predictor of police corruption and extortion is brutalization and torture. In 2007, a Report of the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2007) found that “torture and ill-treatment are widely practiced in police custody” and are “an intrinsic part of the functioning of the police in Nigeria.” Several victims of police extortion have described how they have been threatened with or subjected to torture as a means of forcing them to give in to bribery and corruption (Dayil & Sjoberg, 2010; HRW, 2010; Oluwaniyi, 2011). In most cases, the families and friends of victims have no choice but to part with a large amount of money to return their loved ones (Human Rights Watch, 2010). Incidentally, Nigeria is a signatory to several international treaties that prohibit torture, including but

not limited to the International Covenant on Civil and Political Rights; the United Nations Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; and the African Charter on Human and Peoples' Rights. The Nigerian Constitution also requires relevant authorities to investigate and prosecute those who commit torture and compensate those who suffer it (Convention against Torture, 1984). Despite these being a signatory to all these charters and conventions to the protection of human rights, the Nigerian police arbitrarily use torture and other cruel, inhuman, and degrading treatment on a regular basis. Moreover, they are hardly ever held accountable for it (Human Rights Watch, 2010). On several occasions, the NPF have used the threat of rape and/or other forms of sexual assault as a means of extorting money from women stopped at checkpoints, accosted by the police in public places, or detained in police custody (CLEEN Foundation, 2008). In most of these reported cases, which are well documented by human rights organizations, women are given the "option" of providing sex in lieu of cash payment (Amnesty International, 2009, CLEEN Foundation, 2008; Human Rights Watch, 2010; Network on Police Reform in Nigeria and Open Society Justice Initiative, 2010). Based on police data, the CLEEN Foundation (2008) of Nigeria indicated there were 1,359 reported cases of "rape and indecent assault" in 2008.

Perhaps, the most alarming issue concerning police brutality and deviant conducts in Nigeria today is the fact that those who refuse to give in risk being shot dead on the spot. In 2010, a comprehensive report by Amnesty International, titled "Nigeria: Killing at Will: Extrajudicial Executions and Other Unlawful Killings by the Police in Nigeria" revealed that the NPF "is responsible for hundreds of extrajudicial executions, other

unlawful killings, and enforced disappearances every year.” A case in point is the extrajudicial killing of the “Apo Six” detailed in the following case study:

On June 7 and 8, 2005, the police in Abuja killed six young Nigerians, most of whom were from Apo village, including Augustina Arebun, a 22-year-old university student. The Police initially claimed the six were armed robbers and had been killed in a gun battle with the police. On June 8, the police called Augustina’s family and demanded ₦5,000 (approximately \$38). The family was unable to come up with the money and “several of them were executed a few hours later.” A commission of inquiry found that Deputy Commissioner of Police Ibrahim Danjuma and Chief Superintendent of Police Abdulsalam Othman ordered the “elimination” of Augustina and one of the other survivors, and then covered up the killing of the six. Five police officers were charged with homicide in July 2005, but the trial has since stalled. Othman however, “escaped” from custody at police Force Headquarters in June 2005 and remains at large, while Danjuma has been free on bail since August 2006. (Human Rights Watch, 2010; UN Commission on Human Rights, 2006; “Will Nigeria’s Apo Six Ever Get Justice?”

In 2006, the United Nations Commission on Human Rights found that police “checkpoints provide the occasion for a large number of extra-judicial executions by police.” The countless number of checkpoints are not only centers of extortion but of police altercation with motorists who refuse to give in, or are frustrated with police bribery, brutalization, and corruption. Far too often, these confrontations escalate into fatal shootings by the police. Numerous such killings are reported in Nigerian media each

year (Obe, 2010). Although police brutality and abuses are most visible among junior officers, large-scale embezzlement by mostly senior officers in Nigeria underlies and indeed drives many of these corrupt practices. Indeed, down the years, several high-ranking police officials, from the inspector general of police to commissioner of police, have also been implicated in high-level corruption scandals that involve embezzlement and misappropriation of staggering sums of public funds earmarked for basic police operations (Agbiboa, 2012; Oluwaniyi, 2011). Unfortunately, in many of these cases, the federal government and the police leadership have failed to properly investigate, prosecute, or discipline implicated officers, much less take tangible steps to prevent future cases of police brutality and other infractions by the men of the Nigerian police.

Special Anti-Robbery Squad (SARS)

The Special Anti-Robbery Squad (SARS) is a special unit of the force created within the NPF to combat armed robbery, kidnapping, and other violent crimes but has become the monster it was created to tame. As noted earlier, police brutality in Nigeria can be traced to the colonial era, when police were used as an instrument of oppression by their colonial masters. Then came the indigenous government, when Nigeria became independent, and local politicians who took over from colonial masters began to use the police to harass and perpetuate themselves in power. This situation has not been helped by Nigeria's long history of military regimes, which used the police to suppress protests and agitate against military dictatorship. Between May 2017 and June 2019, there were 82 reported cases of torture, ill-treatment, and extra-judicial killings of Nigerian citizens by the men of the SARS (Amnesty International, Nigeria, 2019).

There have been complaints against police brutality for many years, but these complaints became loud in 2017, when human rights groups and individuals came together in what was code-named the EndSARS campaign. The campaign was aimed at drawing the attention of the Nigerian government to police brutality and other human rights violations committed by SARS officers. Since 2014, Amnesty International has documented widespread human rights violations including extrajudicial executions, torture and other ill-treatment, rape, and extortion by officers of the SARS. Nigerians in the hundreds marched across major cities in the country, calling on the government to disband SARS, as well as prosecute SARS officers who have perpetrated brutality and other human rights violations. Many of SARS infractions were documented through videos and photos on social media, whereas others shared horrendous stories and experiences of SARS officers abusing their victims. The Nigerian police, after initially resorting to denial and threats toward the promoters of the campaign, finally admitted that SARS was involved in human rights violations and brutality, and they consequently promised reforms.

The federal government of Nigeria has repeatedly promised to reform SARS to curb its excesses. On August 14, 2018, the Nigerian vice president ordered an immediate reform of SARS, citing the widespread public outcry against their conduct. He also directed the National Human Rights Commission (NHRC) to set up a judicial panel to investigate the SARS's alleged unlawful activities. Hours later, the police authority announced a list of reform measures aimed at increasing SARS's public accountability. The measures include a change of name from the Special Anti-Robbery Squad (SARS) to the Federal Special Anti-Robbery Squad (FSARS), the appointment of a high-ranking

police officer to supervise the operation of the FSARS, and the restriction of FSARS operations to preventing armed robbery and kidnapping. Despite these promises of reform and accountability for violations, this report shows that SARS officers continue to subject detainees in their custody to torture and other forms of ill-treatment with total impunity. Amnesty International believes the ongoing immunity enjoyed by SARS officers for human rights violations points to deficiencies in policing practice and the absence of an effective police accountability system. The Nigerian government signed into law legislation criminalizing torture in December 2017, stipulating a 25-year jail term for any police officer who engages in torture, as well as murder charges and compensation for the families of victims if they die because of torture. However, till today, no SARS officer has been convicted of torture in a Nigerian court, though two officers were convicted in February 2021 for killing a victim and stealing his money after forcefully obtaining an automated teller machine (ATM) pin. Perpetrators of torture continue to act with impunity as if they were above the law.

Both Nigeria's Constitution, together with the Administration of Criminal Justice Act (ACJA) 2015, prohibit torture but did not criminalize it until 2017, when the Anti-Torture Act was signed into law. Section 34(1) of the Constitution states that every individual is entitled to respect for the dignity of his person, and accordingly, (a) no person shall be subjected to torture or to inhuman or degrading treatment. Section 17(2) (b) also provides that human dignity shall be maintained and enhanced. The ACJA addresses some of the concerns about the ill-treatment of detainees by police during the detention and interview. For example, Section 8(1) provides that criminal suspects must be accorded humane treatment, having regard for the dignity of the person and that they

must not be subjected to any form of torture or cruel, inhuman, or degrading treatment.

The ACJA also states that statements must be made in the presence of a legal practitioner of the suspect's choice. This echoes international law and standards. However, the ACJA must be adopted by the state legislature before it can take full effect in each of Nigeria's states. As of the time of this study, all of Nigeria's 36 states have adopted the ACJA.

No person in Nigeria, according to the law, should be detained for more than 48 hours because the law stipulates that the government must obtain a court order to keep anyone beyond 48 hours. In essence, no person should be detained at the pleasure of the police or any agency beyond 48 hours, except if it is ordered by the court. It is surprising and disheartening to learn that Nigeria, despite being a signatory to so many international treaties on human rights, has one of the most comprehensive legal regimes on the enforcement of human rights in the world, at least on paper, but these legislations are more honored in the breach than the observance.

In December 2017, the Nigerian president signed into law the Anti-Torture Act. This law prohibits and criminalizes the use of torture by law enforcement agencies and provides penalties for violations. Despite the continued use of torture by SARS officers, no one has been charged under the law. Nigeria's Constitution, and the Nigeria Police Force Order 237 (Rules for Guidance in the Use of Firearms by the Police) provide much broader grounds for the use of lethal force than is permissible under international law and standards. Force Order 237 permits police officers to shoot suspects and detainees who attempt to escape or avoid arrest, "provided the offense is such that the accused may be punished with death or imprisonment for 7 years or more." Escaping custody or resisting

arrest is punishable with 7 years' imprisonment under Nigerian legislation, which means any person attempting to escape can be shot in Nigeria.

Amnesty International research shows that young people between the ages of 17 and 30 are at the most risk of arrest, torture, or extortion by SARS. Amnesty International spoke to 20 young men during this research. They were arrested during street raids and at television viewing centers and pubs in 2017 and 2018. According to Amnesty International, SARS officers often look out for well-dressed young men, especially those in new cars. Often, these young men are accosted at roadblocks or on the streets and accused of being internet fraudsters, known as "Yahoo boys" in local parlance. The young men are taken to the station and are threatened with charges of robbery unless they agree to pay large sums of money for bail.



(Source: Reuters)

The police authorities have often announced that SARS officers are mandated to investigate serious criminal cases involving armed robbery and kidnapping. However, Amnesty International research shows that SARS officers involve themselves in other matters, including civil cases. In the cases documented by Amnesty International, senior police officers, including an IGP, were responsible for ordering the arrest of citizens for offenses that were not related to armed robbery or kidnapping. For instance, on January 1, 2018, Tim Elombah, an online journalist and six of his family members, were arrested by 15 armed SARS officers at about 4:00 a.m. at his home in Nnewi, Anambra State. Elombah said he was detained for 25 days and subjected to several forms of ill-treatment after he was accused of publishing a defamatory article against the IGP on a website. Tim Elombah was released on January 28, after a high court declared his detention illegal and

ordered his release. The police, however, charged him with cybercrimes, cyberstalking, cyber-intimidation, and terrorism-related offenses. In May 2018, a high court awarded Tm Elombah and his brothers N5 million (\$11,500) for infringing on their fundamental rights. The judgment remains unenforced till today. Similarly, On August 14, 2018, SARS officers arrested journalists Samuel Ogundipe, Musikilu Mojeed, and Azeezat Adedigba, all from the *Premium Times*, a Nigerian online newspaper, after they visited a police station on invitation by the police in Abuja. Although Musikilu Mojeed and Azeezat Adedigba were released after several hours of interrogation, Samuel Ogundipe was detained for three days and charged after he refused to reveal a source for an article he wrote, which allegedly embarrassed the IGP. While at the police headquarters, Samuel was told he had written several articles the IGP found embarrassing. Samuel was arraigned, secretly, at a magistrate court, without the knowledge of his lawyers and charged for criminal trespass and theft of police documents. He was released after a magistrate court granted him bail on August 16, 2018. Incidentally, the arrests occurred the same day the IGP announced plans to reform SARS.

The police authorities often use every opportunity to assure the public that torture is not acceptable within the NPF. However, there is no evidence that any serious steps have been taken to stop the use of torture or ensure SARS officers who allegedly perpetrate torture are brought to account. Many lawyers Amnesty International spoke to during this research expressed their frustration with the way senior police officers try to ensure that officers responsible for alleged torture escape punishment. Some of the measures employed by senior police officers include the transfer of police officers accused of torture to other states and the intimidation of victims and their attorneys. The

Rivers State Civil Society Coalition, a human rights group based in Port Harcourt, said it had brought at least 20 cases of torture and extrajudicial execution by SARS officers to the notice of the police authorities between January 2018 and February 2020. The group noted that no SARS officer has been prosecuted because of these cases; rather, many of the officers responsible for the alleged torture were transferred to other states to avoid prosecution.

Without a doubt, previous administrations have made attempts to reform the police. In 2006 and 2008, two presidential committees proposed recommendations on how to reform the NPF. The 2008 Presidential Committee concluded that various efforts made by successive governments to uncover the causes of the inefficiencies of the NPF have not been successful because the same governments failed to implement the recommendations of their own panels and committees. The federal government of Nigeria adopted a white paper in 2008 in which it accepted the recommendation to set up an Implementation Task Force to apply all the recommendations and prioritize and allocate the funds needed. In October 2010, former Nigerian president, Goodluck Jonathan, announced that the government had earmarked N71 billion (\$196 million) for police reforms. He asked the NPF to double its efforts “by demonstrating a high level of integrity and commitment in the discharge of their duties.” A review of the Police Act (1990) began in 2004; a draft bill has been pending before the National Assembly since October 2006. On March 18, 2020, the Nigerian Senate held a public hearing to receive memoranda on the Police Act (Repeal and Re-Enactment) Bill 2020 (SB181), which would repeal the existing Police Act. Amnesty International Nigeria submitted a memorandum raising serious concerns about the bill, with regard to excessive police

powers in policing assemblies and accountability mechanisms for violations, among other items. Furthermore, the NPF has not enforced effectively the laws, regulations, and codes of conduct to protect human rights. It was reported by the Punch newspaper that in 2009, the then minister of justice and attorney general of the federation established a National Committee on Torture “to investigate allegations of torture, extrajudicial executions, and other unlawful killings.” However, the committee is grossly underfunded. In the past, police authorities have also pretended to introduce measures to address human rights violations by the SARS and other police units. However, there has been a disappointing lack of progress. On September 20, 2017, the police launched Force Order 20, which created police duty solicitors, who are to be available at every police station throughout the country. These solicitors are responsible for providing arrested and detained persons with legal advice and other legal services. The force order also sets out the mode of operation of the solicitors. In theory, Force Order 20 makes it possible for suspects to access legal assistance for free at the point of the first contact with law enforcement. However, it has now been over three years since the launch of the scheme, yet there is no information about how the SARS stations are operating the scheme. On August 14, 2018, the then inspector general of police announced what he called the “immediate overhauling of the Special Anti-Robbery Squad (SARS)” to address complaints and allegations of human rights violations leveled against SARS officers by members of the public. Among the measures announced by the police chief is the creation of a human rights desk in police state commands and the restriction of SARS officers to the investigation of robbery and kidnapping cases. Additionally, in the new arrangement, a commissioner of police is now the overall head of the SARS nationwide, under the

Department of Operations, Force Headquarters, Abuja. On August 15, 2018, the federal government mandated the National Human Rights Commission constitute a panel on reforming SARS. This followed widespread public outcry against human rights violations by SARS officers. The eight-person Special Investigative Panel received 113 complaints and 22 memoranda from the public and was able to identify several forms of violation, among which were arbitrary detention, extortion, torture, and inhuman treatment. The panel also recommended the dismissal of 37 SARS officers and the prosecution of 24 officers. While receiving the report, the Nigerian president directed the inspector general of police, the Ministry of Justice, and the NHRC to work out modalities for the implementation of the report within 3 months. It is interesting to note that, even today, there is no evidence any of the panel's recommendations have been implemented. All the officers recommended for disciplinary measures remain in their positions, and none of the victims of human rights violations by SARS have been compensated, as recommended by the panel.

It has been a bit difficult to obtain complete data of those killed by members of SARS because efforts to acquire information through the NPF have been met with a brick wall. One officer told this researcher in confidence that such information is not what the police will be willing to release because of the image and perception problem it may create for the police hierarchy. Several email inquiries were not responded to. However, some of the victims of police brutality, which were gotten through other means such as print and social and electronic media are as follows:

1. Chijoke Ilonanya was reportedly killed in police custody in Anambra state in 2018, with the culprit boasting there was nothing anyone could do to him for killing him.
2. Tina Ezekkwe, a 17-year-old teenager who was standing near her mother's shop, was killed by trigger-happy police officers in Lagos state in 2020.
3. Kolade Johnson, a 31-year-old man, was killed while watching soccer along with his friends in a viewing center in Lagos state in 2020.
4. Tiamiyu Kazeem, a young and budding football star, was pushed out of a moving police vehicle, that had earlier arrested him, and was crushed by an oncoming vehicle in Ogun state in 2020.
5. Ayomide Taiwo, a young man, was reportedly killed for refusing to give a monetary bribe to the police officers who had stopped him somewhere in Lagos state.
6. Ifeoma Abugu, a young college graduate, was not only strangled but raped before being killed by men of the NPF in Delta state.
7. Oluwaseyi Kehinde, a 19-year-old college student, was killed during a student protest at the Federal University in Ekiti state on September 10, 2020.
8. Joseph Okonofua, a student, was killed under the same circumstances as Oluwaseyi Kehinde.
9. Isiaka Jimoh, the first victim of the EndSARS protest, was killed on October 10, 2020, in Oyo state.

According to Punch (2016), one of the frontline Nigerian daily newspapers, the NPF's SARS came under a fresh attack after some of its operatives were allegedly seen shooting

dead a young man in front of a hotel in Delta State, Nigeria. This made individuals and organizations, including but not limited to the former vice president of Nigeria, Atiku Abubakar, and Amnesty International join in condemning the incessant police brutality. In the words of Atiku as reported by the Punch newspaper on page 16,

The SARS unit of police was set up to combat violent crimes such as armed robbery, kidnapping, and other violent crimes. However, the unit has today morphed into the oppressor of the Nigerian masses who strive every day for a better life. It is expedient to ensure that the activities of SARS are reviewed to ensure that the rogue elements are excised from the unit and sanity returned into the operation. I strongly condemned their cruel actions against our people, and I urge the government to rise to the occasion to nip this monstrosity in the bud with the seriousness it deserves. Reports of intimidation, harassment, and outright extortion by officers of SARS have continued unabated.

In a similar vein, Amnesty International (2019) noted,

SARS officers are getting rich through their brutality. In Nigeria, it seems that torture is a lucrative business. End SARS now, and police brutality. Most of the victims of torture in SARS custody are poor and unable to hire legal representatives. In some cases, when detainees cannot afford to pay bribes, they are simply tortured more. The complete failure of Nigerian authorities to bring an end to the gross human rights violations perpetrated by the SARS or to bring any SARS officer to justice is shocking and unacceptable.

The reaction to this latest case of brutality became so intense both on the street and on social media that it warranted the incumbent inspector general of police in Nigeria to

immediately jump into action. The inspector general, in responding to the reaction, immediately issued new directives banning officers of the FSARS from carrying out what he called routine protocols. The full text of the inspector general of police read as reported in the Punch newspaper of October 12, 2020,

The Inspector of Police, IGP M. A. Adamu, NPM, mni has banned the personnel of the Federal Special Anti-Robbery Squad (FSARS) and other Special Tactical Squad (STS), Intelligence Response Team (IRT), Anti-Cultism Squad and other Tactical Squad operating in the federal, and zonal command levels from carrying out routine patrols and other conventional low-risk duties—stop and search duties, checkpoints, mounting of roadblocks, traffic check, etc.—with immediate effect. Besides, no personnel of the force are authorized to embark on patrols or tactical assignments in mufti. They must always appear in police uniforms or approved tactical gears. The IGP’s directives come against the backdrop of findings by the leadership of the Force that a few personnel of the Tactical Squads hide under these guises to perpetuate all forms of illegality, contrary to the Standard Operating Procedure (SOP), Code of Conduct and Rules of Engagement establishing the squad. Specifically, the IGP has warned the Tactical Squads against the invasion of the privacy of citizens particularly through an indiscriminate and unauthorized search of mobile phones, laptops, and other smart devices. They are to concentrate and respond to cases of armed robbery, kidnapping, and other violent crimes when the need arises. The IGP notes that the FSARS and other Police Tactical Squads remain a critical component of the Force in confronting prevailing and emerging violent crimes in the country. He

however condemns every act of unprofessionalism, abuse of human rights, and high-handedness by some personnel of the Squads. He has therefore ordered the X-Squad and the Monitoring Unit to embark on immediate massive nationwide monitoring of activities of Tactical Squads and other police officers on the road. They are to ensure prompt arrest, investigation, and prosecution of all erring police officers who violate these directives and other extant regulations of the force. The IGP has equally warned that, henceforth, the Commissioner of Police in charge of FSARS, Commissioner of Police in charge of State Commands and the FCT as well as their supervisory Assistants Inspector General of Police will be held liable for any misconduct within their Area of Responsibility (ACR). He, therefore, charged them to ensure effective supervision and mentoring of the personnel of the Tactical Squads under their jurisdiction. Meanwhile, two operatives of the FSARS and their civilian accomplice operating in Lagos State, Inspector Sale James, Inspector Monday Uchiola, and Okechukwu Ogbonna have been arrested by the Lagos State Police Command for acts of professional misconduct including extortion and intimidation of innocent citizens. The operational vehicle of the men has also been impounded and the disciplinary procedure has already commenced against the defaulters. The IGP reaffirms his commitment to bequeathing to Nigerians, a reformed Police Force that is accountable, responsible, and ever ready to defend and uphold the rights of the citizen while discharging its duties of keeping the people safe and secure. He enjoins the citizens not to allow the misconduct by a few personnel of the Force to negatively impact on their belief, confidence, and trust in the police.

Police brutality is so rampant in Nigeria, especially the SARS, that youths cannot walk freely around with their devices. It has become so bad that any young man driving a good car or walking on the street carrying an expensive and modern device such as phone, laptop, or iPad is a target and potential victim. Many have been brutalized and exploited. Some have even untimely lost their lives to the hands of the people who are meant to protect them.

Over the years, there have been condemnations regarding the activities of the men of the Nigerian police and their dealings with citizens. These condemnations have at various times led to agitation by individuals and organizations for the government of Nigeria to end the activities of the SARS. This agitation came to the fore again very recently when a video surfaced online where a young man was shot in Delta state by a SARS officer. This viral video brought afresh the agitation to end SARS. Within days, and in a coordinated protest, Nigerian youths took to the streets in virtually every state in Nigeria on October 9, 2020, and every social media outlet with the hashtag #ENDSARS.

In his reaction to the outrage and protests that sprang up across Nigeria on October 9, 2020, the President of Nigeria, President Muhamadu Buhari, on October 10, 2020, had this to say,

I met again with the Inspector General of Police. Our determination to reform the police should never be in doubt. I am being briefed regularly on the reform efforts ongoing to end police brutality and unethical conduct and to ensure that police are fully accountable to the people. The IG has my firm instructions to conclusively address the concerns of Nigerians regarding these excesses and ensure erring personnel are brought to justice. I appeal for patience and calm,

even as Nigerians freely exercise their rights to peacefully make their views known. Many men and women of the Nigerian Police Force are patriotic and committed to protecting the lives and livelihoods of Nigerians, and we will continue to support them to do their job.

Despite the steps taken by the inspector general of police and the president of Nigeria, Nigerian youths refused to leave the streets because of the lack of trust they have in the government and as a result of failed promises and failure on the part of the government to act in the past. Besides, immediately SARS was disbanded, another squad called the Special Weapon and Tactics Team (SWAT) was created, and people felt this was going to be the same set of people with just a change of nomenclature. The protests continued across the country, with reports of brutality, shooting, and killing in some places.

Nigerian youths remained resolute and unrelenting until the government lost soldiers on protesters in Lagos, which unleashed mayhem, and many people were reportedly killed on October 20, 2020. According to reports (Amnesty International, 2020), 12 people were killed in one spot in Lagos on that day, with soldiers carrying their bodies away, and several others were injured. It also reported that not less than 56 fatalities were recorded across the country during the 2 weeks that the protest lasted. This of course generated much reaction, both locally and internationally.

It is baffling to point out that people who were protesting against police brutality were met with more brutality by the government. How does this show seriousness on the part of the government, which has been giving reforms lip service? This is the reason the populace does not trust the government in the first place. The government needs to do

better by showing it is committed to tackling the endemic police brutality that has bedeviled Nigeria, especially the youth, for a long time.

Police and Accountability

On February 27, 2021, Michael Chiedoziem reported online that a lady named Ifeoma Abugu, who graduated from a law school in Nigeria and had just finished her one-year mandatory service in the National Youth Service Corps, was whisked away by men of the NPF without any information as to where she was being taken. The police had come looking for her fiancé, Afam Ugwunwa, and, not finding him, they took her away. All efforts to find out which police station she was taken to prove abortive, until the next day when the police released a statement that Ifeoma Abugu was dead. According to the police, she died of a drug overdose (her fiancé had been accused of being a drug dealer).

However, the claims by the police were debunked by a statement released by the head pathologist of the University of Abuja Teaching Hospital, Dr. Abimiku, who carried out an autopsy on late Ms. Abugu. According to the statement, Ifeoma did not die because of a drug overdose, as claimed by the police, because her kidneys and liver were not in poor condition. Rather, parts of her body, such as fingernails and toenails had turned blue. This is a piece of forensic evidence that indicates, shortly before Ms. Abugu died, the blood supply was cut off from parts of her body, making them turn blue. This is proof that Ms. Abugu was strangled to death. Further autopsy reports revealed a deposit of semen was found in her vagina, which may be an indication she was sexually assaulted.

The men of the NPF appear to have assaulted and strangled Ms. Abugu to death and still nobody has been made to answer for her death. A case like Ifeoma Abugu's

death was one of the main events that sparked the #EndSARS protests, which shook the whole country in October 2020. The questions have not been answered.

This case is just one of the many gory tales that Nigerians must deal with at the hands of the people who are meant to protect them. Many cases of abuse do not get into the public eye because they are either covered up or not reported. One may fall into depression if one hears accounts from some of the victims. It is quite unfortunate that the perpetrators of evil are so vile and bold because there are no accountability systems to deter them. This underscores the importance of accountability by law enforcement officers.

There is no doubt that police officers play a fundamental and crucial role in our societies through serving and protecting the people, as well as generally maintaining law and order. Their roles always remain an important one, being an establishment of the law. The roles they play come in handy during times of armed conflict, crisis, and other situations of violence. A very high level of responsibility is placed on police officers because they are expected to carry out their duties and responsibilities concerning, and in absolute observance, of the applicable laws, policies, and regulations, both local and international. This expectation may, however, place a difficult task on police officers because of the situation they find themselves in, especially since their legal, ethical, and professional requirements may be somewhat demanding. However, demanding these requirements may show that adherence to them is not negotiable.

Policing is an important aspect of any society, which underscores the importance of the police. It is the duty of the police to not only protect everyone in society but also maintain law and order. Even though police operation mechanisms differ from one

country to another (Stone, 2007), accountability has become an important element in the discourse of the ground rules for the governance of nations in general and its agency in particular. Accountability has been broadly defined by Schedler (1999) as the continuing concern for checks and oversight, for surveillance and institutional constraints, and the exercise of power and authority. The purpose of accountability is not to eliminate or undermine power or authority but rather to strengthen it through a form of check or control, which will prevent it from being a weapon of harassment, intimidation, oppression, brutalization, extortion, and exploitation. Accountability also ensures that authority is exercised lawfully and transparently, bearing in mind the applicable rules. The public in virtually all societies repose high confidence in the police by demanding personal attention and control over police activities in their community. The police also realize their effectiveness is highly dependent on the level of cooperation and support they get from the people they are serving. It may be convenient to conclude that the U.S. policing method of local police systems is designed to overcome the lack of trust and cooperation between marginalized racial, tribal, ethnic, or religious communities and the police. Although Nigerian police too in recent times appear to have introduced community police programs with the support of the British government after the enthronement of democratic government in 1999, this has largely been ineffective because the core of policing is still being controlled from Abuja, thereby defeating the aim and purpose of community policing.

Police accountability involves holding police officers accountable for their actions and/or inactions and for optimum performance when carrying out their lawful and primary duties of maintenance of law and order and control and prevention of crime. It is

important for police officers to treat members of the public with the respect and dignity they deserve, as stipulated by the law. Police accountability is not just key to policing but also essential if police agencies and departments are to achieve their goals of legitimacy, law, and order and to ensure effectiveness in a police–community relationship (Walker, 2007). The importance of police accountability underscores the necessity of checking police power and authority because uncontrolled or unchecked power may lead to abuse. In the words of Baron Montesquieu, power corrupts, absolute power corrupts absolutely, and anyone with power is likely to abuse it and take power as far as it can go. It appears many societies have structures and mechanisms to hold agencies of government, including police, accountable for their actions and inactions and management of public funds. To set up an effective and accountable policing structure in society, there is a need for multiple mechanisms of control, such as internal, external, and social control.

According to the United Nations (1999), there are five principles that policing in every society should abide by—and from which policing yardsticks and behaviors can be based. These principles are as follows:

- Police must be oriented and operate in accordance with the principles of democracy, consistent with the constitution and with the rule of law;
- Police, as recipients of public trust, are professionals whose conduct must be governed by professional codes of conduct;
- Police must have as their highest priority the protection of life and fundamental human rights. Police must serve the public and be accountable to the public;

- The protection of life and property is the primary function of police operations, and a central focus of police activity must be on the measure of preventing crime;
- Police must conduct their activities with respect to human dignity and the basic human rights of all persons, and police must discharge their duties in a nondiscriminatory manner.

Police and Mental Health

There is little doubt that police work involves physical danger. Often overlooked, however, are the psychological dangers of this work. A recent study helped bring this problem to the forefront (Jetelina et al., 2020). Jetelina et al. discussed the prevalence of mental illness among a sample of police officers and examined the reasons why they do not seek professional help. Overall, 12% of officers reported a mental health diagnosis, and 26% reported current symptoms of mental illness. Officers reported they would probably not seek mental health care because of many factors, such as lack of confidentiality, stigmatization, the effect on employment, and lack of trust of mental health care professionals, who are ignorant of the intricacies of police work. Another study has suggested that, although the police have a “social license” for aggressive behavior, they are at the same time prevented from using it due to public trust. This, according to the study, places them in a position of psychological strain (Violanti et al 2017). This scenario may reflect the same position the police are in today, a feeling of mental exhaustion caused by the lack of ability to take care of people who are in one form of trouble or another. Another study showed that the stress police officers go through leaves them feeling cynical and isolated from others (Violanti, 2017). The

process of becoming a police officer is associated with narrow reasoning, with a worldview of either right or wrong, and to the exclusion of middle ground for alternatives that deal with mental distress. The most common types of mental symptoms among police officers are depression, posttraumatic stress disorder, and a sense of hopelessness (Violanti, 2017). Due to the nature of their job, police officers are often exposed to traumatic events most of their working lives. These events may include motor vehicle crashes, armed conflicts, domestic assault, witnessing violent death, and, recently, insurrection. This may cause the rates of posttraumatic stress disorder and depression to be higher in police officers than in the public. Some sense of hopelessness may take place among police officers because of the negative sides and perceived futility of their effort and work-related stress—for instance, if an officer works for years on a case but has it thrown out or dismissed by a court because of a legal technicality or when they are made to feel their efforts against increasing crime are futile (Friedman, 1968). Many of the complications of mental problems may also be linked to the use of alcohol. Police officers engage in the use and abuse of alcohol more highly due to their job, which comes with stress (Christopher et al, 2016). Additionally, peer pressure, isolation, and a culture that approves alcohol use may be other factors. Oftentimes, police officers engage in drinking together, and this may reinforce their values. One factor that has been identified as one of the most frequently identified barriers to mental health care, and which is prominent among police officers, is stigma (Shane, 2010). Many officers feel they will not be trusted by peers, superior officers, and authorities, and admitting mental health problems and seeking help may deprive them of opportunities for promotions and career growth.

While establishing greater trust between police officers and police authorities may assist in ameliorating this problem, creating such trust may sometimes come with its challenges because of the belief of police officers that the police organization itself has been a significant source of stress, and this they have regularly reported. If their trust is earned, police authorities may be able to assist in the reduction of mental health stress by acting as a support base and assist police officers in dealing with dark experiences, either real or imagined. Awareness and education about mental health and required treatment and therapy are also important for police officers. The stigma associated with mental health and the reluctance of police officers to get the needed help may lead to further increases in mental stress, and this may negatively affect the way they deal with people, thereby leading to brutality. Policing is an essential profession that is shouldered with the responsibility of maintaining law and order, as well as preserving the rule of law, and those officers who are shouldered with these onerous responsibilities deserve adequate protection from the mental health stress associated with this difficult task. Doing this is a matter of psychological survival.

It is noteworthy that some police departments in the United States are beginning to take mental health issues more seriously among police officers, as they now tend to not take all 911 or emergency calls as criminal matters but see some of them as mental health issues. For instance, the New York Police Department announced on November 13, 2020, that mental health teams will now be dispatched to deescalate certain emergencies, such as suicide attempts, substance misuse, and other mental health-related calls. However, in such situations that may involve a weapon or imminent risk of harm, a team of police and mental health teams will be deployed. This action follows several weeks of protests and

demonstrations around the country expressing distrust in law enforcement over police brutality, systemic racism, injustice in law enforcement in general, and demanding more accountability from the police.

This laudable and commendable initiative may appear novel, but it is not the first in the United States because it was modeled after several other comparable programs around the country. For instance, the Crisis Assistance Helping out on the Streets (CAHOOTS) program was in existence in Eugene, Oregon, before the NYPD initiative. The program was created as an alternative to police response for nonviolent situations.

Nigerian police, like their counterparts in the United States and other countries around the world, face occupational stress and hazards when discharging their duties. The police in Nigeria are further faced with lack of or inadequate government policies and programs to deal with this problem. This constant exposure to occupational stress, may affect them not only in how they carry out their duties but also in terms of their physical and mental state (Melgosa, 2010). Studies show that police officers affected by occupational stress suffer emotional weakness, mood swings, sleep instability, loss of concentration, depression, anxiety, divorce, and suicidal ideation (Mogadeghrad, 2014). Haus et al. (2016) categorized occupational stressors to include (a) the job-related factors such as work load, responsibility, role conflict, and job demands; and (b) organizational factors such as organizational structure, policies and procedures, pay and benefits, job security, and leadership style. Specifically, in Nigeria, there is a lack of effective programs and policies to provide coping and recovery to address the negative effects of occupational stress and burnout on Nigerian police officers (WHO, 2015) One of the

purposes of this study is to determine whether this occupational stress contributes to many cases of police brutality.

Theoretical Perspectives: An Overview

Diverse theoretical perspectives may have contributed to the provision of a conceptual framework to aid the understanding of the concept of police brutality. Some of the theories may be sociological and benefit from an analysis of the theories through the lens of the conflict inherent in society and the factors in social organization that contribute to it. These sociological theories are essentially police brutality theories (sociological theory, psychological theory, organizational theory, and the subculture-of-violence theory), and these theories may differ in terms of their contexts, emphases, and conceptualizations (Lawson, 2012). The present study is primarily guided by the concept of policing, which deals with the issue of the extent of the power of police officers while carrying out their lawful duties, emphasizing the role of the social power structure and the consequences that result thereof.

Sociological Theory

One of the major theoretical frameworks, and probably the most talked about perspective in the study of police brutality, is sociological theory, a supposition that intends to consider, analyze, and explain objects of social reality from a sociological perspective by drawing connections between individual concepts to organize and substantiate sociological knowledge (Macionis & Gerber, 2010). Central to the sociological perspective is the concept of power and authority and where they lie. One of the sociological approaches to understanding the behavior of police officers is based on the premise that police officer behaviors may be influenced by the social dynamics of

police–citizen encounters (Billingham, 2007). Conflict theory, which is a core aspect of sociological theory, emphasizes the role of coercion and power in the maintenance of Karl Marx’s social order. This perspective is derived from the works of Karl Marx, who saw society as fragmented into groups competing for social and economic resources. Social order is maintained by domination, with power in the hands of those with the greatest political, economic, and social resources.

The functionalist theory, also popularly referred to as functionalism, is one of the major theoretical perspectives in sociology, which has its origins in the works of Emile Durkheim, who was especially interested in how social order is possible and how society remains relatively stable. To the functionalists, societal stability and social order are the focal points. Labeling theory is one of the most important approaches to understanding deviant behavior. It begins with the assumption that no act is intrinsically criminal. Definitions of criminality are established by those in power through the formulation of laws and the interpretation of those laws by police, courts, and correctional institutions (Albrecht, 2017). It serves as an important frame for those who study deviance and crime. Sociologists who follow this school of thought argue there is a process of labeling by which deviance comes to be recognized as such. From this standpoint, the societal reaction to deviant behavior suggests social groups create deviance by making the rules whose infraction constitutes deviance and by applying those rules to particular people and labeling them as outsiders. This theory further suggests that people engage in deviant acts because they have been labeled as deviant by society because of their race, or class, or the intersection of the two, (Scheff, 2017). This may be a clear explanation of police brutality, especially with regard to certain groups of people in society.

Structural Strain Theory

This theory, which was developed by American sociologist Robert K. Merton and further developed by Robert Agnew, suggests that deviant behavior is the result of the strain individuals may experience when the communities or societies in which they live do not provide the necessary means to achieve culturally valued goals (Agnew, 1987). Merton is of the opinion that, when society fails people in this way, they engage in deviant or criminal acts to achieve those goals. We as members of societies sometimes tend to forget that police officers are also affected by the same thing that affects everyone in the society—because they equally belong to the same society. They are not immune from the general societal strain, though lines of duty may be different.

Psychological Theory

There are no doubts that each theory has helped contribute to our knowledge of the human mind and behavior (Ali et al, 2010). Developmental theories, for example, make provision for a set of guiding principles and concepts that analyze and explain human development. In some developmental theories, the focus is on the creation of a particular quality. An example of such a theory is Kohlberg's theory of moral development (Walrath, 2011). The focus of other developmental theories may be on the growth that happens throughout the life span. Behavioral theory, otherwise known as behaviorism, is a theory of learning that is based on the concept that all human behaviors are shaped by or acquired through conditioning (Schwarzer & Frensch, 2010). The major proponents of this theory, among other famous theorists, are John Watkin and B. F. Skinner. Their behavioral theory was dominant especially during the early half of the twentieth century, and it is still relevant today and widely used, especially to learn new

skills and behaviors. Cognitive theories are centered on inner states, which may include decision-making, motivation, motive, problem-solving, reasoning, and thinking. These theories attempt to explain various mental processes that may include but are not limited to how the human mind processes information. Humanistic psychology theories emphasize the basic goodness of human beings (Brady-Ammon & Keefe-Cooperman, 2017). Some of the major humanist theorists include Carl Rogers and Abraham Maslow. Personality psychology looks at the patterns of thoughts, feelings, and behavior that make a person unique. Some of the best-known theories in psychology are devoted to the subject of personality (Ellis et al., 2019).

Conflict Theory

Conflict theory emerged on the heels of labeling theory. The focus of this theory is the political nature of crime and the examination and application of criminal law (Vold, 1958). The theory shares the fundamental assumptions that societies are more appropriately characterized by conflicts rather than by consensus. The assumption of conflict theory provides room for a variety of theories. For instance, whereas the pluralist version of the theory suggests society is composed of a myriad of groups, varying in size, and often temporary, all of which are struggling to see their interests are maintained in any number of issues, the class-conflicts versions are of the opinion that two classes are present in society, both of which are attempting to dominate society (Williams & McShane, 2014). Conflict theory sees the use of power as a means of creation and maintenance of consensual image, which represents the problem to be studied. Although there are many forms of conflict theories, they are, however, bound together by the assumption that conflict is natural to society. It is interesting to note that part of that

societal conflict natural to society is police brutality. The two most common approaches to conflict theory is the pluralist conflict perspective and the critical or radical conflict perspective. The pluralist perspective is centered on power and its use. The assumption here is that conflicts emerge between groups who are attempting to exercise control over situations or events by viewing social issues as combat with enemies fighting to win battles (Vold et al., 2001). It sees law and its enforcement as a resource used to the benefit of those in power. According to Turk (1964), social order is a product of powerful groups attempting to control society, and this control is exerted by putting values into law and having the authority to enforce such laws. Turk is of the opinion that the two major ways by which control can be exerted over societies is through coercion or physical force and legal images and living time (Turk, 1976). Without a doubt, conflict theory in whatever guise, has had a great impact on society, as there will always be conflicts in society. It is an assumption of conflict theory that there will always be stiff competition for resources, and the law and law enforcement are used as tools to gain and control these resources to maintain position in society.

Social Control Theory

Social control theory, which came to be a form of reaction to labeling and conflict theories, did not attain popularity until the mid-70s. This theory, which appears to adopt a more pragmatic approach to criminology, thus attained the interest of government and, by extension, attained better funding (Williams, 1984). Social control theory, as proposed by Hirschi (1979), relies on social factors to explain how people are prevented from conducting themselves in ways harmful to others. According to Durkheim (1965), societies will always have a certain number of deviants, and deviance is really a normal

phenomenon. He went further, arguing that crime is not intrinsically bad, as every society has crime, which is an indication that crime has a function in society. To him, it is an abnormality for a society not to have crime, and this crime or criminal behavior can only be controlled by social actions, such as punishment. Travis Hirschi (1979) is another theorist whose influence in social control theory cannot be overlooked. In his social bond explanation, he characterized it as having the four basic dimensions of attachment, involvement, commitment, and belief—with the most important of these elements being attachment.

This theory holds that the state functions as an instrument of the dominant group, such as race, economic class, or ethnicity (Lersch, 1998). The police, as an institution of the government, are a product of the political processes that bring out the interests of the powers that be in the society. The main function of the police, according to this theory, is to maintain the status quo of inequality and help the powerful exploit the powerless to prevent their resistance (Holmes et al., 2008; Lersch, 1998). It may be argued that poor, downtrodden, or politically/economically inferiors may often be unwilling to file a report of police misconduct, even though they are more likely to be at the receiving end of police misconduct. Giving credence to this argument, which is an offshoot of the Marxist school of thought, is the documented creation of the NPF by the British colonialists, with the sole and primary aim of meeting their desire of combatting local opposition (Aborisade & Fayemi, 2015). The police rule of engagement then was to only enforce colonial laws, which were often anti-people (Aborisade & Fayemi, 2015). Today, the situation has not really changed, as the police remain a weapon in the hands of the government in power. According to Human Rights Watch (2010), the police as an

institution is used as an instrument of oppression by the ruling class and bureaucrats. They are also referred to as the willing “tools” in the hands of the state rulers and bourgeoisie to secure them from any uprising by the oppressed (Egede, 2007). Although there appears to be empirical evidence suggesting that police–citizen interactions are characterized by the power dynamics of racial, gender, and class divisions. According to Punch and Gilmour (2010), there is an assumption that the external influence of the elite class constructs and mandates police officers’ behaviors in their dealings with the people. This may explain why the police have often been used as instruments of oppression by elites to torment the masses by means of indiscriminate arrest, torture, and infringement of their rights (Okeshola & Adeta, 2013) However, exclusively limiting one’s understanding of the concept of brutality by the police to this theoretical framework is undoubtedly oversimplifying the micro-level decision-making processes of the parties involved. This may, however, be one of the rationales for using symbolic interactionist theory to explain police brutality or excessive use of force, especially from a micro-sociological point of view.

Symbolic Interactionist Theory

Symbolic interactionist theory, which is akin to conflict theory, can also be adopted in the explanation of police brutality. This theory lays emphasis on the subjective meanings and significant influences of socialization to explain the patterns of micro-level social interactions (Mead, 1934). As interactions between people, including violent encounters between civilians and police officers, are reciprocal on the part of two related parties, each party embodies its own reflected appraisal of the self, which subsequently influences one’s behaviors when engaging in interpersonal relationships. The concept of

“the self” is greatly influenced by the subjective interpretations and “reflection of appraisals” made by the reference groups (Matsueda, 1992; Mead, 1934). This formation of self-identity is applied to individuals’ behaviors and interactions through “role-taking,” which then constructs the general social structures (Matsueda, 1992). The theory also “stresses that people help to create their social circumstances and do not merely react to them” (Brym et al., 2009; Goffman, 1959). As can be extrapolated from symbolic interactionism, civilians and police both learn to behave in accordance with the norms, rules, and expectations of a given society. In the context of police–civilian interactions, consistent with the Marxist perspective, members of minority groups and police officers are likely to be viewed as “rule violators” and oppressors, respectively, in the eyes of one another. The peculiarity of the organizational culture of the police causes the police apparatus to act as a situationally dominant reference group when issues arise on duty (Ouchi, 1979). First, under the precondition of the lack of appropriate constraints imposed by the upper rungs of society, police officers must internalize their role as control agents before they can engage in human right abuses. The police divisions and the political elites portray the role of police as control agents and “crime fighters,” rather than social workers who serve the interests of the public (Fry & Berkes, 1983). Institutionalization of an abstract group identity, as Matsueda (1992) argued, is “the most effective form of social control” because people eventually learn to act according to the expected code of conduct (Mead, 1934, p. 1,581). Subsequently, the society at large accepts the authority of the police (whether willingly or not) and interacts with them in a rather submissive manner. Finally, the officers internalize their new occupational identity and enact their expected role to maintain social control in society. As scholars have

observed, the organizational culture and structure significantly influence the behavior of individual officers and teach them to internalize the values, attitudes, and beliefs used to ensure appropriate occupational and/or organizational behaviors are adopted. (Fry & Berkes, 1983; Ouchi, 1979). The degree to which each segment of the police force employs the “paramilitary police model,” embraces the soldier–bureaucrat identities, and appraises the value of attaining control over civilians differs considerably (Fry & Berkes, 1983). Additionally, the more an officer is exposed to other officers’ misconduct, the more susceptible they are to “slide further down the slippery slope” and take on the role of “brutal officer”—also known as “reciprocal role-taking” (Matsueda, 1992; Punch & Gilmour, 2010). The postulations of both the social conflict and symbolic interactionist theories have provided a holistic theoretical approach that considers both the micro- and macro-sociological explanations for the contravention of human rights by law enforcement officers in Nigeria. Social conflict theory tends to assume it is an external influence of the elite class, which constructs and mandates police officers’ behaviors in their daily encounters with civilians. In contrast, symbolic interactionist theory can address the variations between units and segments and explain why only some officers become “bad apples” and why some will conform to the ethics of their job.

Predictors of Police Brutality in the United States

Scholars have tried to identify some predictive factors, such as racial bias, a bad temper, insecure masculinity, and other individual characteristics, many of which can be identified through simulations already used in officer training (Goff, 2020). Nix et al. (2017) suggested that such screening could help with vetting officers before they are recruited. However, raising the bar for hiring might be impractical, he cautions, because

many police departments are already struggling to attract and retain highly qualified candidates. There have been several high-profile cases highlighting police brutality in the last few years. When it comes to police lethality, the United States is unrivaled among industrialized nations (Hirschfield, 2015). Although arguable, several factors have been identified as predictors of police brutality. Among these are gender, income level, socioeconomic status, educational level, race, ethnicity, and class. Previous research has found that race or skin color is correlated with increased rates of police brutality. A plethora of studies have shown a significant relationship exists between race and police brutality in the United States because scholars have argued that racial minorities, especially Black Americans, disproportionately experience death at the hands of the police with regard to the size of their population in the United States (Duran, 2016; Hirschfield, 2015; Lersch & Mieczkowski, 2005; Nix et al., 2017; Sorensen et al., 1992). Police brutality toward Blacks in the United States is not new (Alang et al., 2017). Racial composition is one important structural predictor (Pratt & Cullen, 2005). Specifically, researchers on excessive force and brutality cases have found the size of the Black population is a significant predictor of these incidents occurring more frequently (Holmes, 2000; Smith & Holmes, 2014). It has been seen over time that people of color such as African Americans and Hispanics are more affected by police actions than their Caucasian counterparts. Even if the enforcement of minor traffic violations such as broken taillights are conducted uniformly and without animus, they still place a heavy burden on African Americans and Hispanic drivers, without necessarily improving security or public safety (Woods, 2018). For instance, the Department of Justice investigation into the Ferguson incident in 2014 concluded that officers of the Ferguson

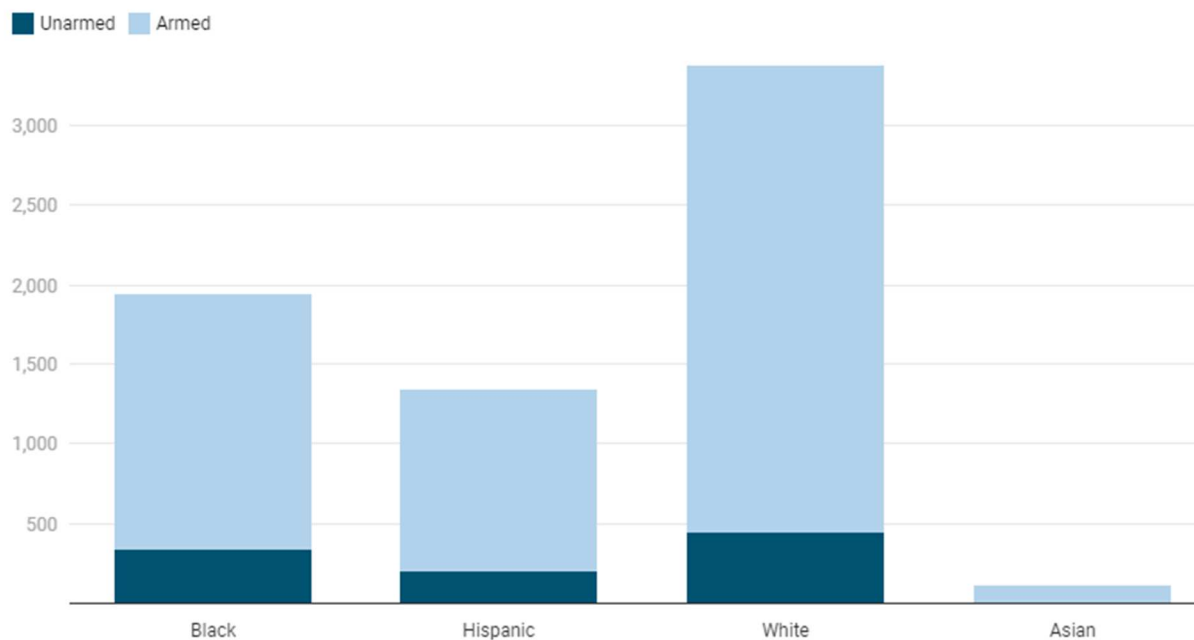
Police Department routinely violated the constitutional rights of Ferguson residents by applying racial stereotypes and discriminating against African Americans. Overall, 67 percent African Americans in Ferguson accounted for 93 percent of arrests made from 2012–2014. Moreover, in every police dog bite reported, the person bitten was a Black person, and every person arrested for resisting arrest was a Black person (Ferguson Report, 2015). The 102-page report gave a damning and scathing account of the Ferguson Police Department and their treatment of African Americans as a means of revenue generation rather than public safety. In a similar vein, the same Department of Justice in the Baltimore report found, not too different from its findings in Ferguson, that police officers of the Baltimore Police Department, just like their counterparts in Ferguson, routinely violated the constitutional rights of citizens, used excessive force, and discriminated against African Americans. The 163-page report went further by stating that the relationship between the police in Baltimore and many of the communities it was meant to serve had broken down.

Factors such as socioeconomic status, level of education, and neighborhood have also been identified as factors correlated with police brutality in the United States (Desmond et al., 2016). Incidentally, ethnic minorities do experience a higher incidence of police brutality based on these predictors (Campbell et al., 2017). A 2020 national study revealed that, even though the African American population in the United States was just 13%, compared to 61% White and 18% Hispanic, 26% of those shot and killed by police were African Americans, compared to 50% of Whites and 19% Hispanics. Additionally, the numbers of unarmed African Americans, compared to others, shot and killed by the police are alarming. Whereas 36% of those shot and killed since 2015 while

unarmed were African Americans, 42% were White and 18% Hispanic within the same period (Schwartz, 2020).

Figure 3

Death as a Result of Police Brutality by Race or Ethnicity in the United States

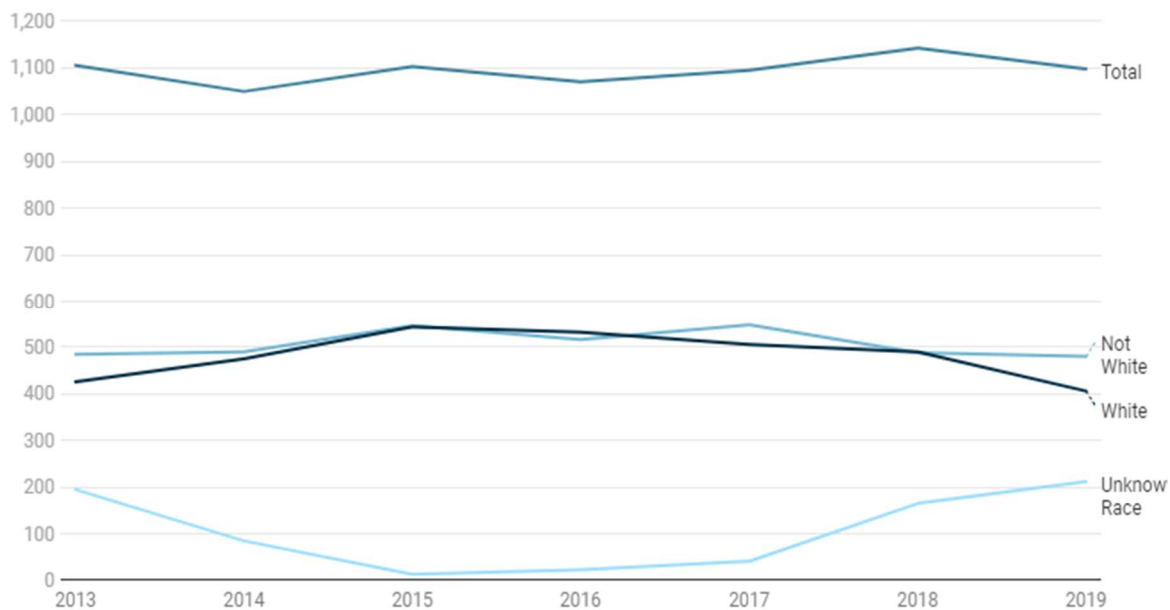


(Source: Mapping Police Violence, 2020)

According to the data from Mapping Police Violence, more than 1,000 unarmed people died as a result of police harm between 2013 and 2019. About one third of them were Black, and about 17% of the Black people who died as a result of police harm were unarmed, a larger share than any other racial group and about 1.3 times more than the average of 13%

Figure 4

2013–2019 Deaths as a Result of Police Brutality in the United States

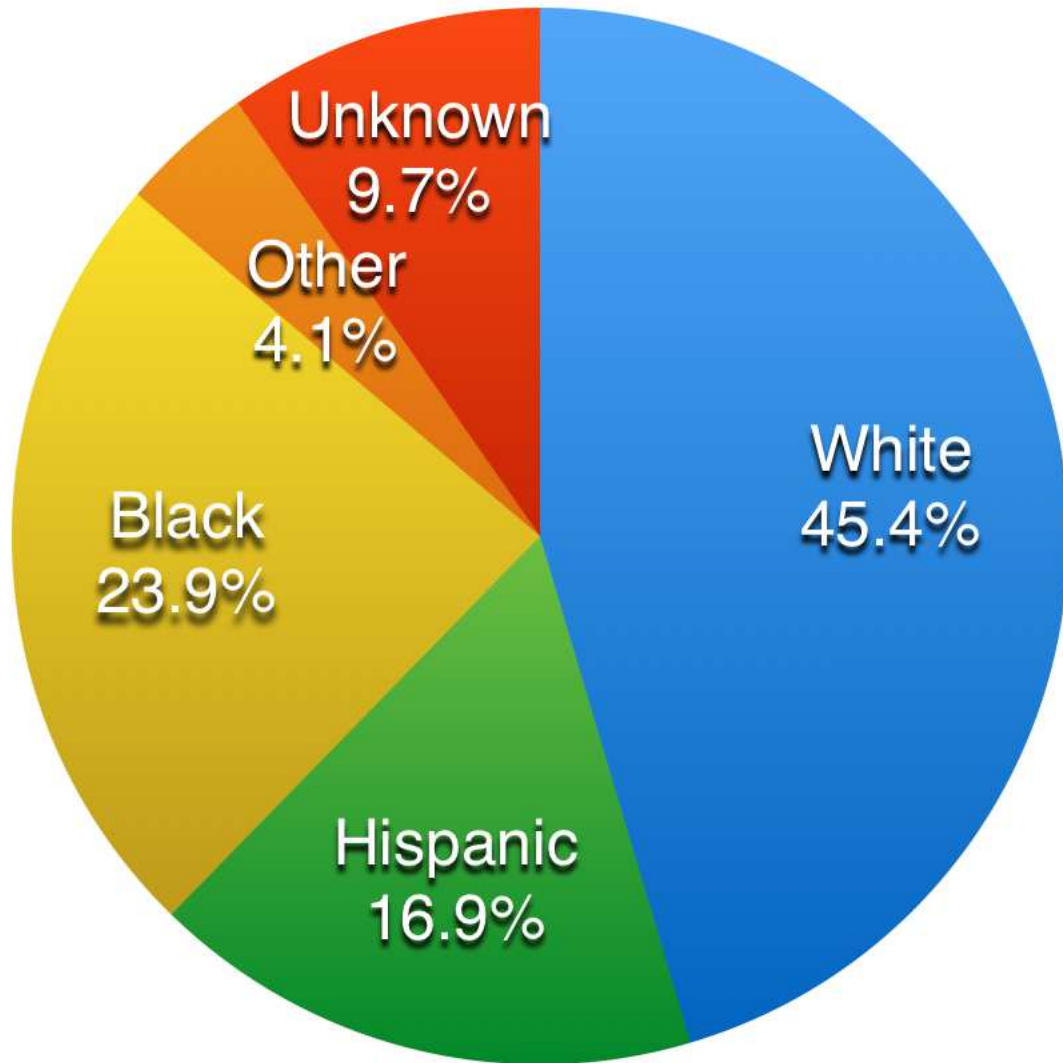


(Source: Mapping Police Violence, 2019)

Even after a 4% decline from 2018, the number of deaths due to police harm in 2019—1,099, according to Mapping Police Violence—was higher than in 2014. People of color were more likely to be the victims of this harm in 2019 than they were in 2014. In 2019, 54% of those who died as a result of harm from police and whose race was identified were people of color—including Asian, Black, Hispanic, Native American, and Pacific Islander individuals—compared to 50% in 2014.

Figure 5

U.S. Police Killing by Race From 2015 to 2019.



According to Study Published in the Journal of Social and Developmental Science.

According to the Statista Research Department (2020), the trend of fatal police shootings in the United States seems to only be increasing, with a total of 809 civilians

having been shot, 157 of whom were African Americans, as of October 30, 2020. In 2018, there were 996 fatal police shootings in the United States, and, in 2019, the figure went up and increased to 1,004 fatal shooting. The rate of fatal police shooting among Black Americans was much higher than that for any other ethnicity or race, standing at 32 fatal shootings per million of the population, as of October 2020.

The cable network news popularly known as CNN reported that on December 4, 2020, 23-year-old Casey Christian Goodson Jr., was shot three times in the back and murdered by Franklin County sheriff's deputy Jason Meade. The U.S. marshals were in Estate Place in Northeast Columbus finishing up work for the Southern Ohio Fugitive Apprehension Task Force (SOFAST), when, according to police, Casey Goodson Jr. drove by waving a gun. However, Casey's sister refutes this: Goodson Jr. had walked across the yard and through the back fence to get to the side door, with his Subway sandwich and mask in one hand and keys in the other. He unlocked and opened the door, then stepped in the house before being shot by police. Instead of leaving Goodson Jr. alone, police killed Goodson Jr., who was a licensed concealed weapon holder. Meanwhile, Merak Burr, a White man, was pulled over for speeding, and, instead of complying with officers, Burr became agitated and pulled out his gun, which he did not have a concealed carry weapons license for. Despite this, Burr was initially let go, though later arrested about 2 hr later. This underscores the level of racial bias in policing in the United States.

According to the *Washington Post* and CBS News, a total of 226 African Americans were killed in the year 2020 alone.

February – 13

March – 18

April – 19

May – 30

June – 15

July – 4

August – 30

September – 16

October – 19

November – 20

December – 12

Another predictor of police brutality, as research and statistics have shown, is gender. Males are more susceptible to police brutality than females. The statistics show the number of people shot to death by U.S. police from 2017 to 2020 distinguished by gender. According to the Washington Post, as of October 2020, the U.S. police had shot and killed 779 men and 30 women so far. In 2019, 961 men were shot and killed by U.S. police officers, compared to 43 women. Similarly, in 2018, 942 men were shot and killed, compared to 53 women, and, in 2017, 940 men were shot and killed, as opposed to 45 women.

From these growing data sets come some disturbing findings. About 1,000 civilians are killed each year by law-enforcement officers in the United States. By one estimate, Black men are 2.5 times more likely than White men to be killed by police during their lifetime (Edwards et al., 2019). In another study, Black people fatally shot by

police were twice as likely as White people to be unarmed (Nix, 2020) New evidence continues to support a link between racial bias and police brutality. Data from California show that, in 2018, police stopped and used force against Black people disproportionately. A December 2019 paper reported that bias in police administrative records in many studies underestimated levels of racial bias in policing—or even masked discrimination entirely (Knox, Lowe, & Mommulo, 2020). Researchers have also suggested that, based on information from more than two million 911 calls in two U.S. cities, White officers dispatched to Black neighborhoods fired their guns five times as often as Black officers dispatched for similar calls to the same neighborhoods (Hoekstra & Sloan, 2020).

Corruption as a Predictor of Police Brutality in Nigeria

Corruption is a global phenomenon and is not the exclusive preserve of any nation, race, or section of the world. It transcends national boundaries and frontiers and symbolizes phenomenal universal unwholesomeness politically (Aluko, 2009). Globally, there is no generally accepted definition of corruption; however, the World Bank and Transparency International have defined corruption as the abuse of public good for private gain. According to Onwuka, Okoh, and Emeh (2009), corruption is a perversion or a change from good to bad. Onwuka et al. (2009) further asserted that corruption or corrupt behavior involves the violation of established rules, usually for personal or group gain and profit. Corruption is also referred to as an untamed instinct involved in the pervasion of natural human essence and value for self-gain, idiosyncrasy, and perpetuation and the inability of people to control the natural causes of hedonistic instincts regarding self-gain, selfishness, greed, and avarice, which are endemic to the

human condition (Ezeh & Etodike, 2016). With regard to public officers, corruption is a behavior that deviates from the formal duties of a public officer because of private or personal dispositions (gains) such as personal, close family, private clique, pecuniary, or status gains (Odemba, 2010).

Brutality covers the full range of forms of unjustified violence related to a police officer's work (e.g., violent threats or assault). Miscellaneous conduct covers the remaining types of deviance such as harassment, discriminatory law enforcement, drug abuse, racist slurs, and neglect of detainees. It can also include criminal offences and unethical behavior committed off-duty but deemed to reflect adversely on the officer's work (Prenzler & Ransley, 2002). Prenzler and Ransley (2002) categorized corruption and misconduct within the police force into four types. The first is classic corruption. They argued that bribery or graft, which involves an officer receiving a personal benefit for not doing their duty, is classic corruption. This may be organized or opportunistic, such as protection rackets or accepting a bribe to waive a speeding ticket. Another type of corruption and misconduct is process corruption. This involves the fabrication of evidence and other forms, perverting the course of justice. A typical example of process corruption is planting drugs or lying in court by police officers. Another form of corruption in the police force is brutality (Prenzler & Ransley, 2002). Brutality encompasses the full range of unjustified violence, such as violent threats and assault related to a police officer's work. The final type of corrupt practices and misconduct is miscellaneous conduct. This covers other forms of deviance such as harassment, discriminatory law enforcement, drug abuse, racist slurs, and neglect of detainees. It also

includes criminal offences and unethical behavior committed off-duty like abusive language and drunk driving but deemed to reflect adversely on the officer's work.

Forms of corruption include the following:

A. Bribery: This is the payment (in money or kind) taken or given in a corrupt relationship. These include kickbacks, gratuities, pay-offs, sweeteners, greasing palms, and so on.

B. Fraud: This involves trickery, swindle and deceit, counterfeiting, racketing, smuggling and forgery.

C. Embezzlement: This is theft of public resources by public officials. It is when state officials steal from the public institutions in which they are employed. In Nigeria, the embezzlement of public funds is one of the most common forms of economic accumulation, perhaps due to the lack of strict regulatory systems.

D. Extortion: This is money and other resources extracted using coercion, violence, or threats to use force. The police and custom officers are the main culprits in Nigeria.

E. Favoritism: This is a mechanism of power abuse that implies a highly biased distribution of state resources. However, this is seen as a natural human proclivity that favors friends, family, and anybody close and trusted.

F. Nepotism: This is a special form of favoritism in which an office holder prefers their kinfolk and family members. Nepotism is most common across ethnic lines in Nigeria and occurs when one is exempted from the application of certain laws or regulations or given undue preference in the allocation of scarce resources.

Research Gaps

Police reforms and/or the creation of state police has been an intractable subject of discussion that has refused to subside in Nigeria, and the proponents of these reforms always allude to countries such as the United States, where policing is decentralized. To many, policing in the United States can be seen as a model for Nigeria to decentralize its police force. Although there is a plethora of research on police brutality in the United States and other research on activities of the police in Nigeria, there seems to be a missing gap in comparative analysis of the two countries under focus, particularly regarding police brutality. The focus of this study is, therefore, necessitated by the paucity of research comparing police brutality in both Nigeria and the United States. This study examines police brutality in the two countries using certain parameters. In doing so, the study comparatively analyzes cases of police brutality in both countries, relying on the reported cases and available data, using secondary data to arrive at findings.

Research Questions

This dissertation evaluates and compares police brutality between Nigeria and the United States. The primary source of data is secondary data from articles, journals, books, reported cases, and other sources such as media (print, electronic and social), and websites. This study comparatively analyzes police brutality between two countries to arrive at findings that could eventually lead to some form of panacea to police brutality in both Nigeria and the United States. The following four research questions were formulated and examined in this study:

RQ1: What role does racial/tribal bias play in police brutality?

RQ2: What role does corruption play a role in police brutality?

RQ3: Does the mental health of police officers affect police brutality?

RQ4: Is the United States' policing model ideal for Nigeria?

CHAPTER 3

METHODOLOGY

The main purpose of this study is to conduct a comparative analysis of police brutality in the United States and Nigeria, looking at the factors that contribute to police brutality, as well as to devise some recommendations that could be a panacea to the issue. Furthermore, this study also looks at whether Nigeria can model its police system after the United States' system in the quest for police reforms. This chapter deals with the methodological framework used for the data collection and analysis. Usually, three research methodologies are applied in the field of social science research. These research methodologies are the quantitative methodology, qualitative methodology, and mixed methods (Creswell, 2009).

The quantitative methodology allows researchers to assess the orderliness, generalizability, and predictability of events and activities that take in almost all circumstances and situations (Pedhazur & Schmelkin, 1991). In contrast, the qualitative method creates or acts as an avenue for understanding the meanings that the researcher or researchers ascribe to challenges or problems being presented. (Creswell, 2009). A mixed-methods design is a fusion of both qualitative and quantitative methods that allow researchers to apply the strengths of both quantitative and qualitative methodologies to effect better comprehension of the subject than what either quantitative or qualitative methodologies may offer or provide individually (Creswell, 2009).

In this study, and due to the nature of the study, the researcher decided to adopt the use of the qualitative method. The utilization of the qualitative method became imperative because no structured interviews or questionnaires were utilized in this study.

All the data relied on are purely secondary data. Content analysis from 232 articles by Bryman (2006), in which he adopted the use of the two methods, showed that, when the mixed-methods approach is adopted, structured interviews and questionnaires appear to be applied more on the side of the quantitative method, and semi-structured ones, which look like that of a cross-sectional design, tilt toward the qualitative method. It should be stated here that quantitative and qualitative research methods are not mutually exclusive research techniques. The two of them are complementary research methodologies that can be adopted because they may be useful for increasing the reliability of research efforts and advance the frontiers of the body of knowledge (Wooda & Welcha, 2010). The qualitative method approach assists in achieving a robust and deep understanding of a specific issue. Usually, qualitative research requires a smaller sample size because its focus is on the depth and not the breadth (Patton, 2002).

The focus of a qualitative study is not just about how and why the phenomenon is under observation but also the heterogeneous meanings involved. The qualitative method usually requires a smaller sample size, which may lead to deep insight into certain issues, and adopts research instruments that may sometimes generate numeric data (Patton, 2002). Unlike the quantitative study approach, which concerns the idea of creation of categories from the data obtained, analyzing the relationships that exist between the categories, and examining how the lived experience of participants can be better understood, qualitative studies are not so bothered about testing the hypothesis and the generalizations of the sample size to a larger population as quantitative research (Charmaz, 2006).

A commonly asked question in research methods is: How many interviews are ideal to ensure research reliability and validity? Deciding on the optimum specific sample size for qualitative research is an ongoing debate. Although there has never been agreement on the correct sample size to use in sampling, some researchers believe studies should be guided by the principle of saturation, which is getting as many interviewees as possible until the researcher gets to the point where there is no new information or variability to be seen in the available data (Guest et al., 2006; Mason, 2010) or “when gathering fresh data no longer sparks new theoretical insights or reveals new properties of your core theoretical categories” (Charmaz, 2006). Rather than specifying a sample size, considering saturation helps researchers arrive at the right sample size, which may be different from one study to another.

This study started with a review and an observation of previous studies on police brutality and related issues in both the United States and Nigeria. The method adopted in this study is the case study qualitative research design approach. Case study research has been said to view case studies as a methodology and is also defined as a type of design qualitative research approach in which the researcher explores real-life contemporary bounded systems (Creswell & Poth, 2016). In a similar vein, Yin, Ding, Xie & Luo (2014) defined case study research to include studying cases that involve real-life, contemporary context issues or experiences. He argued further that a case study is an empirical inquiry that investigates a recent phenomenon within a real-life context; when the boundaries between the phenomenon and context are not clear, it also involves multiple sources of evidence (Yin, 1984). Longitudinal comparison refers to when the study depends on relevant secondary data.

Research Participants

The victims of police brutality in both the United States and Nigeria were studied using available secondary data obtained from various sources in Nigeria and the United States. The researcher was able to obtain more information from the United States due to better recording, unlike Nigeria, where data were received haphazardly. No direct participant was used in the research. The study methodology involved collecting secondary data using available data from the victims of police brutality in both Nigeria and the United States over time. There are no research participants or populations involved in this research study.

Sampling Procedure

Due to the nature of this study, there was no need for a sampling method that would have warranted either purposive or convenient techniques. This is because no questionnaire was used, nor was any interview conducted because all data relied on were secondary data. There was no basis for the researcher to obtain approval from the Institutional Research Board (IRB) of the Texas Southern University for this study because no contact either direct or indirect was made with any individual for this study due to the type of data (secondary data) adopted, yet an IRB exemption was still duly sought and obtained. In essence, this study was strictly in compliance with the standard IRB ethical guidelines. The protocol was also found to have satisfied the stated requirements set forth by federal regulation 45 CFR 46.101(b)(2).

Research Instruments

This is a qualitative method study that does not require questionnaires or interviews, and the research instruments included some data from victims of police

brutality from both Nigeria and the United States, which come largely from secondary sources. The study did not in any way adopt the use of human subjects, animal models, or radioactive materials. The data, which are secondary, consisted of reports of police brutality from the two countries from different sources such as articles, journals, books, and news reports from print and electronic media, as well as social media. As previously noted, no direct questions were used in this study—neither was any interview conducted by way of a questionnaire or through any other means. The four core research questions are as follows:

RQ1: What role does racial/tribal bias play in police brutality?

RQ2: What role does corruption play a role in police brutality?

RQ3: Does the mental health of police officers affect police brutality?

RQ4: Is the United States' policing model ideal for Nigeria?

Data Collection

Secondary data was employed in this study. This came from different sources. Most of these materials were from the **academia website, popular magazines, government agencies, national and international organizations**. Some of the information came from the database of the U.S. Department of Justice, Mapping Police Violence (<https://mappingpoliceviolence.org/>), etc. Journal articles were also sourced from Google Scholar search engine which provided a rich mine of materials on the subject matter and more than 60 relevant articles were reviewed and up to 80 percent of the articles were germane to the research questions. Data was also collected from some prominent newspapers, including Washington Post and New York Times as well as some Nigerian newspapers such as Punch Newspaper, Nation Newspaper, and Herald.

Informative materials from Amnesty International bulletin also proved useful. Data from electronic and social media also proved handy.

The period covered in this study spanned 2011-2020. During this milieu, the issue of police reform had become a front burner issue in Nigeria on the back of some of the most atrocious attacks on the human rights of Nigerian citizens and wanton disregard for human dignity. At the heart of the clarion call for police reform by critics in Nigeria, constant suggestion was that the decentralization of the American law enforcement could serve as a pointer in redressing the malaise in the Nigerian security architecture.

Analysis Procedure

This qualitative study was designed to comparatively analyze the extent of police brutality between the United States and Nigeria. The data collected were subsequently used for critical analysis based on the similarity of statements and concepts used in the data collected. The purpose was to explain and conduct an analysis of police brutality in both countries. One major aspect of this study involved doing a comparison of the themes to findings from previous studies by conducting a comparative analysis of the information and data collected (Belotto, 2018).

CHAPTER 4

FINDINGS AND PRESENTATION

The sole aim of this study, which comparatively analyzed police brutality in the two jurisdictions (United States and Nigeria) under observation, bearing in mind the factors that contribute to police brutality, is to come up with recommendations that may assist authorities and policymakers in coming up with policies that will reduce, if not eradicate the menace of police brutality.

This study's findings were predicated on the research questions formulated and information generated from multiple sources as they relate to the purpose of the study. The imperative of answering these research questions will go a long way in the study, especially when we get to recommendations in the next and final chapter of this dissertation.

What Role does Racial/Tribal Bias Play in Police Brutality?

Regarding the role of racial bias in police brutality, which is the first research question, the majority of the studies in the literature review appear to support the fact that racial bias and police brutality have some form of connection. This study (dissertation) reviewed over 60 academic journals and articles of which about 80% of them give credence to the fact that racial bias and stereotypes play a significant role in police brutality in the United States. The remaining 20% percent, however, linked police brutality to factors such as mental health, lack of basic or adequate training, fear of attack, resistance by victims, and other factors.

Although, going by the numbers of victims of police brutality in the United States over the last 10 years, White or Caucasian people, on paper, appear to be the most hit—

because they constitute 45.4% of the victims, as opposed to 23.9% and 16.9% of African Americans and Hispanics, respectively—if we look at the population percentages of these races, we can conclude that minorities, particularly African Americans suffer more police brutality than any other races in the United States. The population percentage of Whites in America is 76%, as opposed to 18% Hispanic and 13% of African Americans. If we do a comparison of population and the victims of police brutality by race in America, we can see racial bias is not the *only* indicator of police brutality in the United States; however, it plays a significant role. Majority the literature alluded to the fact that African Americans are more than twice as likely to be victims of police brutality in the United States than their Caucasian counterparts. The study further confirms that racial bias exists in policing in the United States. In Nigeria, there is no problem of racial bias, as we have in the United States; however, there is an issue of tribal bias, but this study has not been able to conclusively establish that it has a significant impact on police brutality, though there have been instances of tribal sentiments in police appointments and postings. Although empirical studies have asserted there is a high rate of human rights abuses of detainees in custody (Alemika, 2003; Amnesty International, 2014; Egede, 2007; NOPRIN, 2010), this study has not been able to significantly link abuses by the Nigerian police to tribal sentiments or bias.

What role does Corruption Play a Role in Police Brutality?

Corruption is no doubt a universal problem and may cut across different agencies including the police. In all the literature reviewed, none of them linked police brutality in the United States to corruption, though there are instances of corrupt practices in some of the police departments (Baltimore and Ferguson reports for instance), but over 90 percent

of the studies did not directly link corruption in the United States to police brutality. In essence, this study has not been able to significantly link or establish police brutality in the United States to corruption based on the existing literature, though corruption exists everywhere, including the United States. However, the findings from this study highly suggest that corruption and extortion play a significant role in police brutality in Nigeria. In fact, 100 percent of the reviewed literature across every States in Nigeria without an exception link police brutality in Nigeria to extortion. The high prevalence of violence and human rights abuses by the Nigerian police as they go about their investigative procedures has extortion undertones. Researchers have documented various reports of multiple acts of violence and brutality that Nigerians are subjected to regularly, as well as how people who had no money to part with were subjected to even more brutality. Studies further show that suspects are often subjected to inhuman treatment in police custody, including being bound, kicked, and beaten with machetes, gun butts, boots, fists, electrical wires, animal hides, and other instruments. Others include being shot in the leg or assaulted by police officers while in custody and suffering multiple and various degrees of physical, mental, emotional, and psychological trauma; being forced to perform impossibly painful calisthenics; and, even being raped. Those who have money to pay or whose families or friends can come to their rescue by bribing the police are spared of all these maladies. These studies also alluded to the assertion that victims and families/friends of police brutality suffer severe damage and post-brutality trauma due to the brutal treatment at the hands of the police (Boxer et al., 2009; Egede, 2007). The extent of brutality and human rights violations people are subjected to have been found to negatively affect their lives. Some have developed mental illnesses and others health

complications, either physical or psychological, that they never recover from. Studies also show that sexual assaults of arrested female suspects are responsible for reported cases of post-arrest pregnancy among female victims (Aborisade & Balogun, 2016). To further lay credence to the findings that corruption contributes to police brutality, especially in Nigeria, this study shows that people at the lower echelon in society are more at the receiving end of police brutality as opposed to the rich and the privileged within the society, who can easily buy their way out. This was succinctly put by Ogunode (2015) when he opined that there is a general social belief that the law that governs the affluent is significantly different from the law that applies to the poor. Police brutality affects almost every Nigerian, though, at various levels, as noted earlier, the impact weighs down more on the poor. The operations of the Nigerian Police bear almost no resemblance to the requirements of Nigerian law. The activities of the Nigerian police appear to conflict with the goal of protecting human life, property, safety, and security, as they are reputed to be oppressing the people they are meant to protect. Additionally, lack of capacity to conduct proper criminal investigations may contribute to brutality because police often rely on torture to extract confessions from suspects. This situation is now so bad that people in Nigeria now use the police to settle civil disputes such as debt collection, with the percentage of the amount collected going to the police.

Does the Mental Health of Police Officers Affect Police Brutality?

Regarding the third research question, which has to do with the contribution of police officer mental health to police brutality in both Nigeria and the United States, due to the lack of substantial information, this study has not been able to connect police officer mental health to police brutality. Less than 20 percent of the reviewed articles

dwelled on mental health of police officers in relation to police brutality. Although the possibility of negative impact of police officer mental health on police brutality may not be ruled out, it would be an exaggeration to conclude that police officer mental health has a significant impact on police brutality in both the United States and Nigeria. Police officer mental health may or may not be a contributing factor to police brutality. The fact that this study has not found an affirmative response does not rule out police officer mental health, which is why the issue of police officer mental health has begun to take center stage because police officers, just like all members of society, are not immune from its effects. Police officers, due to the nature of their job, appear to be prone to mental health issues, some of which may be job-related.

Is the United States' Policing Model Ideal for Nigeria?

For the last and final research question, regarding whether Nigeria can model its police system after the United States' system, all the reviewed literatures and articles have one thing in common—that the Nigerian system is not just obsolete—but ineffective with the present-day reality in policing the citizenry. The American policing system is not a perfect system; it is also fraught with challenges, especially in regard to police brutality; however, it is far better than the Nigerian policing system, where one inspector general of police sits in the comfort of his office in Abuja, which is in the Federal Capital Territory, and thinks he can control what is happening in the remotest part of Nigeria. That obviously cannot be policing. This study finds that policing in Nigeria will continue to face challenges until it borrows a leaf from the American system of devolution or decentralization of police so the police can be brought closer to the people. While this

study is not saying that decentralization will completely eradicate police brutality and other forms of ills in the Nigerian police, it clearly suggests that decentralization will bring about better policing and part of better policing is the reduction of brutality to the barest minimum. Nigeria does not have to have 18,000 police departments, like the United States, but it can at least begin decentralization at the state level, whereby each state can at least have control over its police. This will not preclude the fact that there will still be federal police. A system where the entire police apparatus is solely controlled in the country of over 200 million people with 36 states and Federal Capital Territory is an aberration. The common argument where, if state police departments are allowed, state governors will turn the police into private mercenaries does not hold water because states can as well argue that the police as it presently exists in Nigeria is a band of mercenaries in the hand of the federal government. The inspector general of police is appointed at the whims and caprices of the president, and he can be fired at the pleasure or displeasure of the president, just like the service chiefs. No inspector general in the history of Nigeria has had the ball to challenge the president on anything. They all act as if they are the inspector general of the president, and not the inspector general of police. This is because the tenure of office of an inspector general of police in Nigeria before July 2020 was at the pleasure of the president and not at the pleasure of the law. The Police Reform Act of 2020 tried to correct this by creating tenure of office for the inspector general of police, thereby slightly whittling down the absolute power of the president in hiring and firing the inspector general of police. It is quite unfortunate that this bill did not achieve much because the fundamental issue of police decentralization has not been addressed. The police situation in Nigeria is so bad that a whole governor of a state who is expected to be

the chief law officer of that state has no control over the police in his state. Nigeria is facing serious security challenges now, and it appears the governors are helpless because the apparatus of security and control is beyond them. Nigeria could borrow much from the United States' policing system by bringing policing closer to the people, and this can only be achieved through the decentralization of its police force. Through their several police divisions, stations, and posts across Nigeria, this cannot be regarded as decentralization because of the manner of development of the authority and responsibility of these police stations and divisions. If Nigeria is indeed serious about police reforms, the starting point will be to first decentralize its police system, similar to the United States. Nigeria does not have to do it exactly like the United States, but has to start from somewhere, and the time to start is now.

CHAPTER 5

SUMMARY, DISCUSSION, AND RECOMMENDATIONS

Limitations

This final chapter of this study is the study's summary. Additionally, a summary of the findings, discussions, conclusions, and recommendations is included. This study has several limitations because data were very limited, which makes crafting policy difficult. A national data set established by the Federal Bureau of Investigation in 2019, for example, contains data from only about 40% of U.S. law-enforcement officers. Data submission by officers and agencies is voluntary, which many researchers see as part of the problem. There are no direct participants because all data and information relied on are secondary. This study only relies on ethnographic knowledge and reviews of newspapers and magazines, academic journal articles, books, archival materials, electronic media, and internet-based documented source materials. It is particularly daunting to obtain information or data from Nigeria because every effort to get one from the police or other authorities proved abortive. The information relied on was obtained from sources such as print and electronic media, as well as social media. Nigeria needs to do better in terms of data gathering and storage.

Suggestions for Future Research

Police brutality is one burning issue that is not going to go away for a long time to come. It can never be eradicated, but it can be ameliorated. Although there is a legion of studies on police brutality, there appears to be a paucity of studies in the area of comparative studies on police brutality, particularly across different jurisdiction, as it is

done in this dissertation. One major issue in need of further study is the area of comparative analysis. This is important because it may come in handy in assisting different jurisdictions to conduct effective policing, reduce the rate of police brutality, and enforce fundamental human rights because no society where police brutality is an epidemic can claim to have respects for human rights. It is also important to stress that the impact of police officer mental health on police brutality is one area that policy makers need to start showing interest—hence, the need for further studies in this regard.

Implications for Change

Despite the large number of reported cases of police brutality in both countries under study, police are rarely charged for excessive force violations. For instance, in the United States, between 2013 and 2019, virtually all of the instances of police brutality that resulted in fatalities were not prosecuted. Mapping Police Violence put the percentage of police killings in which charges were not brought to 99%. It is a known fact that prosecutors are reluctant to bring charges against police officers. This reluctance has been linked to the serious challenges prosecutors face in obtaining evidence to secure a conviction (Tucker & Schoen, 2020).

Additionally, a doctrine known as “qualified immunity” shields the police from excessive use of force lawsuits in cases that do not involve a “clearly established” violation of the law. For instance, an investigation by Reuters showed that, in the last four years, police won over 50% of the excessive use of force suits in which they claimed qualified immunity. Qualified immunity is indeed an umbrella under which the police are taking refuge because it makes it easier for them to brutalize and kill people with impunity without being held accountable.

The collection of data might itself hold police officers more accountable. In one study, regarding a requirement that officers file a report when they point their guns at people but do not fire, “If a state agency was keeping track of everyone’s disciplinary history, they might have taken Derek Chauvin out of the policing business ten years ago” (Sherman, 2020)g.

Chauvin had received 18 complaints against him, even before he put his knee on Floyd’s neck. “We monitor the performance of doctors,” Sherman added. “Why don’t we monitor the performance of police officers?” Even officers who are fired for misconduct are frequently rehired. The police officer in Cleveland, Ohio, who fatally shot 12-year-old Tamir Rice in 2014 had previously resigned from another police department after it had deemed him unfit to serve. The Cleveland police did not review the officer’s personnel file before hiring him (*New York Times*, 2015). An investigation of public records from Florida showed that about 3% of that state’s police force had previously been fired or had resigned in place of being dismissed. The study, published in May, found these officers tended to move to smaller agencies that served a slightly larger proportion of Black residents, but with no significant difference in crime rates. They also appeared to be more likely to commit misconduct in the future compared to officers who had never been fired (Grumwald & Rappaport, 2019).

A number of incidents, including the fatal shooting of a 25-year-old Black man, Ahmad Arbery, by two White men who were not police officers, though one of them was a retired police officer, while he was jogging in Georgia; a White woman’s false 911 call to the police to report being threatened by a Black birdwatcher in New York City’s Central Park when the man in question told her to put her dog on a leech; and the calling

of police by a White woman on a Black little girl for having a lemonade stand in a neighborhood to raise vacation funds shows America does not have a policing race problem but rather a societal race problem—which is then reflected in policing.

The January 6, 2021, invasion of the capital by the supporters of the immediate past president Donald Trump also brought to the fore the issue of racial justice. The role played by the police and the ease with which the protesters, or rioters, as some people might want to address them, gained access into the capitol made commentators and observers draw comparisons with the roles played by the same police during the Blacks Lives Matter protest of 2020. The way and manner by which they gained access to the building and the way police treated them—even some officers were caught on camera taking selfies with these people while they desecrated the symbol of America’s democracy—leaves more to be desired. Meanwhile, during the BLM protests, the same building was heavily guarded to prevent the protesters from getting near it. Moreover, the newly elected senator from Georgia, Senator Raphael Warnock, a Black pastor, was arrested a while ago for praying in protest in the same capitol that the whole world was seen desecrated on January 6, 2021.

Also, CNN reported that in April 2021, a Black Latino army lieutenant, Caron Nazario, sued the Windsor, Virginia, police department and the two officers who stopped him at gunpoint and pepper-sprayed him for a purported traffic offense. In the suit filed for violation of his constitutional rights, the distraught soldier, who was in uniform when assaulted, slammed the actions of the officers as violating and potentially racist. The police officers’ actions, which were captured by the body camera footage, demonstrated a pattern of behavior that appears to be consistent with a disgusting nationwide trend

whereby law enforcement officers believe that they can operate with impunity, engage in unprofessional, discourteous, racially biased conduct; and display dangerous and sometimes deadly abuses of authority.

Although this study is not saying there is complicity on the part of the police, it is only reasonable for observers to feel the way they do because it appears there are different standards of policing in America, depending on the color of one's skin or how one looks. To this extent, if the societal race problem is not aggressively addressed, any attempts to solve the problem of police brutality in the United States will just amount to scratching the surface while the inside continues to rot. This aggressive addressing of either real or imaginary injustice will have to come from the top. Unfortunately, the immediate past president did not help matters with his body language and utterances by calling the Black Lives Matter protesters arsonists and anarchists while professing love to those who desecrated the capitol, calling them special people. One can only hope the current president will be able to galvanize all resources to address the racial injustices in American society, of which policing is a major factor.

On the training of new officers, differences emerged not only concerning the number of hours required for training to be complete but also with regard to the type of training that states and countries require and offer. In Europe, police go through several years of basic training, whereas, in the United States, training can take as little as 21 weeks. With greater amounts of hours, police can learn about de-escalation techniques and conflict resolution, and they have more experience in difficult situations, but when there are only 21 weeks, training is focused on firearms. Most people agree police should have guns, at least in the United States, where guns are so prevalent because of the

Second Amendment, and they need to protect themselves and others. However, there should be baseline nonviolent rules to prevent escalation. In the words of Bill Barany, the United States has the lowest education requirements for police of any modern nation. It takes more training and education to be a barber or a hairdresser. This simply shows that qualification for joining police should be investigated with regard to education.

Despite the multitude of police stations and posts across Nigeria, there has been little or no effective policing because the issue of supervision and accountability remains a major problem. Urgent measures are therefore required to make policing in Nigeria what it is established to be—to wit, respect for the rule of law and fundamental human rights—because this will bring about trust, respect, and public confidence. As presently constituted, there is no accountability for police brutality and other infractions committed by the police. As noted earlier, police in Nigeria are controlled at the federal level, and its officers are not answerable to either the local authorities or populations. There is thus no way Nigeria will be able to tame the monster of police brutality if the country continues this current trend where everything starts and ends in Abuja. Maintaining the status quo would only amount to paying lip service to police reforms.

One of the best approaches to solving this dilemma of unlawful arrest and detention is through intelligent legislation with respect to the laws governing detention for investigative purposes. Other suggestions include proper training and retraining of police officers, deployment of advanced forensic techniques for investigations, improvement of the police's investigative responsibilities, encouragement of professionalism within its rank and file, and effective punishment of erring officers as deterrence to others.

Recommendations

Racial bias in policing should not be dealt with in isolation, but systemic racism should be dealt with because what we see in policing in the United States is just a fraction of the problem in society at large.

Qualified immunity under which the police hide to perpetrate brutality should be jettisoned because police officers should be made to account for their actions and/or inactions.

Hazing and brutalization in the name of training cadets while at police academy and training schools should be abolished because brutalized cadets will come out as brutalized officers to brutalize civilians because it is a learned behavior.

Psychological/mental evaluations should be made an important requirement before recruitment. This evaluation should be periodic.

An effective and independent anti-corruption unit should be established to track down, investigate, and prosecute corrupt police officers, from the lowest cadre to the highest-ranking officer.

New training institutions and standard operating procedures should be established to get rid of officers who appear to lack basic qualifications suitable for the offices they occupy.

Enabling environments should be created and police stations provided with adequate funding to be able to discharge their duties effectively and without excuse.

Police officers should be well paid because inadequate remuneration is the seed of corruption.

Public examples should be made of both high- and low-ranking corrupt officers regularly to serve as a deterrent to other officers.

Nigeria for the first time since 1943 passed a law in July 2020 to reform its police force. This attempt is, however, just scratch on the surface because so long as policing in Nigeria is centralized, there will never be effective policing, and brutality will continue. Nigeria, as the United States did, should as a matter of urgency begin decentralization of its police structure and create a database of its police brutality because it is currently a herculean task to retrieve information from the Nigerian police.

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