A Study on Police Brutality as a Violation of Human Rights in Tamilnadu

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Abstract: *Definition of Police Brutality: Excessive or unjustified force used by police when interacting with civilians, including physical assault, torture, false imprisonment, threats, and degrading treatment. Human Rights: The inalienable rights of every person, regardless of any distinction, as enshrined in documents like the Universal Declaration of Human Rights. Tamil Nadu context: Consider the specific social dynamics and historical factors within the state that may contribute to systemic issues with police brutality. Prevalence of Police Brutality in Tamil Nadu: NCRB data analysis: Study statistics from the National Crime Records Bureau on instances of custodial deaths, use of force complaints, etc. Media Reports: Analyze patterns of police brutality allegations revealed in local, national, and international news sources. Human Rights Organizations Documentation: Examine case files and reports from NGOs and rights watchdogs that focus on police misconduct. Forms of Police Brutality: Physical abuse: Beatings, use of blunt objects, torture methods, etc., that inflict pain, suffering, and bodily harm. Sexual Violence: Rape, sexual assault, molestation, and other forms of sexual abuse often used to humiliate and exert power. The research method followed is empirical research . The data was collected through a questionnaire and the sample size is 200 . Convenience sampling method is adopted in the study to collect data. The samples were collected from the general public. The main objective of the study is to identify the root causes and the contributions to police brutality.*

Keywords: Brutality, Special force, Transparency, Youth, Higher officials, Stress, Inadequate laws

I. INTRODUCTION

Police brutality refers to the utilisation of excessive or disproportionate force by members of law enforcement. While there is no universally agreed-upon definition, this issue has persisted throughout the history of policing. Whether it be the historical slave patrols in America or contemporary police departments, both individual officers and groups have been involved in instances of excessive violence.Alongside this history of police brutality has existed anti brutality sentiment and action within the citizenry, the press, and both local and national government. While the majority of police officers carry out their duties responsibly and ethically, incidents of excessive force and misconduct have raised concerns about the misuse of authority and the violation of individuals' civil rights.The police officers misuse their power due to which the layman faces dire consequences. India has witnessed police brutality in various forms . Police bruta mainly exists during the time of protest. In India, the issue of police brutality has been a topic of concern, and the government has taken several initiatives to address this issue. National Human Rights Commission (NHRC): The NHRC is an independent statutory body established in 1993 to protect and promote human rights in the country. It investigates complaints of human rights violations, including those involving police brutality, and takes appropriate actions. National Police Commission (NPC): The NPC was established in 1977 to recommend reforms in police organisations. It has made various recommendations to improve police accountability, enhance professionalism, and address issues related to police misconduct. Lack of accountability and transparency, systematic issues and organisational culture, training and education, implicit bias and prejudice, societal factors, lack of community engagement and oversight. This is because instances of police misconduct and excessive use of force have been

reported. The major finding from this research is that police brutality has been linked to a lack of accountability and transparency in police departments, which can lead to a culture of impunity and a lack of trust between law enforcement and the communities they serve. It is important to bring an effective and responsible police framework. This framework can satisfy the necessity of cutting edge society. These factors contribute to incidents of police brutality and should be addressed through reforms in policies, training, accountability mechanisms, and community engagement efforts. According to The Times of India, the Madras HC upholds four lakhs to the victims of police brutality. A Christian woman expresses her disapproval of police brutality directed towards the wrestlers.

OBJECTIVES :
- To analyse the extent and nature of police brutality
- To examine the root cause and the contributing factors for police brutality
- To analyse the legal framework and accountability mechanisms

II. LITERATURE REVIEW

Cody T. Ross (2021), This review found that Black Americans are more likely to experience police use of force than white Americans, and highlighted the need for structural and systemic changes to address the issue.

Saurav Suman (2020), this article is based on police brutality in India . Police brutality is also known as police ruthlessness . It is a way of utilising excessive power by the police . The reason for such acts are due to sovereign immunity which is given to the police . Only High courts and supreme courts are entitled to look into police brutality. The compensation should be awarded for all cases for the victims and not only for the violation of fundamental rights.

Ritu Bhaskar (2020), this article is based on the police brutality in India, its challenges and proposals for reform . It is important to bring an effective and responsible police framework. This framework can satisfy the necessity of cutting edge society.

Satyam Chaudhary (2020), this article is based on police brutality, an infringement of human rights in India . The police treat the suspect and other criminals as animals . They misconduct on their part which result in custodial death, custodial rape, grievous hurt, false imprisonment etc. these issues often happen due to the immunity which is provided in the statute that save them from prosecution. There should be stringent laws and the police officers should be made accountable for their acts.

Shrishti Mittal (2019), this article is based on police brutality over the years in India . The society has trust in the police officers of our country . Brutality or ruthlessness of police means exerting unlawful force towards someone . The police officers misuse their power due to which the layman faces dire consequences. India has witnessed police brutality in various forms . Police bruta mainly exists during the time of protest.

Frank Edwards and colleagues (2019) , which examines the ways in which police use of force contributes to racial disparities in the criminal justice system and the potential for policy interventions to address these inequities.

Nina A. Kohn (2019) , which examines the factors that influence police use of force and the impact of different use of force policies on officer behaviour.

Melissa Morabito and colleagues (2019) , which provides a comprehensive review of the research on police-involved shootings and use of force, including its prevalence, correlates, and consequences.

Darrell Steffensmeier and colleagues, which examines the different approaches to promoting police accountability and transparency, including external oversight mechanisms, internal monitoring systems, and community-based interventions.

David Klinger (2019) , which provides a comprehensive overview of the research on police use of lethal force, including its prevalence, correlates, and consequences.

Emily Qian and colleagues (2018) , which explores the public health consequences of police violence and the potential for public health approaches to address this problem.

Jennifer Doleac and colleagues, which examines the effectiveness of non-lethal weapons in reducing police use of force and the potential

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Lisa Graziano and colleagues, which explores the mental health consequences of police violence and the potential for trauma-informed policing approaches to mitigate these effects."Police Violence and Mental Health: A Systematic Review"

Monica Varsanyi and colleagues(2017), which examines the factors that shape police-community relations and the potential for community-based interventions to improve these relationships. "Police-Community Relations: A Review of the Literature"

Kathleen Daly and Gary Marx (2017) , which provides an overview of the history and causes of police brutality, as well as different approaches to addressing the problem. "Police Brutality: A Review of the Literature"

Bradley Campbell (2017) , which examines the history and current state of police violence against Black Americans, as well as the social and political factors that contribute to the problem. Police Violence and the African American Community: A Literature Review"

Cassandra Chaney and Ray V. Robertson (2013), This review found that police brutality is a manifestation of systemic racism and social inequality, and recommended addressing underlying structural issues in addition to police reform.

R.N.Mangoli (2010), this article focuses on the human rights violation by police in India . Police provide a sense of security to citizens and attend their grievances. It is high time for police reform as it is self-evident from various news articles and journals. The police officers should be made accountable for their misuse of power.

Christopher Harris (2009), This study presents a comprehensive analysis of various research papers examining the causes of police use of improper force. It focuses on identifying which officers are more prone to using such force, the individuals targeted, and the specific conditions under which it occurs. The existing research suggests that situational factors play a significant role in influencing the use of improper force during police-citizen encounters.

David Jacobs (1998), Explanations rooted in politics or perceived threats suggest that instances of police killings are more likely to occur in jurisdictions characterised by social stratification and a higher proportion of minority populations. The article further investigates additional political factors, such as the race of the city's mayor and the implementation of reform-oriented political structures.

III. METHODOLOGY

The research method followed here is descriptive . A total of 200 samples have beeln collected through a convenient sampling method .The sample frame taken here is in chennai. The datas were also collected through the circulated google forms . The independent variables are the age , education qualification , employment status . The dependent variables are ways to stop police brutality, reasons for police brutality, common police brutality that are seen .The statistical tools used for analysis are complex bar chart, chi square and ANOVA .
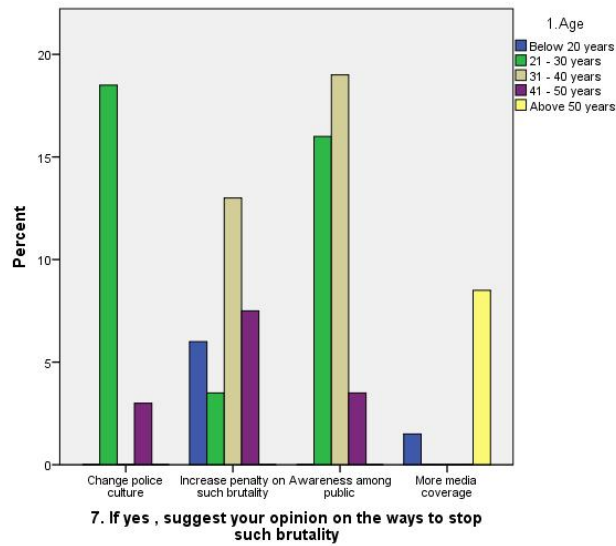
IV. ANALYSIS

FIGURE 1
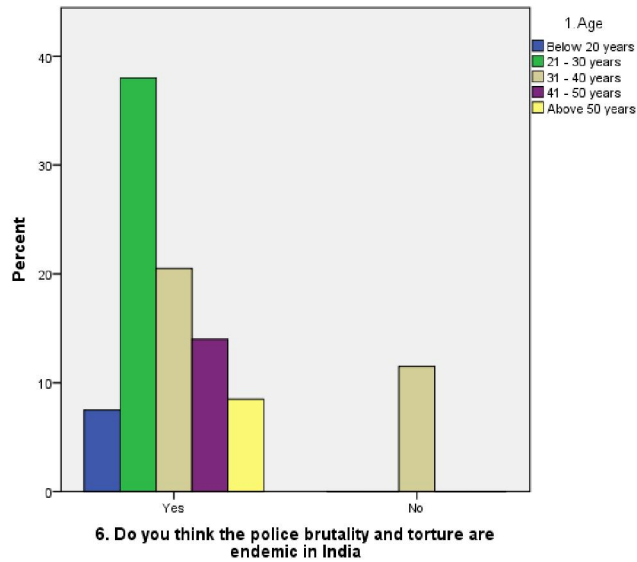
LEGEND : Figure 1 represents the opinion on the police brutality and torture which is endemic in india and the age of the respondents
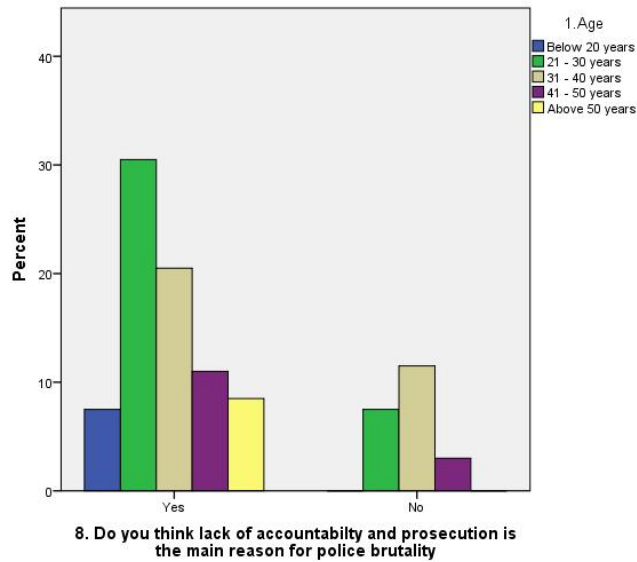
FIGURE 2

LEGEND : Figure 2 represents the opinion on the ways to stop such brutality and the age of the respondents
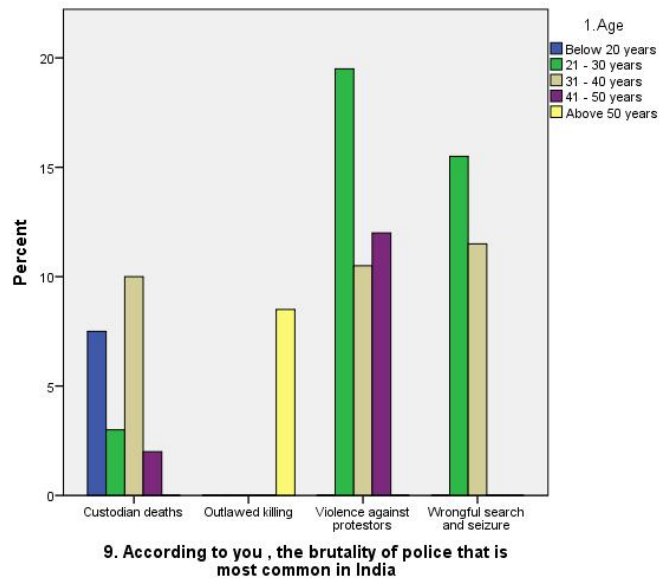
FIGURE 3

LEGEND : Figure 3 represents the opinion on the lack of accountability and prosecution is the main reason for police brutality and the age of the respondents
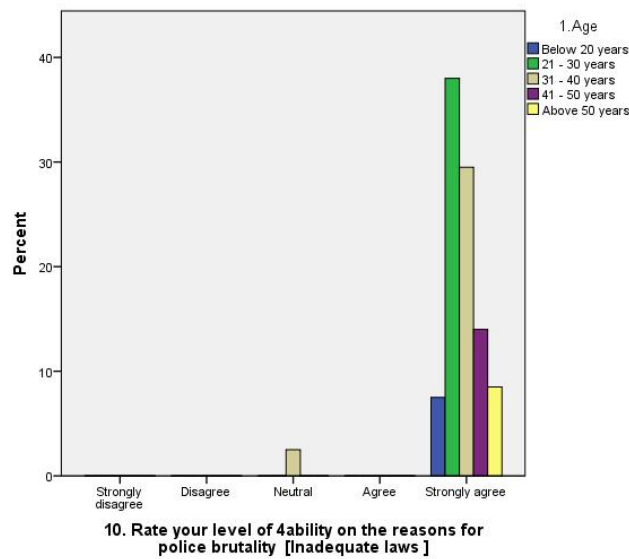
FIGURE 4

LEGEND : Figure 4 represent the brutality of police that is common in india and the age of the respondents

FIGURE 5

LEGEND : Figure 5 represents the agreeability on the reasons for police brutality (inadequate laws) and the age of the respondents
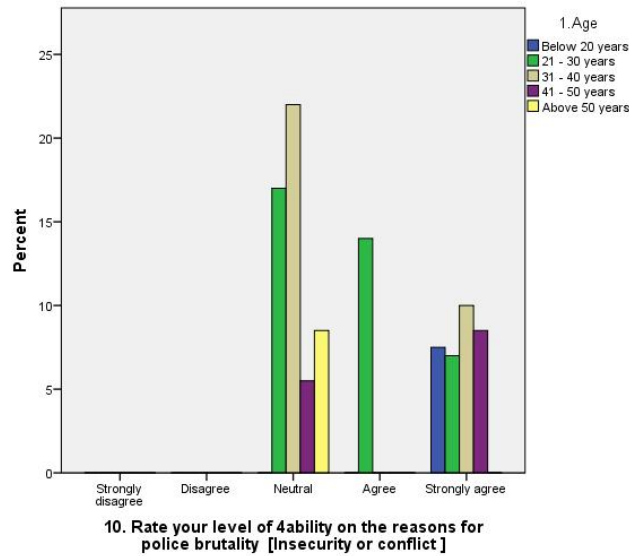
FIGURE 6
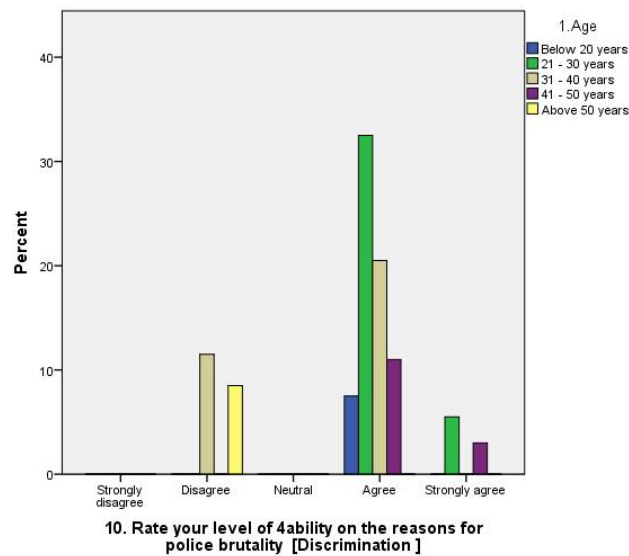
LEGEND : Figure 6 represents the agreeability on the reasons for police brutality (discrimination) and the age of the respondents
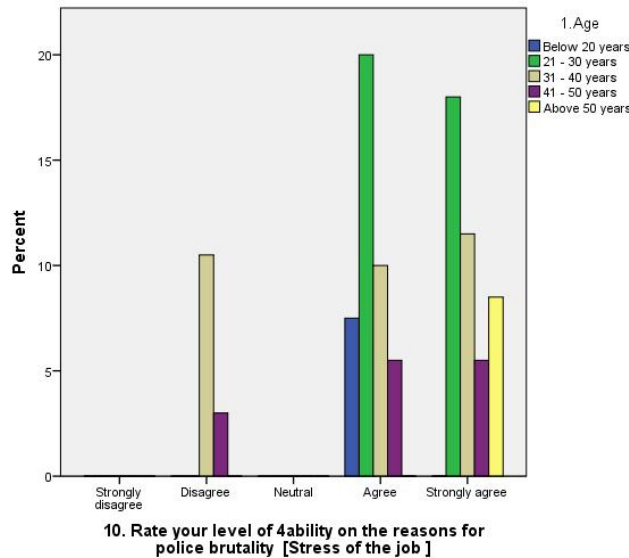
FIGURE 7

LEGEND : figure 7 represents the agreeability on the reasons for police brutality (insecurity or conflict) and the age of the respondents
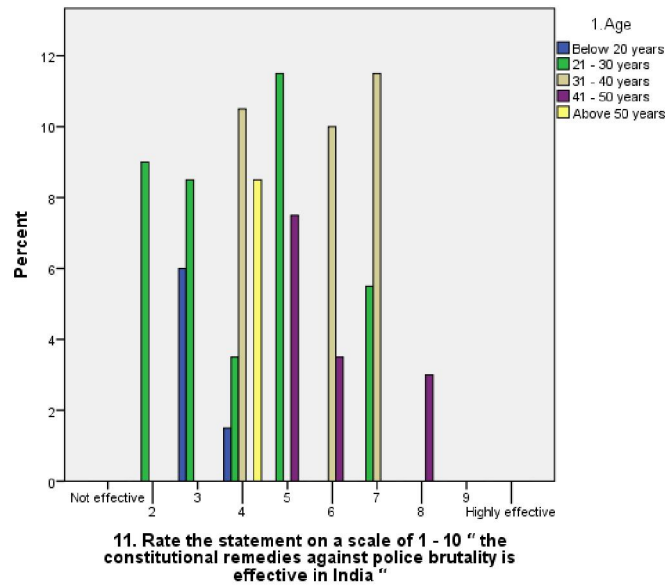
FIGURE 8

LEGEND : Figure 8 represents the agreeability on the reasons for police brutality (stress of the job) and the age of the respondents
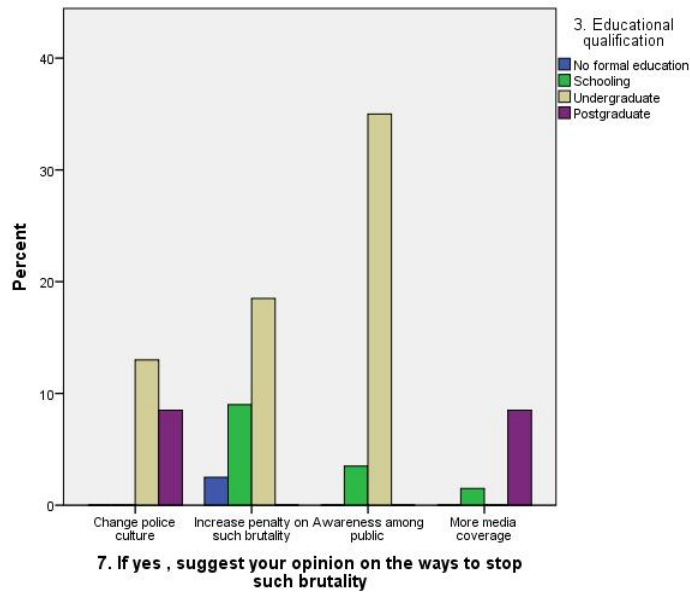
FIGURE 9

LEGEND : Figure 9 represents the constitutional remedies against police brutality is effective in india and the age of the respondents
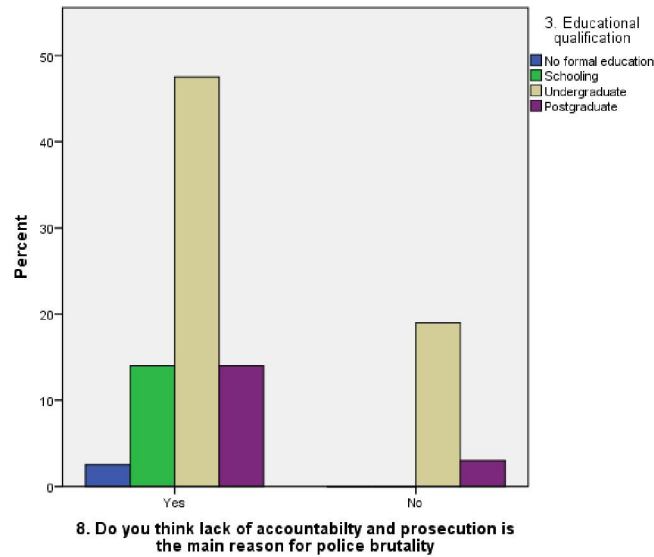
FIGURE 10

LEGEND : Figure 10 represents the opinion on the ways to stop such brutality and the qualification of the respondents
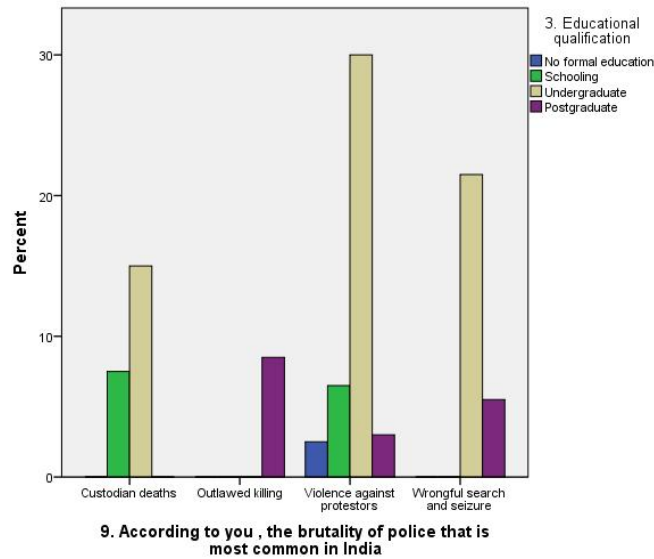
FIGURE 11

 LEGEND : Figure 11 represents the opinion on the lack of accountability and prosecution is the main reason for police brutality and the qualification of the respondents
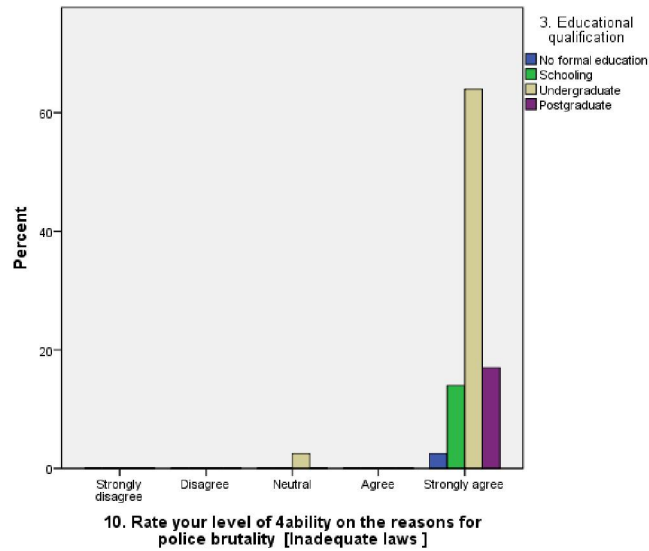
FIGURE 12

LEGEND : Figure 12 represent the brutality of police that is common in india and the qualification of the respondents
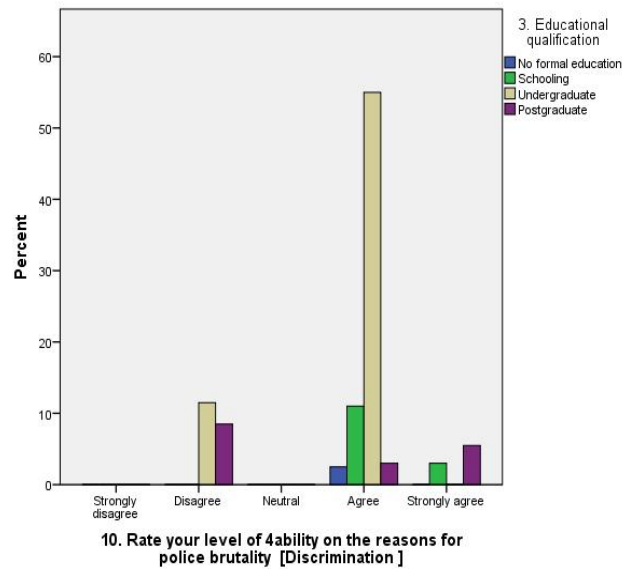
FIGURE 13

LEGEND : Figure 13 represents the agreeability on the reasons for police brutality (inadequate laws) and the qualification of the respondents

FIGURE 14

LEGEND : Figure 14 represents the agreeability on the reasons for police brutality (discrimination) and the qualification of the respondents

FIGURE 15

LEGEND : figure 15 represents the agreeability on the reasons for police brutality (insecurity or conflict) and the qualification of the respondents

FIGURE 16

LEGEND : Figure 16 represents the agreeability on the reasons for police brutality (stress of the job) and the qualification of the respondents

FIGURE 17
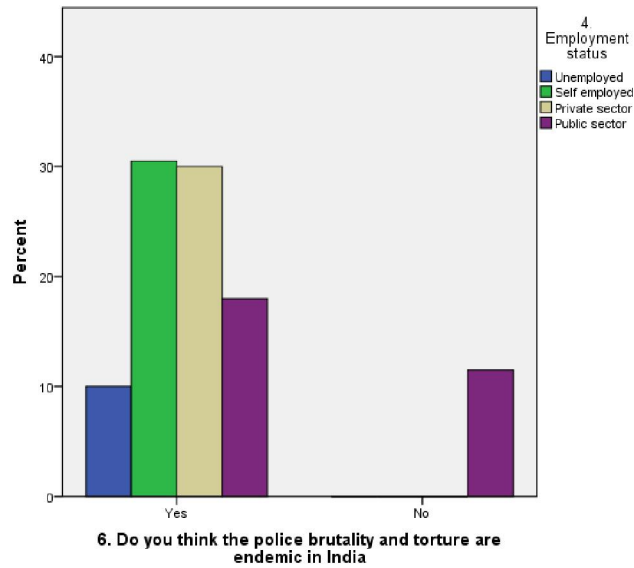
LEGEND : Figure 17 represents the opinion on the police brutality and torture which is endemic in india and the occupation of the respondents

FIGURE 18
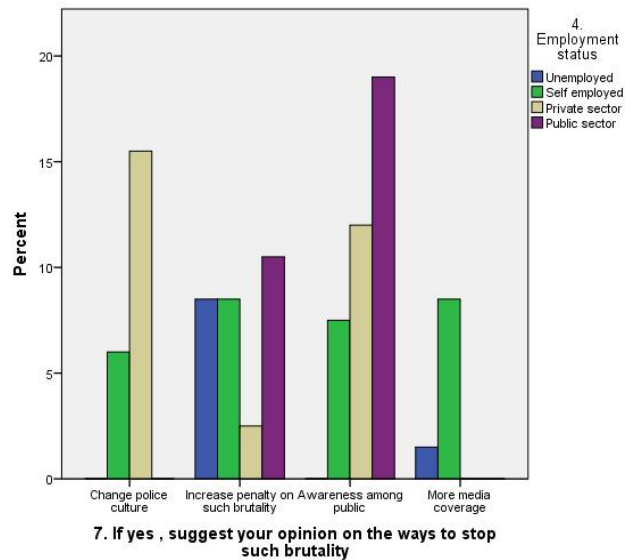
LEGEND : Figure 18 represents the opinion on the ways to stop such brutality and the occupation of the respondents

FIGURE 19
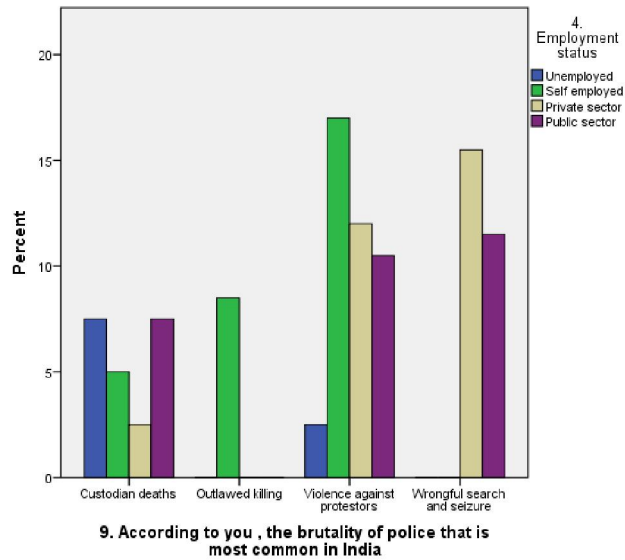
LEGEND : Figure 19 represent the brutality of police that is common in india and the occupation of the respondents

FIGURE 20
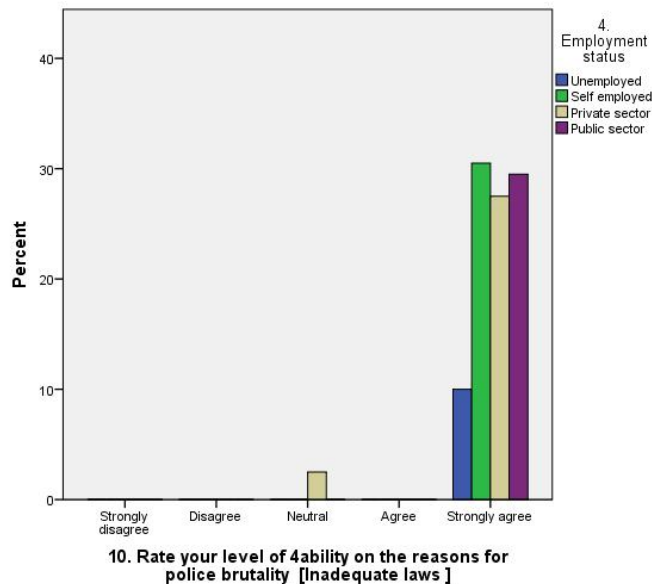
LEGEND : Figure 20 represents the agreeability on the reasons for police brutality (inadequate laws) and the occupation of the respondents
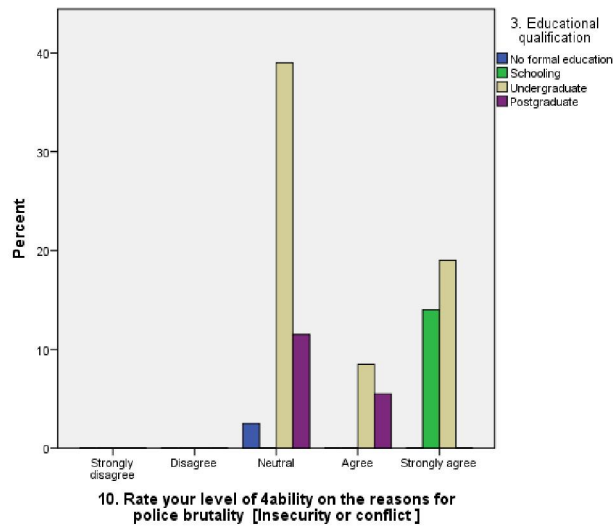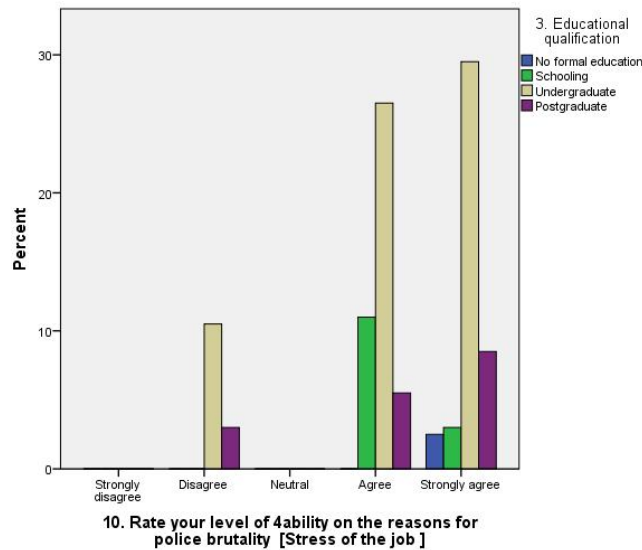
FIGURE 21
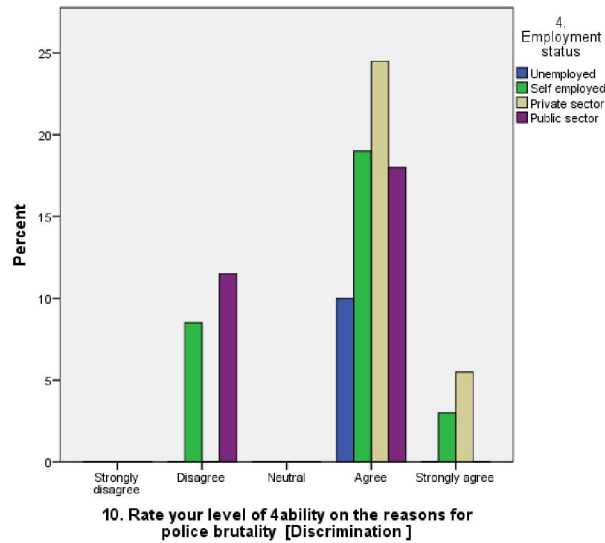
LEGEND : Figure 21 represents the agreeability on the reasons for police brutality (discrimination) and the qualification of the respondents

FIGURE 22

LEGEND : figure 22 represents the agreeability on the reasons for police brutality (insecurity or conflict) and the occupation of the respondents

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FIGURE 23

LEGEND : Figure 23 represents the agreeability on the reasons for police brutality (stress of the job) and the occupation of the respondents

V. RESULTS

From **figure 1,** we can infer that most of the respondents of the age group 21 - 30 have responded that the police brutality and torture are endemic in India. In **figure 2,** the respondents of the age group 21 - 30 years have responded that change in police culture is the w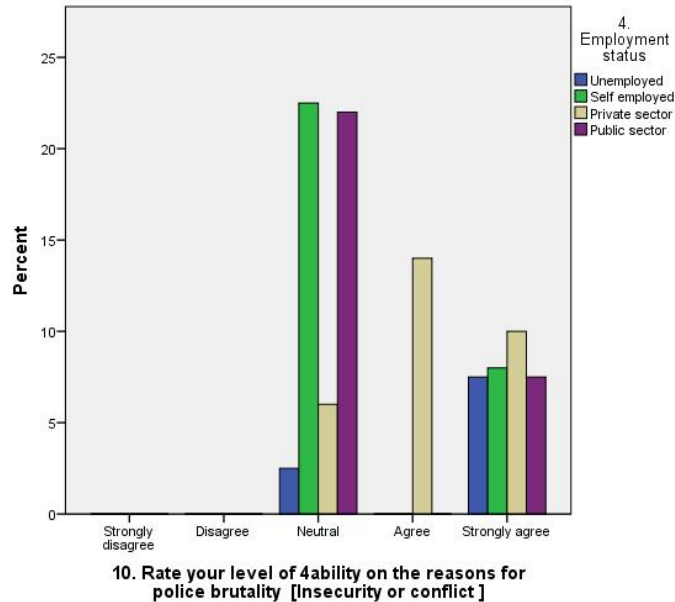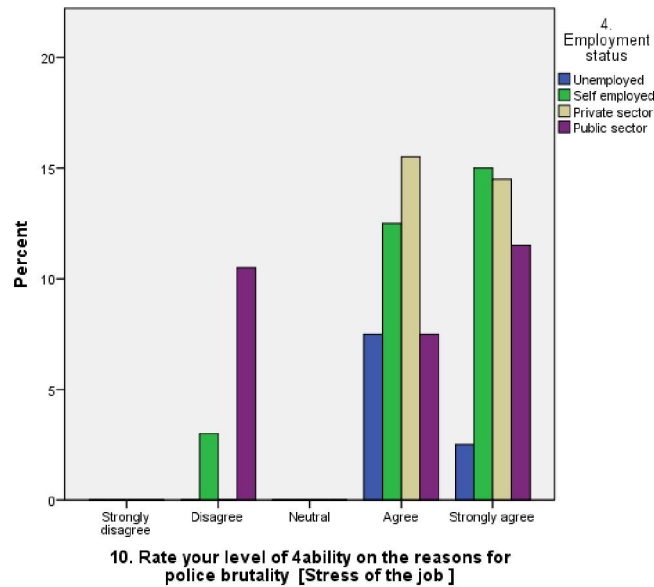ay to stop such brutality. In the same figure the respondents of the age group 31 - 40 have responded that awareness among the public is the way to stop such brutality. In **figure 3**, most of the respondents of the age group 21 - 30 have responded that the lack of accountability and prosecution is the main reason for police brutality. In **figure 4**, the respondents of the age group 21 - 30 years have responded that violence against protectors is the brutality of police that is common in india. In **figure 5**, most of the respondents of the age group 21 - 30 have strongly agreed that inadequate laws are the reasons for police brutality. In **figure 6**, most of the respondents of the age group 21 - 30 have agreed that discrimination is the reason for police brutality. In **figure 7**, most of the respondents of the age group 31 - 40 have responded neutral for insecurity and conflicts are the reasons for police brutality. In **figure 8**, most of the respondents of the age group 21 - 30 have agreed that stress of the job is the reason for police brutality. In **figure 9** most of the respondents of the age group 21 - 30 years have responded 5 on the scale of 1 - 10 on the constitutional remedies against police brutality that are effective in india. In **figure 10**, the undergraduates have responded that awareness among the public is the way to stop, such brutality. In **figure 11**, most of the undergraduates have responded that the lack of accountability and prosecution is the main reason for police brutality. In **figure 12**, the undergraduates have responded that violence against protectors is the brutality of police that is common in india. In **figure 13**, most of the respondents have strongly agreed that inadequate laws are the reasons for police brutality. In **figure 14**, most of the undergraduates have agreed that discrimination is the reason for police brutality. In **figure 15**, most of the undergraduates responded neutral for insecurity and conflicts are the reasons for police brutality. In **figure 16**, most of the undergraduates have strongly agreed that stress of the job is the reason for police brutality. In **figure 17**, we can infer that most of the private sector respondents have responded that the police brutality and torture are endemic in India. In **figure 18,** the private sector respondents have responded that awareness among the public is the way to stop such brutality. In **figure 19**, the private sector respondents have responded that wrongful seizure is the

brutality of police that is common in india. In **figure 20**, the self employed respondents have responded that violence against protesters is the brutality that is most common in India. In **figure 21**, the private sector respondents have strongly agreed on the fact that inadequate laws are the reasons for police brutality. In **figure 22**, the private sector respondents have agreed that discrimination is the reason for police brutality. In **figure 23**, the private sector employees have responded that stress of the job is the main reason for police brutality.

VI. DISCUSSION

Most of the respondents in **figure 1** have responded that the police brutality and torture are endemic in India. This is because instances of police misconduct and excessive use of force have been reported. In **figure 2**, the respondents have responded that change in police culture is the way to stop such brutality. This is because by promoting a culture of accountability, transparency, and respect for human rights, it is possible to reduce incidents of police misconduct and brutality. In **figure 3**, most of the respondents have responded that the lack of accountability and prosecution is the main reason for police brutality. This is because when there is a lack of accountability, it creates an environment where police officers may feel empowered to engage in misconduct without fear of consequences. In **figure 4**, the respondents have responded that violence against protestors is the brutality of police that is common in india. This is because when protests occur, tensions can escalate, and clashes between law enforcement and demonstrators may result in instances of violence. In **figure** 5, most of the respondents have strongly agreed that inadequate laws are the reasons for police brutality. The absence of clear and comprehensive legislation specifically addressing police misconduct can create challenges in holding officers accountable for their actions. When law enforcement officers engage in biassed behaviour or target individuals based on factors such as race, ethnicity, religion, socioeconomic status, or caste, it can lead to disproportionate and unjust treatment, including acts of brutality(**figure 6**). When law enforcement officers operate in environments characterised by high levels of insecurity and conflict, it can create conditions that increase the likelihood of excessive use of force and misconduct (**figure 7**). Police officers often work in high-pressure and high-stress environments, where they may face dangerous situations, confrontations, or life-threatening incidents(**figure 8**). While it is true that the effectiveness of constitutional remedies can vary depending on factors such as the strength of the legal framework, the implementation of laws, and the overall institutional environment, they remain an essential avenue for seeking justice and ensuring accountability(**figure9**). Public awareness and education play a crucial role in preventing police brutality(**figure 10**). Lack of prosecution or the failure to hold police officers accountable for acts of brutality is indeed a significant contributing factor to the persistence of police brutality(**figure11**). violence against protesters is indeed one of the common forms of police brutality that is often witnessed in various parts of the world, including India (**figure 12**). India does not have a dedicated and comprehensive law specifically focused on police accountability and addressing instances of police brutality (**figure 13**). Biases and prejudices can result in discriminatory treatment, including the use of excessive force, against certain individuals or communities (**figure 14**). When societies face high levels of insecurity, such as crime rates, social unrest, or armed conflicts, it can create an environment where law enforcement agencies may resort to excessive force or engage in abusive practices (**figure 15**). The cumulative stress, if not adequately addressed or managed, can contribute to increased tension, irritability, and potentially impact their interactions with the public (**figure 16**). In recent years, there have been several high-profile cases of police brutality in India that have sparked public outrage and demands for police reform (**figure 17**). When individuals are aware of their legal rights, including their rights to dignity, equality, and protection from police abuse, they are better equipped to recognize and respond to instances of police misconduct (**figure 18**). Wrongful seizure and search, without proper legal justification, is one form of police misconduct that can be considered a violation of an individual's rights (**figure 19**). Another form of violence against protesters is the arbitrary arrest and detention of individuals participating in peaceful demonstrations (figure 20). Existing laws that govern the conduct of police officers, such as the Code of Criminal Procedure (CrPC) and the Indian Penal Code (IPC), may not adequately address modern challenges and evolving standards of human rights (**figure 21**). Police brutality can be a reflection of broader systemic issues such as structural racism (**figure 22**). Police officers frequently encounter traumatic events, including violence, accidents, and distressing situations (**figure 23**).

LIMITATIONS :

The major limitation of the study was the time limit . The samples were collected in a limited frame of time .

VII. CONCLUSION

The study on police brutality in India highlights the existence of a pervasive issue rooted in a lack of accountability and transparency within law enforcement agencies. Instances of misconduct and excessive use of force have been reported, indicating the need for comprehensive reforms. The study underscores the urgency of enhancing accountability mechanisms, promoting transparency in police operations, and fostering trust between law enforcement and the communities they serve. Addressing police brutality requires systemic changes to combat impunity, protect human rights, and build stronger, more accountable law enforcement institutions. By raising awareness and identifying the root causes, this research contributes to the ongoing efforts aimed at preventing and addressing police brutality in India.

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