



Lemkin Institute Statement on the Police Murder of Tyre Nichols in the US State of Tennessee

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The Lemkin Institute condemns the vicious murder of Tyre Nichols in Memphis, Tennessee on January 7, 2022. Mr. Nichols was a 29-year old black man who was pulled over for a traffic stop and then viciously beaten by Memphis police. He died three days later from the injuries he suffered as a consequence of the brutal assault. While he was being beaten, Mr. Nichols cried out for his mother, a heartbreaking detail that reminds one of the murder of George Floyd in Minneapolis, Minnesota in late May 2020, which sparked a nationwide uprising against police brutality. George Floyd also called out for his mother as he was being murdered.

Data on police killings in the United States clearly demonstrate that black people, specifically young black men, are killed by police at disproportionately high rates. Black people are 2.9 times more likely to be killed by police than white people. Additionally, Hispanic and Native people in the United States are also killed by police at disproportionately high rates. Unfortunately, the full extent of police brutality against Black, Indigenous, and People of Color (BIPOC) is difficult to document, as many cases of police brutality are not properly reported or recorded by state and federal authorities. In fact, the *Washington Post* has documented more than twice the number of fatal police shootings than federal officials have since 2015. Despite the high number of deaths, the officers that are responsible for them are rarely, if ever, held accountable. Statistics compiled by the National Association for the Advancement of Colored People (NAACP) show that, since 2005, just over 100 police officers have been arrested in connection with fatal police shootings. Of those arrested, under 40 have been convicted.

Systemic racism is deeply rooted within American institutions, including the criminal justice system. Beyond the violence of police brutality on American streets, racism also permeates America's courtrooms and prisons. Black people make up 38 percent of the United States' prison population and 41 percent of incarcerated people on death row, though they account for only 13.6 percent of the overall population in the United States. Studies have shown that black people are no more likely to commit crimes than any other group, so these statistical disparities cannot be explained by actual criminal incidents. Furthermore, racial disparities and anti-black racism

have been well-documented in court sentencings (with black defendants receiving harsher sentences), wrongful convictions (close to 50 percent of all exonerations since 2016 have been black defendants), jury selection, and among prosecutors and judges (95 percent of American prosecutors are white and more than 80 percent of sitting state and federal judges are white).

The systemic racism that creates the conditions for police murder of black and brown people in the USA also negatively influences the state response to these murders. At the federal and state levels, these murders have been left largely unaddressed for decades. With only a few exceptions, police forces in the United States have operated with impunity in black neighborhoods and against black people. Grassroots efforts to right this wrong, such as the Black Lives Matter movement, are met by police brutality by federal and local authorities. The violent crackdown on Black Lives Matter was supported, at least in the main, by both political parties in the USA. Activists have been treated as enemy combatants and authorities justify state violence against them with race baiting. Meanwhile, no political party has taken a stance against unfettered police powers. As has almost always been the case historically, the growth of unaccountable police powers in a democracy has led in the USA to the weakening of democratic institutions and growing state disrespect for the rights enshrined in international human rights law as well as in the US Constitution. Funding for US police forces has only grown since 2020, and the police continue to operate without accountability. Since 2013, the number of people killed by police in the United States has steadily increased. Numbers of those slain by police reached an all-time high in 2022 with 1,174 people killed. This year, in the month of January alone, police killed 79 people.

The Lemkin Institute for Genocide Prevention wonders why it is that political leaders in the USA are content to issue thoughts and prayers to the suffering families of men and women of color unjustly murdered by state authorities while doing so little to rein in the forces that are leading to this predictable outcome over and over again. Is the USA such a desensitized society that it will continue to countenance in the twenty-first century state violence against people of color, and particularly against black men, that is a clear recapitulation of the atrocities of slavery, genocide, and Jim Crow?

We recognize that strong initial steps have been taken in the case of Tyre Nichols. Six police officers have been fired and one has been suspended. Five of the officers have been charged with second-degree murder. The Memphis Police Department additionally disbanded its special “SCORPION” unit, of which all of the police officers involved were members. The SCORPION unit targeted high-crime areas.

We also recognize that the existence of such a “SCORPION” unit, including its name, points to the larger factors that led to Nichols’ death. The United States is beholden to a well-funded and out-of-control security sector that has militarized domestic policing and that operates with almost

complete impunity. That Mr. Nichols' killers were black probably explains some of the speed at which they have been punished. It also demonstrates that the racist factors that have enabled the growth of a militarized security sector in the USA negatively influence policing no matter the color of the police officer's skin.

The Lemkin Institute for Genocide Prevention calls on leaders in the United States to institute a National Mechanism for Genocide Prevention that will retrain all federal, state, and local security personnel in atrocity prevention with a particular focus on civil rights and the dignity of black and Native life. We further restate our call for the United States to begin an honest, nationwide truth and reconciliation process led by the highest offices of government that will allow Americans to come to terms with the past atrocities that continue to infect the present-day with violence and harm. We suggest that this TRC process focus on reproductive justice issues, which address many of the enduring legacies of genocide and slavery that continue to destroy black life, such as alarming rates of maternal mortality among black women, police brutality against youth, disproportional removal of black and Native children from their families in child welfare cases, and the incarceration of alarmingly high numbers of black men. Finally, we wish to reach out to all Americans with the message that they can do better as a society and that they should hold their leaders truly accountable for the facts on the ground, no matter their party affiliation or personal political tendencies.

Certainly the United States does not want to be known as the country in the world where innocent black men and boys must cry out for their mothers as state forces kill them in plain view, and on video, while the dominant society, though professing sympathy, does absolutely nothing about it. A society like that is countenancing genocide, one life at a time.