

## ALTERNATIVE TRUTHS

### *The Construction of Narratives in the Rodney King Trial*

SOYEON KIM

THIS PAPER EXPLORES THE EXPLOITATION OF NARRATIVE, CHARACTER, AND IDEOLOGY TO RECONSTITUTE THE VIDEO EVIDENCE IN THE TRIAL OF RODNEY KING, IN WHICH FOUR LAPD OFFICERS WERE INDICTED FOR VIOLENTLY BEATING THE DEFENDANT. THROUGHOUT THE TRIAL, THE PROSECUTION CHOSE TO LET THE VIDEO EVIDENCE OF THE BEATING SPEAK FOR ITSELF TO ALLOW THE JURY TO JUDGE THE POLICE OFFICERS AS LIARS RATHER THAN COMBAT THE NARRATIVE OF THE DEFENSE. CONVERSELY, THE DEFENSE RECONSTRUCTED AND RECONSTITUTED THE FORM AND CONTENT OF THE VIDEO, ILLUSTRATING AN 'ALTERNATIVE TRUTH' THROUGH THE USE OF METAPHORS, RHETORICALLY IDENTIFIABLE CHARACTERS, AND PROFESSIONAL DISCOURSE. IN THE END, THE NARRATIVE OF THE DEFENSE—WHICH DEPENDED ON THE STEREOTYPICAL DEPICTIONS OF THE DANGEROUS, ANIMALISTIC BLACK MAN (RODNEY KING) AND THE RIGHTEOUS HEROES (THE WHITE POLICEMEN)—RESONATED WITH THE RACIST IDEOLOGY OF THE SIMI VALLEY JURORS, AND, MORE BROADLY, WITH WHITE AMERICA.

## OVERVIEW OF TRIAL

Around 12:45 A.M. on March 3, 1991, Rodney King, a 25-year-old motorist, was severely beaten by three officers of the Los Angeles Police Department (LAPD). A sergeant and 17 other officers looked on as King suffered his beating. The California Highway Patrol (CHP) and the LAPD had been in a high-speed car chase for approximately 15 minutes as they tried to stop King, who had run several stop signs. Once he stopped, King was “kicked at least seven times, shot four times with an electric Taser gun of 50,000 volts, and struck 56 times with nightsticks.”<sup>1</sup> King was black. According to the original report, he suffered “several facial cuts due to contact with asphalt. Of a minor nature. A split upper-lip.”<sup>2</sup> After he was thrown onto the ambulance and sent to the hospital, he would realize he also suffered nine skull fractures, a broken leg, injuries to both knees, a shattered eye socket and cheekbone, a partially paralyzed face, kidney damage, and permanent brain damage. He was never charged for running the stop signs.

Unbeknownst to the officers, local resident and amateur cameraman George Holliday videotaped the entire incident once King had halted, including the 81-second beating. Failing to get the LAPD to accept the tape, Holliday sold it to a local TV station for \$500.<sup>3</sup> The video then aired repeatedly on local and national television to the shock of the American people, and was painted as a prime example of police brutality in America.<sup>4</sup> A year later, a criminal trial was held, in which the policemen were charged with filing a false report, assault with a deadly weapon, excessive use



SCREENSHOT OF THE VIDEO TAPING RODNEY KING'S BEATING (COURTESY OF FLICKR)

of force as a police officer, and acting as an accessory after the fact. The defendants were Sergeant Stacey C. Koon and Officers Laurence Powell, Theodore Briseno, and Timothy Wind.<sup>5</sup> The jury for the trial, on the other hand, consisted of ten white jurors, one Asian juror, and one Hispanic juror. Rodney King was unable to testify for the prosecution due to problems with short-term memory, in addition to fear and confusion since the beating.

Despite the video evidence, three of the defendants were acquitted of all charges, while the jury was deadlocked on whether Officer Powell used excessive force. These verdicts were received with outrage by the people of Los Angeles and the rest of the nation, and have been universally attributed to triggering the Los Angeles Riots of 1992. The six-day period of rioting saw 53 people dead, 2,300 injured, and over a billion dollars in damages to the city of Los Angeles.<sup>6</sup> In response to the riots, King famously appeared on television to plead, “Can we all get along?” The riots finally stopped when the military intervened. While the initial beating of King reaffirmed the racial tensions between white policemen and black civilians, the Los Angeles riots showed the deep-seated racial issues across multiple races in Los Angeles, including Hispanics and Asians.

With the rise of smartphones and video cameras, similar cases of police brutality—Eric Garner and Walter Scott, for example—have recently been filmed and circulated through social and national media. Yet, the video of King’s beating in 1992 was the first time that the problem of police brutality appeared on the national radar, though many black people contend that this problem of police brutality existed long before 1992 and that the Rodney King case was only the first time it was caught on tape.<sup>7</sup> Thus, the local and national outrage at the verdict was unsurprising: the video “clearly” showed that the beating was a case of police brutality, that excessive force was used against Rodney King, and that King consequently suffered a multitude of injuries—and yet, all four policemen in the Rodney King case were not convicted. How could this be?

This paper seeks to explore the exploitation of narrative, character, and ideology to reconstitute the video evidence in the first criminal trial involving Rodney King. Throughout the trial, the prosecution relied on the video evidence of the beating to speak for itself. In this way, the prosecution’s strategy rendered the jurors’ passive fact-finders in order to expose the police officers as liars rather than construct its own narrative to combat the narrative of the defense. Conversely, the defense reconstructed and reconsti-

tuted the form and content of the video through metaphors, rhetorically identifiable characters, and change in discourse to illustrate an ‘alternative truth’ by which the video could be interpreted; according to the defense, the police officers heroically followed a detailed procedure to contain an aggressive and threatening criminal. As a result, the narrative of the defense, which depended on the stereotypical depictions of the dangerous, animalistic black man in Rodney King and the righteous heroes in the white policemen, resonated with the racist ideology of the Simi Valley jurors, and more generally, with white America.

### THEORETICAL FRAMEWORK

A rhetorical approach will be taken in analyzing the closing arguments of the assault trial of Rodney King. According to Foss, the main questions that students and critics have about rhetoric can be divided into three main categories.<sup>8</sup> One is the relationship between the rhetoric and its context. This relationship can refer to the reconstruction of the context for the rhetorical artifact, such as the impact of the setting, audience, or occasion in which the rhetorical artifact occurred. The second question is how the message of the rhetorical artifact constructs a particular reality for the audience. Narrative criticism and metaphorical criticism are two methods that can be used to answer this question. The third question is how the artifact is an expression of the narrator’s interpretation of the world, which suggests the narrator’s motives for the rhetoric. Foss emphasizes that although these three key categories highlight different aspects of the rhetorical process, none of these categories act independently.<sup>9</sup> Both the context of the rhetorical artifact and the way its message generates a particular worldview inherently reflect the rhetorical culture of the artifact, as archetypal images, metaphors, characters are socially constructed.<sup>10</sup>

Alper defined the narrative process as constructing and telling stories to create a rhetorically imagined world that gives the story its point.<sup>11</sup> One of the obvious reasons narrative is important is that it is a basic tool of humans to assign meaning to an observation or experience. It is how people make sense of the world, as they reconcile the expected with the unexpected, with respect to what they believe is the proper course of life. Alper also discussed the importance of narrative in the contexts of litigation and the courtroom. Litigators realize that certain narratives channel the interpretative decoding process of understanding narratives in the juror’s minds. Thus, litigators work within this process to persuade the jurors of a particular ver-

sion of these facts. To do so, they expand or change the scene as the audience—in this case, the jurors—understood it. As people employ narrative to make sense of an experience or observation, that narrative ultimately tells them how the story should end. The same is seen in the courtroom, where jurors apply this everyday sense-making process to ascertain the facts from the evidence, and narratives influence and often decide the verdict of the case.<sup>12</sup>

In the case of the Rodney King trial, the attorneys were responsible for making sense of the main evidence—the video—for the jurors. The jurors, like everyone else, watched the images throughout the video and had an initial reaction of shock and anger, but left the courtroom believing that King was the one who was dangerous.<sup>13</sup> “The cops were simply doing what they’d been instructed to do,” a juror was quoted as saying. “They were afraid he was going to run or even attack them.”<sup>14</sup> In order for the defense attorneys to successfully turn the media narrative on itself, an interpretive framing of these images, which set the foundation for the discourse, narrative, and characters that they would use, proved to be key.

Hasian explained that “‘forming one’s character’ means creating a persona that places oneself within communities of discourse that share cultures, interests, and languages. Judicial actors may at times claim that they are merely ‘interpreting’ the law promulgated by a legislator, but as human creatures caught in the maelstrom of life, they are often simultaneously performing prudential characterizations that are taken out the broader ‘rhetorical culture.’”<sup>15</sup> The concept of character is undoubtedly related to broader ideologies, as it is the ideology of that culture that determines the significance and meaning of that character. As it relates to law, characters are especially important during trials because they allow for the process of evaluating the narratives that contain the legal as well as the cultural issues. However, the characterizations used in stories and trials often unfairly become accepted as accurate descriptions of a group of people, which influence the way we think about purpose and agency in society.<sup>16</sup>

The significance of these socially constructed meanings of images, characters, and metaphors rely on the ideology of this culture. Ideology, according to Hall, “refers to those images, concepts, and premises which provide the framework through which we represent, interpret, understand, and make sense of some aspect of social existence.”<sup>17</sup> Ideologies are the articulation of different elements into a distinctive set or chain of meanings rather than isolated and

separate concepts. Hall also said that ideologies represent a collection set of practices, structures, and discourses rather than those from individual human beings. Therefore, although ideological statements can be made by individual people, ideologies cannot. Racism, as an ideology, is no exception. Ideologies work through the transformation of discourses and the transformation of subjects-for-action. The transformation of discourses refers to the articulation and re-articulation of ideological elements, while the transformation of subjects-for-action refers to their fracturing and re-composition. The way people see themselves and others is particularly important as it pertains to ideology because it informs their actions and practices. In the same vein, the way the jurors would come to see the video and the way the police experienced the events in the video were at least partly due to the way they saw themselves and others—as white people in society. Due to the immense media attention that the controversy received, the officers requested that the court location be moved from racially diverse Los Angeles county to the predominantly white suburb of Simi Valley, California, which the public has often attributed to the verdict in the defense's favor. The change in venue, of course, changed the racial composition of the jury from potentially having a few black jurors to having none at all, which influenced the way the images in the video were perceived.<sup>18</sup>

Common sense tells us that images lend themselves to transparent interpretation due to their representational quality. Messaris supported this view, claiming that “film and TV conventions appear to be constructed on the basis of preexisting cognitive principles for the perception of our physical and social environment.” Images, according to Messaris, “are not merely another form of arbitrary signification.” In other words, people do not need previous images to understand another image. The public thought the same about King’s video. “The tape is the tape. They can’t argue with that,” a resident of Atladena, California said during the news coverage of the trial.<sup>19</sup> This viewpoint illustrates that the meanings of some images are self-evident—they are either indexical (making material connections between the image and the referent) or iconic (structurally resembling the objects they represent). But even the most apparently self-evident images need the viewer to participate in the interpretive process of meaning-making.<sup>20</sup>

The meaning-making process of images helps explain the reactions to the videotape of Rodney King’s beating. The jury’s and the public’s perceptions depended on the con-

nections between their knowledge based on their experiences and the symbolic level of those images. What symbols people perceive images to be are based on cultural conventions and practices, and if the level of symbolism is strong enough, they become a character within the rhetorical culture of that group. For example, as it pertains to this case, an LAPD officer symbolizes peace, order, and security to a white juror from a predominantly white suburb, while a black man symbolizes danger and crime. The primary obstacle for the defense due to the videotape, which was that the symbols in the video so departed from what was culturally expected of those symbols, could actually be seen as an advantage because “images that radically depart from invariant expectations compel further processing effort.”<sup>21</sup> Because the contents of the video so defied the expectations of the jurors, it left them more open to other ways of interpreting the video. Additionally, since the defense was seen as “underdogs” due to the media coverage that excoriated the officers, they were given the advantage of lending drama to their testimony and protecting the sanctity of generic LAPD policies and procedures. Therefore, this combination of narrative, character, and ideology naturally set up the success of the defense, as the prosecution stubbornly argued for objectivity rather than create these narrative qualities in its own argument. .

#### ANALYSIS AND INTERPRETATION

The defense in the Rodney King trial understood these intertwining factors of ideology, narrative, and character and consequently exploited them to reframe the interpretation of the events in the videotape. Throughout the trial, the defense employed the narrative of “the heroic team of rov-



A CARICATURE OF RODNEY KING IN A PRESS CONFERENCE (COURTESY OF FLICKR)

## *“By fragmenting parts of the video while playing it in slow motion, Duke justified the violence of the officers as a response to an ‘escalation of force’ shown by King.”*

ing police officers defending civilized society against the rampaging hordes of wild inner-city barbarians and barely holding their own by a combination of courage, discipline, skill, strength, and teamwork.”<sup>22,23</sup> In order to maintain and establish the foundation for this narrative, the defense had to reconstruct the video in form and in content.

One of the themes in the defense throughout the trial was that the officers had experienced the events of the video differently and that their experience was an alternative truth. Dwight Powell’s attorney, Michael Stone, consequently encouraged the jury to watch the video “not through the eye of the camera but through the eyes of the police officers who were at the scene.”<sup>24</sup> By proposing the idea of alternative truths, the defense also opened the jurors’ interpretive process to a new way of viewing the video. Because the original video had blurry and ambiguous images, the defense casted doubt on the quality of the tape and its value as a representation of reality. Through this justification, the defense reconstructed the original video evidence to form a new piece of evidence. To do so, they employed five different techniques to construct a new reality, an alternative truth.

The first method used by the defense to reconstruct the video was manipulating the speed at which they showed the video. When they wanted to emphasize that the officers took time to develop a reasoned response to King’s movements, for example, they would slow the video down. What happened in a split second in real time would appear to be enough time to reason out the best response to King’s “aggression.” This method of slowing down the video to illustrate that the officers had enough time to think was crucial, for the narrative of the defense was not that the officers were so fearful of King that they did not know what to do, but rather, that the officers were right and reasonable in their actions. However, the defense also increased the speed of the video when it supported their argument, as when they sped up the video to skip over unflattering moments. Similarly, they used real time speed when it served their argument as well, including employing real time speed to show how fast King moved despite having just been hit with high electricity from the Taser.<sup>25</sup>

Another strategy used to reconstruct the video was stopping the video for certain segments to provide analytic commentary. The defense would run the tape in slow motion, and then interrupt the projection to ask their “use of force” expert witness, Sergeant Charles Duke, to explain and interpret the fractional parts of the video in the context of police work. Duke would then pair one of King’s “threatening” movements to a later strike that the police took to contain him. By fragmenting parts of the video while playing it in slow motion, Duke justified the violence of the officers as a response to an “escalation of force” shown by King. If the video had been in real time speed and not fragmented, King’s actions would have looked like nothing more than resting on his elbows or kneeling, rather than an “escalation of force.”<sup>26</sup>

The third method used by the defense was alternating between the entire original version of the video and the still frames of individual parts of the video. They were aware that one of the prosecutors, Prosecutor Terry White, had shown the original video in its entirety in his opening statement, not just the 81-second clip shown by the media, and that the defense’s version of the video extensively used small extracts from the video. As a result, they did not want to be accused of doing exactly what they were criticizing the media of doing: distorting events and taking them out of context. To eliminate such accusation and to appear more comprehensive than the prosecution, the defense played an “FBI enhanced” tape during its opening statement and replayed this tape after their experts had analyzed certain isolated segments of the video to explain each blow and strike taken by the officers. It appeared, therefore, that the defense was allowing the jury to “double-check” and confirm for themselves whether the blows occurred for the reasons the expert claimed they did. However, the perception of the jurors’ had already been conditioned to the defense’s analysis because the “FBI enhanced” version had been shown after the prosecution’s analysis.<sup>27</sup>

The final technique that the defense used to reconstruct the old video was converting the original video into individual stills, forming a new body of texts. By remaking the



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video into single-page images, the visual scene changed from the chaos of the continuous video to order in this array of static photographs. They then made a sort of flip book out of the video, creating a series of discrete images that gave the impression of movement when flipped in sequence, but could be stopped at any moment to analyze a single page. Thus, rather than a whole that represented one thing—i.e., the police brutally beating Rodney King—the video became a series of distinct images and events, from the police’s perceived signs of aggression from King, to the police making the reasoned decision to contain this threat, to the strikes with the batons themselves.<sup>28</sup> These still images made King appear more active than in the video, and therefore gave the jurors an illusion of movement and power to King, which they were quick to believe due to their ideology.

The defense additionally distilled each individual photograph by putting overlays that had crayoned outlines on top of the photos. These outlines and a pointer were utilized by the defense and the “use of force” experts to focus the jury on King rather than on the officers. Just as lines connect selected stars into a constellation, these outlines turned what had been blurs into a concrete shape for the jurors. The defense thus allowed the jurors to engage in the interpretive process, while outlining clearly King’s position relative to the officers, which was not as obvious in the quickly paced video.<sup>29</sup> The white crayoning used to foreground King also shows the implicit racism used throughout the trial, as the defense continually contrasts King, a black man, with the white police officers, the jurors, and the white crayoned outline. Richard Sherwin noted that the media have made it more and more difficult for people to distinguish between “fiction and reality... [to] draw the line between historic events and their visual representations.” By making this new video, the defense changed reality in the original into fiction through altered and reconstituted versions of the incident in the form of overlays, diagrams, and photos. Because of the media and the insistence by the jurors to view the new video from the

officers’ perspectives, the line between fiction and reality had become blurred for the jurors as well.<sup>30</sup>

The defense realized that they needed the jurors to reject the old text—the original video. In reconstructing and reconstituting the video, the defense allowed the jurors to perform their role as meaning-makers through a “tabloid-like construction of the truth.”<sup>31</sup> The defense guided the jurors to the verdict by presenting the scenes from the perspective of the police and encouraging the jurors to connect those scenes to their own reality, one in which police officers are moral and black men are associated with crime. At the same time, however, the defense acknowledged that the prosecution’s reality existed, and that the video was, in fact, violent:

Mr. Mounger: How do you view looking at this videotape, sir?

Sgt. Koon: It is violent and it is brutal.

Mr. Mounger: Was this anything that you enjoyed?

Sgt. Koon: No.

Mr. Mounger: Why was it done?

Sgt. Koon: It is done to control an aggressive combative suspect and sometimes police work is brutal. That is just a fact of life.<sup>32</sup>

Yet, the defense added to this reality by insisting that there was also the reality of the officers, that they were following the procedures of their job, which they showed by breaking down the video into extemporal images. In doing so, they justified this violence and provided a new frame for the narrative they would use throughout the trial.

In addition to reconstructing the video in terms of form, the defense would also reconstruct its narrative substance. By combining these two strategies, the defense framed the prosecution’s “objective truth” as one that was a “nonsensical, incredible tale too full of inconsistencies and loose ends to withstand the onslaught of reasonable doubt.” The new video was the medium through which they explained their narrative, and they did it in the context of the profession of the police. This combination allowed the defense to

show the jurors that while experiences change according to perspective, the prosecution's "objective truth" did not make sense.<sup>33</sup> Just as they did to formally reconstruct the video, the defense employed several major techniques to reconstruct it narratively as well.

First, they needed to change the discourse used to explain the video. Rather than continuing the discourse established by the news media, which was through the lens of civilians outside of the police force, the defense contextualized the video through the professional discourse of the LAPD. By doing so, they also used a coding scheme that transformed the way their clients understood the world into categories and events that were according to the lives of the LAPD. This professional discourse of the police allowed the jurors to interpret the video in a way that coincided with their cultural expectations as white people from a white suburb, thereby consolidating the narrative for the defense and providing the foundation for the "alternative truth" as experienced by the officers. However, this reasoning and discourse would not have been as effective if the racist ideology of the policemen had not overlapped with that of the jurors—that is, the way they viewed black men as threatening and the policemen as morally right. This overlap in ideology allowed the jurors to more easily believe the fear explained by the officers. Sergeant Stacy Koon, a defendant, used this professional discourse in his testimony, saying that "this was a managed and controlled use of force. It followed the policies and procedure of the LAPD, and the training."<sup>34</sup> Thus, he provided the jurors a linguistic filter through which they watched the tape while helping to legitimize the framing of the video: they were doing their jobs as law enforcers.

This discourse was continued further when the defense called forth the main witnesses for the defense in trial, the "use of force" expert Charles Duke. This discourse, combined with the already reconstructed video, served to specifically detail the procedures the police took in response to the actions they perceived from King. In the segmented, slowed-down images of the beating, they introduced an "escalation/de-escalation" framework to interpret each movement by King on a "spectrum of aggression" from escalation, to de-escalation, to assessment, to escalation, and again to de-escalation. Thus, what looks like, to a person outside of this discourse, the police striking, the victim reacting, the police then deciding whether to strike again, the police striking again, and then the victim reacting again, becomes only a measurement of where Rodney King lies on this spectrum

of aggression. In this discourse, King's self-protective actions become signs of aggression, while this illusion is amplified through the slowed down, cut up images in the new video. As a result, simple actions by King such as bending down or resting on his elbows were repeatedly described by the officers as King being "on the rise." Duke, in contrast to the media portrayal of the video, was free to give agency to whomever he pleased due to the perspectival nature of the defense's argument. Because of this escalation/de-escalation framework that portrayed King as the aggressor, the agency shifted from the officers to Rodney King. Therefore, the framework not only changed the discourse for describing King's actions, but also changed who had agency in the situation—indeed, most of King's actions were described in the active language, while the officers' were in passive language. While Koon only "activated" the Taser rather than shot it, the smallest head movement from King—even though it was after Powell had knocked him to the ground—was described as renewed aggression. It is because of this jargon that the defense came to the conclusion that "Rodney King, and Rodney King alone, was in control of the situation."<sup>35</sup>

By explaining the video in the professional discourse, as Charles Goodwin explains, Duke, the expert, "[taught] the jury how to look at the tape and how to see relevant events within it... He provided them with an ethnography of seeing that situated the events visible on the tape within the worklife and phenomenal world of a particular community."<sup>36</sup> Therefore, one of the implicit arguments the defense makes by bringing in an "expert" to interpret the video is that the jurors did not know the language and vocabulary with which to watch this video, and that there is important information outside of the average juror's sphere of knowledge that only a person within this discourse would know. Consequently, Duke "walked them through" an elaborate chart of police "tools in escalation." These "tools" began with "verbalization and presence," or letting the criminal know of the police's presence, and elevated to the chokehold and use of deadly force. After delineating these tools, Duke correlated the policeman's actions and matched them with the tools of escalation, to show that they were following police procedures. For example, he pointed to the stills on the video, perceived King's movements as a "charge at an officer," and subsequently reconstructed Officer Powell's first blow—the one that knocked King to the ground—through a choreographic demonstration that was "an appropriate weapon to use to stop [the charge]." Thus, Duke continued to characterize King's movements as signs of aggression and danger, and consequently charac-

terized the actions of the officers as reasonable and just. This justification continued to form the characters of King and of the officers, thereby continuing to establish the narrative of the heroic policemen following procedures to protect society from “threats” like King.<sup>37</sup>

Duke’s testimony was important also because it contextualized the testimonies of defendants Sergeant Koon and Officer Powell. Because they were the most experienced officers on the scene, they also became the “experts” on the scene, embodying the same level of “professionalism” as Duke. To establish their experience, they opened up their own testimonies by listing their extensive résumés. They also exemplified the professional jargon to distinguish their more knowledgeable perspectives from the jury’s: “Mr. King went down on what I could call a one-point landing on his face,” Koon said to describe a still of the video. He continued this jargon: “Officer Powell had what I would call kind of a pulsated back to evaluate.”<sup>38</sup> This use of technical jargon by the police again emphasized to the jurors that there was an alternative truth to the beating, as it introduced them to a new way of defining and looking at the events of the video.

Because the prosecution’s main argument centered on the “objective truth” of the video, Duke’s testimony sparked several problems for the prosecution. They could and did counter with their own expert witness, but doing more than that would risk conceding that the video required higher interpretation, and that the police possessed the expertise needed to do so. Additionally, when experts disagree in a criminal trial, the burden-of-proof rule is supposed to work in favor of the prosecution (how could we as laypeople know beyond a reasonable doubt when even the experts can’t decide?), but the prosecution found itself at an atypical disadvantage: because the defendants were police officers who enforce the law, this usual advantage was offset. In addition, had the prosecution stuck purely to their argument—which was that the video speaks for itself and that, therefore, the officers were not excessively forceful—it would appear as if they had no counterargument to Duke’s interpretation of the video. If the prosecution had not argued for the single truth of passively watching the video, and instead provided a narrative of its own, they would not have encountered these issues.<sup>39</sup>

Another method the defense utilized was emphasizing the events that preceded the contents of the video. “Rodney King refused instructions to stop, drove at over 100 miles

per hour, refused instructions to assume a felony prone position, resisted attempts to determine whether he had a weapon, repelled four officers who grabbed his limbs, withstood 100,000 volts of electricity and lunged at Officer Powell,” said Michael Stone, Dwight Powell’s lawyer. While the media had largely shown only the 81-second video and emphasized its shocking nature, the defense illustrated that much had built up to necessitate, in the policemen’s perspective, the procedural use of force to contain Rodney King. “How much force is needed to subdue this unruly, PCP-crazed giant?”<sup>40</sup>

Referring to King through descriptions such as an “unruly PCP-crazed giant” that the officers “needed to subdue” exemplifies the effectiveness of the language used by the defense throughout the trial. In this situation, “effective” language for the defense would be that which reaffirms the racist ideology of the white suburban jurors, and therefore, supports their narrative and further establishes the characters they have created. To form King’s character as a threatening, uncontrollable, all-powerful criminal that was insensate to pain, the defense used animal and gun metaphors—both symbols that elicit qualities related to stereotypes of big, black men according to the racist ideology of the jury.<sup>41</sup>

One of the claims all the officers made was that they believed King to be under the influence of PCP, a drug that would have made King exceptionally immune to pain, thereby endowing him with superhuman strength. By attaching this quality to King, the defense could now use hyperbolically dehumanizing imagery to highlight King’s character. Darryl Mounger, Koon’s lawyer, did so by likening him to King Kong: “But rather than causing Rodney King to fall down, you are going to hear that Rodney King rose up to his feet and groaned, ‘Ahh, Ahh’ and started advancing toward Koon, and Koon ordered him again, ‘Get down, get down,’ but Rodney King kept coming.”<sup>42</sup> The continuous use of King’s full name without the use of pronouns makes King out to be the name of a creature, while Koon appears to be accusing King even further through the repetition of his full name. By avoiding to use the pronoun of “he,” Mounger seems to purposely implant the thought of King as a creature rather than a human in the minds of the jury. The loaded language supports this characterization as a lifeless, harmful creature and produces the image of a threatening creature like King Kong approaching an innocent, heroic policeman who was only doing his duty to protect society.



This animal metaphor proceeds to be seen in Mounger’s direct examination of Koon, as the officer repeatedly describes King as “pumped up.” According to Koon, after Tasing King a second time, King “repeated this, uh, this groan, like similar to a wounded animal... I could see the vibrations on him, that he seemed to be overcoming it.”<sup>43</sup> Here, King is quite literally compared to an animal, which again implicitly invokes the stereotype of black men as subhuman brutes. The officers’ vivid details, such as the vibrations on King to the groan of a wounded animal, gives authenticity to their experience, which in turn, highlights the importance of alternative truths—that what was caught on camera could be different from what the officers had seen. Mounger emphasized this concept and again criticized a way of thinking that believes in only one experience of events:

You are going to hear that Rodney King displayed the objective symptoms of being under the influence of something, and Sergeant Koon will tell you, “I knew he was under the influence of something. I saw a blank stare in his face. I saw watery eyes. I saw perspiration. I saw that he swayed. I saw that he was slow to follow the command of the officers. I saw him looking through me.”<sup>44</sup>

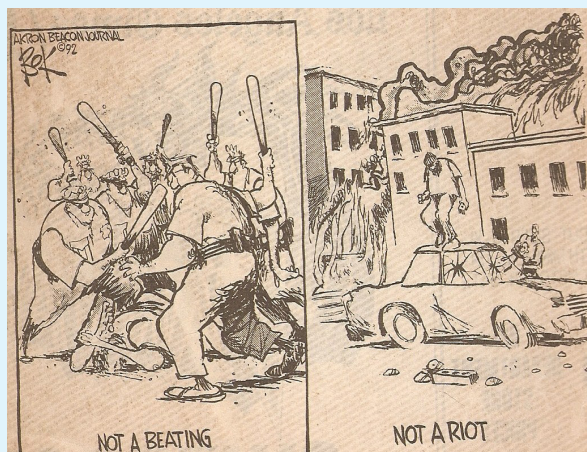
This description again paints the image of King’s character to allow the jurors to vicariously feel the threat the officers claim they felt when facing King, while Mounger explicitly devalues the “objective” experience people think they see when they watch the video without any context.

Michael Stone later extended this metaphor of an animal using an officer’s own words:

But her husband, Timothy Singer, what did he say? He wasn’t even involved in this and he said, “I was scared. This was like something out of a monster movie. This man, Rodney King, got up, and I could see the - the muscles in his face convulsing from the electricity and it was like right out of a monster movie.”<sup>45</sup>

Once Stone began to believe King was under the influence of PCP after he had been Tased twice, he again used similarly dehumanizing imagery: “And Officer Powell went up, grabbed his wrist and tried to move it back to a handcuffing position, and King began to laugh and suddenly he went into a push up position and with the full body weight of Officer Powell [193 lbs.] on his back he pushed up and Powell rolled off and all of the officers scrambled away.”<sup>46</sup> The image of King beginning to laugh at Officer Powell’s failed attempt to put King into a handcuffing position attaches a demonic quality to King, while transferring the victimization from King to the officers. As expected of the cultural conventions of white suburbia in America, King became the villain rather than the victim. King’s actions described by Stone not only hinted that King dared to disrespect the policeman, but also amplified the sense of danger emanating from King’s character, justifying the measures the police would initially take to “subdue” King. Stone further dehumanized King by using language that seemed to describe a zombie:

“Did King respond? Not really. He continued to pat the ground and make strange noises. Mr. King chose to do that. Now, at that point every officer at the scene concluded, we got a duster on our hands and there is no doubt about that. There is no doubt about that. Their perception was this guy is under the influence of PCP, and oh, boy, look at how big he is. We have got problems”<sup>47</sup>



A CARICATURE OF THE 1992 LOS ANGELES RIOTS (COURTESY OF FLICKR)

Another metaphor used by the defense to enhance the imagery of Rodney King was weapon metaphors. What looked to everyone else like King helplessly flopping and flailing his legs and arms in response to the blows, Koon and Powell repeatedly described as King having his leg “cocked” or his arm “being in a trigger position.” Hence, King’s body had become a gun. The fear that the danger of a weapon elicits in people, as well as the criminality associated with guns, again point to the defense’s deliberate effort to match the events of the video with the jury’s stereotypes of black men. As Vogelmann notes, this

characterization of King could not be broken because King himself did not testify.<sup>48</sup>

The defense attorneys juxtaposed their characterization of King with that of the officers to cement their characters and, thus, the narrative that mirrored the cultural expectations of the jury. While justifying the violence of the video, the defense highlighted the “bravery” of the police officers taking measures to subdue King, who was made out to be an aggressive, threatening character. Stone alluded to the duty and heroism of the police officers in their closing arguments: “These are not Robocops, ladies and gentlemen. They hurt, they feel pain, bleed, and they die, just like everyone else. And we leave it to them to take care of the mean streets so that we can safely enjoy our lives.” By distinguishing the officers from the popular culture icon “Robocop,” the defense again calls forth the experiential knowledge and the meaning-making process for the jurors. Stone continued, “These officers, these defendants, do not get paid to lose street fights. They don’t get paid to roll around in the dirt with the likes of Rodney Glenn King. That is not their job. That is not their duty.” Stone thus highlighted that, in spite of their vulnerability to danger because of their humanity, the officers courageously risked their lives to protect the rest of the world from “the likes of Rodney Glenn King.” Because the defense had already established King’s character as an animal and menace to society, they utilized this character to contrast with the humanity of the officers. Timothy Wind’s attorney, Paul DePasquale, also continued this characterization: s

The job that these law enforcement officers, these cops, are hired to perform and the job they perform is to constitute a line between the uncontrolled chaotic behavior of a person who drives wildly, who conducts himself wildly without thought for his own or other people’s safety. That is a job that falls to these police officers, the line between chaos and society.<sup>49</sup>

DePasquale as well as Stone, therefore, appealed to the cultural convention that the police represent the “thin blue line” that separates society from chaos, from “the likes of Rodney Glenn King.” Ironically yet unsurprisingly, it was conveniently ignored that, just like the officers, King can also “hurt, feel pain, and die.” DePasquale’s words, and the jury’s agreement with this narrative after the trial, illustrated that for both the officers and the jury, Rodney King did not represent their society.

Rather than create his own narrative and form his own characters for King and the officers to combat the defense’s

narrative, Prosecutor White simply asked Powell, “[King] wasn’t an animal, was he?” to which Powell answered, “No, sir, just acting like one... because of his uncontrollable behavior.”<sup>50</sup> Although White’s intention, in addition to again emphasizing the “facts” of the case, was to delegitimize Powell’s account of the events, this kind of questioning served no real purpose other than giving Powell the opportunity to repeat King’s uncontrollability. Thus, White himself contributed to forming King’s character as an exaggerated form of the stereotypical big, black man: animalistic, uncontrollable, monstrous, and dangerous. White and his co-counsel, Alan Yochelson, would stubbornly stick to what the videotape had shown without any context or further interpretation. Their preoccupation with the “facts” deterred them from winning over the jury, as the inclination of the juror, as aforementioned by Alper, is to make sense of the video in a way that resonated with his cultural expectations, ideology, and reality.<sup>51</sup> In the end, the prosecutors shared the same viewpoint as Messaris: that some images speak for themselves. White continued to express this viewpoint in his closing arguments:

And what more could you ask for? You have a videotape in this particular case which shows objectively, without bias, impartially, what happened that night. This videotape is the central piece of evidence in this case. We don’t need to rely on Stacey Koon’s words. We don’t need to rely on Lawrence [sic] Powell’s word. We don’t need to rely on what they said happened that night. We don’t need to rely on what Mr. King says happened that night. We have the videotape and the videotape shows conclusively what occurred that night and it is something that can’t be rebutted. It is there for everyone to see. It is the most objective piece of evidence you can have.<sup>52</sup>

This position not only underestimated the interpretive nature of the juror by demanding the jurors to be passive watchers of the video, but also failed to negate the defense’s narrative and the professional discourse of the police used to substantiate that narrative.

As we can see from the Rodney King trial and the resulting verdict, although we may think that “a picture is worth a thousand words,” words can be used to change what that picture means.

Thus, instead of taking an approach that was about the tape, the whole tape, and nothing but the tape, they could have tried to beat the defense with their own narrative. While acknowledging that the video did require further interpretation, the hypothetical narrative of the prosecution

could have impressed upon the jury the frightening consequences of the means by which the defense arrived at their interpretation. With this approach, the prosecution would have maintained the juror's role as active meaning-makers rather than passive fact-finders while questioning the kind of meaning they wanted to assign the events of the video, in which Rodney King was beaten by the police who justified every strike according to their procedures. The conclusion that the defense's argument was reasonable was based on the fact that it adhered to the LAPD's rules pertaining to the escalation and de-escalation of force to subdue the threat that King symbolized.<sup>53</sup>

What lay in this subtext was that the jury, according to their worldview, could not deny their city the police protection that it perceived to be necessary against the movement of crime and drugs among black carriers from Los Angeles. The difference between the defense's narrative and the prosecution's narrative, however, was that in all likelihood, the characters and narratives portrayed by the prosecution departed from the worldview and ideology of the Simi Valley jurors. Naturally, they would have had to depict the officers as reprehensible characters. To counter Duke's technological professionalism and the professional discourse he used to establish the defense's narrative, the prosecution could have formed a narrative that exposed this "professionalism" as belying common morality. Hence, the use of force throughout the beating would change from a reasoned response to an outrageous over-reaction in the context of common morality. Alper proposed a concrete narrative that the prosecution could have utilized throughout the trial:



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The use of force that Duke attempted to justify - and Duke's own defense of it - could have been depicted as an outrageous over-response to Rodney King's minor infractions of the law by a runaway police machine so obsessively programmed to overwhelm the slightest resistance that it was likely to destroy the very social order it existed to protect.<sup>54</sup>

This narrative would not be denying Duke's professionalism while simultaneously guiding the jurors to see that they can buy into that vision of the police, but only at a price that does not use force against society so easily.

## CONCLUSION

Although the Rodney King trial was the first case involving police brutality to receive such national attention, the legal aspects of the narratives, characters, and discourse are familiar due to the ideology that gave those specific aspects significance. The reason that the video was so shocking to begin with was that, out of context, it had so deviated from the public's cultural expectations of police officers. As a result, it was covered by the media as an awful aberration, but with the video evidence clearly in everyone's minds, the task of the defense was to reinterpret the video in a way that corresponded with the ideology of the Simi Valley jurors.<sup>55</sup> Their method was diametrically opposed to that of the prosecution, which emphasized the objective viewing of the video, de-valued the interpretive process, and did not construct any ideologically appealing narratives or characters. Instead, the defense emphasized alternative truths—that there was more than one way of understanding the events of the video.

Consequently, the defense constructed its own video, one that portrayed the officers' reality during the incident. They manipulated the original video by altering or maintaining its speed depending on what supported their narrative, and converted the video from a continuous clip to a virtual flip book that gave the illusion of movement while allowing the defense to analyze each moment. This reconstruction of the video allowed for the reconstruction of the narrative, that the policemen heroically followed the procedures according to their jobs despite the danger presented by the "animalistic" and "unruly" Rodney King. By slowing down and analyzing each moment, the defense was able to make virtually any of King's movements, even those that were in response to being attacked, to be viewed as signs of aggression to the police. Because the racist ideology of the white police officers coincided with that of the Simi Valley jurors, this made more than enough sense to the jury. It

was due to the defense's narrative that the jurors were able to reconcile the deviation of expectations that were presented in the original video with their own reality that was constructed while living in a white suburb.

The professional discourse the defense used throughout the trial amplified both the new video evidence as well as the alternative truth narrative of the heroic police officers vs. the barbaric criminal. This discourse not only shifted the agency from the officers to King, but also reminded the jurors of the likelihood of the alternative truth, as the jurors had not been a part of the discourse that allowed them to interpret the video the way the defense did. While the professional discourse established the context through which to view the video, the words of the officers and their attorneys also were influential in the metaphors they used to form the characters of Rodney King and of the officers. These characters of the overall narrative again reflected the ideology of the policemen and the jurors, as shown by the use of weapon and animal metaphors to encapsulate King's superhuman strength, subhuman nature, and criminal tendencies, thereby justifying the fear and violence of the police. Conversely, the police were portrayed as humans who were brave enough to take the risk of being in danger on a daily basis for the sake of society, and when faced with such a situation, promptly followed the violent procedures that their jobs entailed. The effectiveness of these characters, and therefore the narrative, again depended on the ideology of the jurors. Unfortunately, the jurors would not fail the defense team, as the verdict held that all four of the officers were not guilty. Despite the video evidence that was shown all over the nation, the meaning of those images was not as clear as the public thought. The public and the prosecution believed that as the old saying goes, "a picture is worth a thousand words." As Rodney King's criminal trial showed, however, with enough words and contextualization, the meaning of that picture can change.

## ENDNOTES

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