

# Finding the real human being

By Gerard Mullins

**T**he unfortunate reality is that human rights infringements are typically suffered by people who are marginalised. Many of these people are perceived by the community to be troublemakers, or less deserving of fair treatment. Representing such clients is always a challenge.

Benjamin L Crump, a lawyer from Tallahassee, Florida, spoke on this topic at the American Association for Justice 2007 Annual Convention.<sup>1</sup> The following extract is an enlightening reminder of the importance of making our opponents understand our client's humanity.

'In 2007, US congressman, Ron Paul, made the bold statement that "It is safe to assume that 95 per cent of black males are semi-criminal or entirely criminal." Statements like that of congressman Paul ... exemplif[y] the difficulties that minority victims of police brutality face as they are deemed as criminal and not given the chance to matriculate through life as everyday citizens. ... Not only are black males not given this opportunity; they are dehumanised. ... They become targets. They are targets for brutal and sometimes fatal crimes committed by the very people who are sworn to protect, honour and serve.

A sad reality is black males constantly become victims of police brutality. How do we fight for justice for a group of people who are no longer viewed as human in society's eyes? Numerous approaches can be taken to achieve this. Some of these tactics include creating a more positive and innocent physical image of your client. Highlighting some of the positive impacts the victim has had in society and within the lives of their family and loved ones. Bring attention to the pain and suffering felt by the loved ones of the victims of police brutality. If your client has a criminal background, learn to isolate their past criminal activity from the case at hand. ...

In the case of *Martin Lee Anderson*, the 14-year-old boy who was brutally beaten to death in a Bay County boot camp, we were forced to combat the criminal image associated with the young boy. Anderson was in the Boot Camp for stealing his grandmother's car and had a record of previous delinquent behaviour, resulting in Anderson quickly losing his innocence. He was no longer ... the young boy who left behind a mother who cried day after day because she thought that she was giving her baby boy a chance to

have a new life when instead he was given a death sentence. No longer a young boy who left behind a hopeful father who has to live with the vivid thoughts of grown men beating, choking, kicking, slamming and kneeling the body of his only son as they violently shoved ammonia tablets up his nose and covered his mouth, and even worse. He was a young boy who had been sent to this facility for rehabilitation and was instead brutally beaten to death... Physical depictions are important because it gives you the opportunity to have ownership of the victim's image. Every time someone mentions the victim's name, the portrait you have painted appears in their head. Often, pictures of Martin Lee Anderson were displayed during hearings, press release and in information packets. Some of the pictures were of Martin in a suit and tie, similar to that of a senior class photo, a picture of Martin in the average everyday attire of a 14-year-old boy, a picture of young Martin in his basketball uniform holding the ball, and a viewing of Martin laying in a casket at his funeral. These images gave Martin a human face. It portrayed him as the young child he was. It then allowed for questions such as: Is this the child that it took seven guards to contain as he "resisted"? Or was this a child that was treated as nothing more than an animal as he was slammed against the ground, beaten, and suffocated to death? ...

When a victim of any crime suffers, there are usually family, friends and loved ones who suffer as well. When Anderson was murdered, he was survived by his mother, father, and younger sister. It is important to highlight the reality of the pain and suffering caused by the negligence of the offender.'

As Crump points out, a client's past criminal history, poor schooling or work history is often only part of the story. Sometimes we need to dig a little deeper than the surface facts to find the true person. ■

**Note:** 1 Benjamin L Crump, *The Police Don't Shoot White Men in the Back – Representing Minority Victims in Police Brutality Cases*, 2007.

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