

Justice for Tyre Nichols began at historic pace. US is watching what Memphis does next

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For most of the midday hour at the pulpit of Mt. Olive Cathedral CME Church in Memphis, RowVaughn Wells gently closed her eyes, her right hand tightly clasped in the left hand of famed civil rights attorney Ben Crump. Her son was supposed to be there, she said. Crump was telling the reporters from around the world who filled the pews all the reasons why her son was not there, and would never be there again.

With his other hand, Crump shook a finger, punctuating the problems he sees in an institutionalized police culture that is anti-Black, and in Memphis' SCORPION Unit, which he alleged has a pattern of excessive force.

"It happens far too much in America," Crump said. "And we have to have this conversation over and over and over again until it stops."

Eventually, a smile broke Wells' steadied face as Crump lifted their held hands to the air: "Justice for Tyre Nichols," she joined him in saying. Justice for her son.

Three weeks before these calls for justice, Nichols was living his last normal day.

Then on Jan. 7, Memphis police officers punched, kicked and pepper-sprayed the 29-year-old Black man in a brutal and, ultimately, fatal beating, video footage shows, all less than 100 yards from his family's home. He was first stopped at an intersection a half-mile away, and ran from officers after they pulled him from his car and gave him conflicting orders.

"I'm just trying to go home," he told them, his hands held behind him and a taser held to his leg. Nichols died in the hospital three days later on Jan. 10.

'WE'VE LOSE ONE OF OUR OWN':Black skateboarders in Memphis and beyond honor Tyre Nichols

WHEN THE OFFICERS ARE BLACK:Tyre Nichols' death raises tough questions about race in policing

POLICE UNIT HALTED:Memphis SCORPION unit tied to Tyre Nichols' beating death 'permanently deactivated'

It is historic for all Memphians to have video detail of police violence so soon. Swift termination and second-degree murder charges levied against five officers, who are Black, also thrust Nichols' death into the national eye: Crump called this part of the official reaction a "blueprint for America" that should be applied to officers responsible for brutality, no matter their race.

Four months before, the nation had its eyes turned to Memphis during a week of high-profile killings, the city and nation both adopting a narrative that violent crime was out of control and needed to be stopped. The city and nation are now reckoning with how badly those crime-stopping efforts can go wrong.

"Tonight will be one of the toughest nights that we've ever experienced in this city," Van Turner, president of the NAACP Memphis and a Memphis mayoral candidate, said Friday, hours before the city released video footage of officers beating Nichols.

Wells did not watch the video when it was shown to her family Monday. She knew it was "horrific," a narrative never disputed by local officials and further described by law enforcement and Nichols' family's attorneys as "absolutely appalling," "alarming," and "unconscionable."

In an acknowledgment of the horror, Tyre Nichols' parents asked for peaceful protests, pleas echoed by local officials, requests that in their own way anticipated the outrage Memphis and the world would feel. Friday and Saturday, Memphis honored the pleas.

"This is not just a professional failing. This is a failing of basic humanity toward another individual," Memphis Police Chief Cerelyn "C.J." Davis said the night before charges levied against the officers were public.

But the video's publication, the public viewing of any video of police brutality against Black people, has become part of the pattern of response toward attempts at police accountability and reform.

"It's just sad that this is a part of this process," said Charles McKinney, a professor at Rhodes College who researches and teaches the African American experience in the United States. "That this video is going to be circulated for ... as long as the internet lives, where you get to see Mr. Nichols being beaten to death. That's grotesque."

Amid praise for 'swift justice,' critics question intentions, oversight of new specialized unit

In the wake of Nichols' death, each day, Memphis gleaned more and more about the severity.

On Martin Luther King Day, a week after Nichols died and from outside the Lorraine Motel balcony where King was killed, Nichols' family called for justice and announced Crump would take on the case: "Nobody should ever die from a simple traffic stop," Crump said, calling for the video's release.

A federal civil rights investigation came next, as local officials committed to an eventual release of footage. By the end of the week, the five officers who now face murder charges had been terminated.

STATE HOUSE REACTS:Tennessee Democrats to propose police reform legislation following death of Tyre Nichols

A week after Crump called for the video release, he and co-counsel Antonio Romanucci, along with Nichols' family members, witnessed footage of officers beating Nichols, next revealing an independent autopsy that found Nichols "suffered extensive bleeding."

Then the five officers — Demetrius Haley, Desmond Mills Jr., Emmitt Martin III, Justin Smith and Tadarrius Bean — were indicted on felony charges, including second-degree murder, related to Nichols' death, Shelby County District Attorney Gen. Steve Mulroy announced the following Thursday. A 6 p.m. Friday time was set for release of the footage Nichols' family watched earlier in the week.

"We can applaud the way that they have responded on the one hand, in terms of Chief Davis and (Memphis) Mayor (Jim) Strickland," said the Rev. Earle Fisher, a familiar face in Memphis politics and religion. "And on the other hand, we can say this is a fire that they started when they implemented the SCORPION Unit in the fall of 2021."

CLOSED:University of Memphis closed 'until further notice' in wake of Tyre Nichols footage release

The 50-person specialized unit was launched with a goal of reducing crime by 5% by focusing on concentrating officers in areas with high crime, a saturation patrolling tactic used by other urban police forces. City and police officials praised the unit's statistics, for arrests made and guns recovered. SCORPION is an acronym for Street Crimes Operation to Restore Peace in Our Neighborhoods.

All five of the officers charged in Nichols' beating death were part of the unit, the Memphis Police Department confirmed to The Commercial Appeal Saturday. The department also confirmed the five former officers were on assignment with the unit when they stopped Nichols on Jan. 7.

In an apparent response to calls from Nichols' family and their attorneys to disband the unit, the Memphis Police Department permanently deactivated it Saturday afternoon to cheers from protestors Downtown.

The Institute for Public Service Reporting, a nonprofit Memphis news outlet, obtained incident reports showing the officers charged worked together, previously in intense interactions with the people they suspected of crimes.

Former Memphis Police Director E. Winslow "Buddy" Chapman told the outlet the units "can be very effective" but must be controlled and monitored.

"The danger is exactly what happened in this case," Chapman told the outlet, referring to Nichols' death.

A review of the unit will continue even though it is now deactivated, Memphis police told The Commercial Appeal.

Nichols' family attorneys said Friday the unit has been "corrupted."

Duane T. Loynes, Sr., a Rhodes College professor whose current research includes Black community interactions with law enforcement, pointed to another example of a corrupted saturation unit in Baltimore's Gun Trace Task Force, where officers were indicted on federal racketeering charges.

"It seemed like the (SCORPION) Unit was just really doing a good job of, statistically, reining in violent crime. The problem is that creates a mentality among the group members," Loynes described, that says officers "can 'do whatever we can, because look, we're getting results, and we're being celebrated.'"

Second, Loynes said, "it creates a culture that 'we are above the law.'"

Activists, experts, wary of long-lasting change in wake of Nichols'

death

Nichols was the fourth person to die after encounters with Memphis area law enforcement in a five-week span.

The other shooting deaths are under investigation by the Tennessee Bureau of Investigation, a routine measure in Memphis, but, by comparison to attention and action on the case of Nichols' death, authorities have released little information.

“As much as they want to try to isolate this, we have been saying this is part and parcel of the larger system and structure of policing,” Fisher said.

With Nichols' death, Fisher said, he could see officials make “empty promises” to media.

“And when the smoke clears, and when the cameras leave, and when the national figures leave, they will go right back to business as usual. That's my hunch,” Fisher said. “I trust, and have hope, in those of us who have been pushing these issues to the forefront for the last several years.”

It is especially because of local political organizing, which he said helped elect Mulroy, a Democrat, to the district attorney position last summer, that indictments were issued swiftly and historically. Mulroy ousted former district attorney Amy Weirich, a Republican, whose office was known for a lack of indictments on law enforcement officers in some of the city's highest profile police encounters during her tenure, Fisher pointed out.

Like Crump, McKinney and Loynes, the Rhodes College professors, see answers in a reform of police culture. McKinney does not believe Memphis has the political appetite for these substantial reforms as the majority Black city also wrestles with the effects of generational poverty.

He sees it like this: That Nichols' death will be parceled away from other incidents, the result of “five rogue cops who were acting outside of the law” and received “swift justice.”

“I don't think our political class in Memphis has the courage to confront the rot that lies at the center of policing in Memphis,” McKinney said.

Loynes rests his hope in the knowledge that the United States, when the will is there, has done hard things: abolishing slavery, providing women the right to vote.

“You know how hard it was to send someone to the moon?” Loynes said. “We had to send a rocket ship through space from a moving, orbiting planet, through space to a moving target – it's not like the moon is just sitting there, the moon is moving and also turning – and we had

to land it. People got out, walked around, got back in the ship, took off from that orbiting, planetary object, and came back to Earth, which again, was moving through space very quickly, and turning very quickly. ... When we want to, we can overcome some things.”

Wells, Nichols’ mother, nodded as Crump called for police reform.

She was, maybe, the last person Nichols’ thought about. He called for her repeatedly as police beat him, video footage shows. She had made him sesame chicken for dinner. She was the woman who knew his morning routine at the Starbucks, how much he loved taking in and photographing the sunset, how much he loved to skateboard, a passion he’d had since he was 6. He was good at it, his step-father Rodney Wells, who worked at FedEx with his son, said.

“For a mother to know that their child was calling them in their need, and I wasn't there for him, do you know how I feel right now?” RowVaughn Wells said Friday at the Mt. Olive Cathedral, this time brought to tears. She’d had a stomach pain the Saturday Nichols was beaten. “That was my son’s pain that I was feeling. And I didn’t even know.”

Davis, the police chief, said the department has not been able to substantiate its initial narrative that Nichols engaged in any reckless driving necessitating a traffic stop. Attorneys for the family have maintained that Nichols didn’t do anything wrong.

“I didn’t do anything,” Nichols told officers as they pulled him from his car, video shows.

“Nothing,” Wells said at the pulpit Friday, slowly shaking her head.

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