I'M HAPPY HE'S GOING TO JAIL!

The Derek Chauvin Trial as Inkblot Test

PART 1

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I'm Happy He's Going to Jail – Part 1 Transcript

John Berardi:

I'd like to start today's show with a story, and maybe by telling it, it'll help you better understand why we decided to make this series, which is a little bit of a departure for us. So it all begins in my home gym. I was resting on a bench between sets of squats, scrolling my Instagram feed. One big square catches my attention, all black with big white letters. It says, "I'm happy he's going to jail!" It took me by surprise for a second. Who posts something like that? And what are they posting about? Took me another second to figure it out. It was April 20th, the day of Derek Chauvin's verdict, so I guessed this post was about that and that he was found guilty. But happy? Yeah, I was feeling a bunch of things, I don't think happy was one of them.

John Berardi:

As I stared off beyond my phone, just sitting in the discomfort of the whole scenario, I got curious about where someone's mind would have to be. What would have to be true? What would the trial have to mean for them to feel happy at a moment like this, or anything really? Sad, joyful, angry. An on-duty police officer kneels on the neck of a defenseless, pleading fellow American until dead, and then he gets sent to jail for up to 40 years, possibly the rest of his life. Another social media post pops up. This one's saying that what Chauvin did was wrong, but that he doesn't deserve to go to jail, that he's being railroaded by a culture of wokeness.

John Berardi:

If you're a regular listener, you know I believe that where one stands, which is based on their experiences, expectations, identities and ideologies, so fully colors their perceptions of everything in the world that objective truth can seem out of reach. One person thinks it's the right thing he's going to jail. They're rejoicing. Another thinks it's utter bullshit. They both think they're 100 percent right, that they've got truth figured out. You also know how I believe this gap in our perspectives can create terrible, irreconcilable differences between us if we're not willing to do the very individual, very challenging work of trying to see the world from other people's points of view.

John Berardi:

So in this series, we're going to use the Derek Chauvin trial to hopefully teach us something about ourselves, as humans. We'll talk to some very smart people, who think a lot about policing and law and race, but, again, not so much because we're interested in the trial, per se, rather because we're interested in what it says about people and perspectives and how we can do a better job of sitting with both. Yet before we get into it, I have to introduce my research partner and occasional co-writer on the show, Marjorie Korn.

Marjorie Korn:

Hello, everyone.

John Berardi:

Marjorie is an award-winning journalist who's covered topics ranging from politics to the military to health and fitness. She's also an instructor at Columbia University Medical School. In a minute, Marjorie's going to take over the show, but for now, just a reminder that this is The Doctor John Berardi Show, a podcast that seeks important lessons in a seemingly unlikely place amid competing points of view. In each episode, we look at fascinating, sometimes controversial, topics through the minds of divergent thinkers and together we tease out unifying threads from ideas that may feel irreconcilable.

John Berardi:

I’m Happy He’s Going to Jail – Part 1 Transcript

Today's topic, I'm Happy He's Going To Jail, Part One. In this three-part series, we plan on exploring the Derek Chauvin trial. Well, sort of. You'll hear a lot about policing, race, critical thinking, public health, even parenting. Of course, most of these are big, divisive topics steeped in politics, but we've tried to take the politics out in the interest of figuring out what's actually going on. So, let's get started.

Maria Haberfeld:

I always said this and I will continue to say this, that the more civilized we become as a society in general, the more we resent this notion of an organization that has the authority to use aggressive force to solve problems. We don't like it, so, of course, there is this tremendous resentment.

Marjorie Korn:

This is Doctor Maria Haberfeld, a Professor of Police Science at John Jay College of Criminal Justice in New York City. She's a highly respected scholar who has studied and worked with law enforcement for close to 25 years.

John Berardi:

Wait, I got to interrupt. I find this idea intriguing. Do you think some of what we're seeing nowadays is simply an allergic reaction to coercive force?

Marjorie Korn:

I'm not sure. I guess what I reacted to more was that, quote, unquote, civilized claim. I guess on the one hand, our government is stable, we have tremendous resources and social safety nets do exist, so in that way, yeah, we do live in a civilized society. But on the other, there is this significant wealth gap and a lot of people are struggling. The number of people experiencing homelessness, the number of people with mental health crises, kids whose schools don't have necessary resources, these are really deeply rooted problems and they lead to a host of other problems that police are forced to respond to. And how the police respond. Well, this might be a good time to introduce Doctor Pete Kraska. He's a Professor of Justice Studies at Eastern Kentucky University.

Pete Kraska:

The primary area of work that I've been engaging in for the last, I guess, 30 years is in police militarization. And so a long time ago, back, in fact, in 1989, I became interested in the ways in which the military were becoming more police-like and the police were becoming more military-like, and I referred to that as the criminal justice/police/military blur and how those distinctions between government entities that were supposedly focused on external security and those focused on internal security were beginning to coalesce.

Marjorie Korn:

According to Doctor Kraska, one of the big accelerators of this appears to be the Gulf War.

Pete Kraska:

I was mostly just trying to figure out what was happening in the 1980s and 1990s, and what I discovered was this intense increase in the level of police militarization. We've seen not only the militarization of policing in specialized units, like SWAT teams, but most importantly, we've seen that military model disperse into the entire police institution, what we call normalizing it into the everyday operations of contemporary policing.

Marjorie Korn:

Doctor Kraska talks about the trendline going upward. So if it started in the 1980s, it's had about four decades to grow and morph.

Pete Kraska:

One of the things our research found in the 1990s and the 2000s is over half of police departments were being trained by active duty military special operation soldiers. The US military itself had their special operations folks, Green Berets, Navy SEALs, embedded with police, training them specifically how to do things, but also inculcating a particular mindset.

Marjorie Korn:

During the demonstrations over the summer of 2020, there was consternation over the gear that police were equipped with, which seemed to be military grade. But Doctor Kraska is saying it's not just about the hardware.

Pete Kraska:

I think we have to start with the fact that police militarization has different dimensions. One dimension that's focused on a lot is the material dimension, the heavy weaponry they might have, the armored personnel carrier. But there's also the operational dimension, where you have a drug tactical team break into somebody's home in the middle of the night using the Navy SEAL's model. That's the operational. But in relation to the Derek Chauvin killing, we have to consider the cultural dimension. And the cultural dimension of police militarization is evidenced by this aggressive, hypermilitarized mindset that a lot of police officers have.

Marjorie Korn:

Doctor Kraska explains why what happened is an outgrowth of this military mindset.

Pete Kraska:

It's a strange paradox of being intensely afraid of being victimized, while at the same time seeking out danger. And that cultural mindset of approaching the people you're policing in a militant way, in a way that they're the other, that everyone is a threat, then you never know what's going to happen next, I think, would lead itself well to somebody thinking it's reasonable and okay to kneel on another human being's neck for nine minutes and 29 seconds and clearly not care at all. And that cultural mindset that comes along with police militarization, I think, was played out pretty clearly in the Derek Chauvin killing.

Marjorie Korn:

Doctor Kraska believes the cultural dimension of police militarization is, in part, a function of programs designed to transfer troops to policing roles.

Pete Kraska:

After the Gulf War and then the Iraq War, there have been federal programs set up to transfer troops to cops to give local police departments financial incentives to hire former soldiers. Now it's complicated because in my experience, about half of those people want to be real police officers and they get the difference between waging war and protecting and serving. But there is the other half that maintain sort of a military mindset and approach to what they're doing, and that's problematic. In fact, it's highly problematic because then you have entire sectors of a police department that are roaming around, looking for excitement, looking for those old ways of doing things.

Marjorie Korn:

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The cop on the beat didn't ask for this system to be put in place, to be trained like this. He or she may not even be entirely aware of this dynamic. And even if policymakers wanted to turn down the spigots that flow from the military to American police departments, they'd have a tough time. So what if you're Doctor Kraska, tracking this phenomenon for decades, writing books and papers, consulting with local leaders, doing interviews like this one, but with each passing day, the system becomes more entrenched?

Pete Kraska:

It is depressing, and it kind of depends on how I wake up on a given morning. Sometimes I see a lot of hope and possibilities for things to substantively change and other times, it just seems like the same pattern that we've been witnessing for the last 80 years, literally 80 years of hand-wringing and big reform movements and lots of new things are going to happen. And there just always seems to be a workaround, there always seems to be an entrenched mindset in a cultural and political context that really doesn't allow anything real to happen.

Marjorie Korn:

He points to America's decentralized policing system.

Pete Kraska:

One of the reasons why is just the nature of US policing. I mean, we have 18,000 different police departments. Most of those are small, but 6000 of those are more consequential. We're going to be witnessing, over the next 10 years, tremendous progress. We're also going to be witnessing tremendous regression, but that's because out of those 6000 different police departments, some of them will be doing remarkable things. State legislators right now are putting in real reforms through law, so big, positive things are going to happen, but horribly regressive things are going to happen at the same time because you're dealing with 6000 different agencies.

Pete Kraska:

It's going to be very difficult to assess whether there's truly progress or there's regression, and some of that's going to be in the eye of the beholder. Some people will hold up the three or four anecdotes of police departments that are doing well, there's great evidence of amazing things that are happening, and others are going to say, "Yeah, but look at the mess that we have in all these other areas. Nothing is really substantively changing." So, it's going to be very complicated to figure out. At the end of the day, it's going to take a whole lot for things to change for real and it'll take a lot more than federal legislation, it'll take a lot more than local legislation. It would take just an extreme overhaul of the entire system and I don't see that, politically at least, on the horizon.

Marjorie Korn:

It barely needs saying. The entire system is not into extreme overhaul, especially as police reform becomes the new third rail of politics with ideas falling along party lines.

Pete Kraska:

We still have to engage, and I certainly do, in the good work of trying to ameliorate suffering, trying to do things in the law, try to do things in practice, in policy that will minimize the suffering that's taking place at the hands of the police. So those activities are still very important and nobody should give up on those, including protesting. In the big picture, that doesn't mean that big things are going to change.

Marjorie Korn:

Doctor Kraska is a proponent of reform, but not all of his colleagues share his world view. Some believe that the system works pretty well and while reforms in any institution are necessary to keep it relevant and efficient, they're not advocates of profound change.

Pete Kraska:

I think even some of the more status quo-oriented criminologists, they have to concede that this indicates, even to them, a massive race problem in this country, a massive inequality problem in this country and something has to give. Just a few changes here and there in policing is not going to solve this. I mean, the police institution is in an incredibly difficult position. Even the most well-intended, and I've worked with plenty of them, police officers, police administrators, the position they've been put in is near impossible. In fact, Peter Manning, a famous police scholar, called it the impossible mandate. That's not to give them a break on some of the horrible things that have happened, but it should be recognition that this isn't easy to confront or do anything about.

Marjorie Korn:

This term, the impossible mandate, reflects the idea that the police have been assigned the task of crime control. But because they can't control the factors that cause crime, this task is difficult, if not impossible, to accomplish.

Pete Kraska:

I have a lot of friends and colleagues that are very influential and interesting to listen to in terms of abolishing police, but to me, it's not going to happen. It's kind of an interesting rallying cry, both intellectually, also practically, but it's not going to happen. I mean, the only way to abolish the police is to abolish the rule of law, and the rule of law system is not going to go away. Minus doing something like a complete overhaul and getting down to real possible policy changes, first, a dramatic retraction in police power. I don't care if that means less funding. It probably will mean less funding.

Pete Kraska:

But what's most important is to get them out of the business of the various things that they are involved in now. Mental health crises and schools and drugs. We can list them all off. Get them out of that stuff. That would make a huge difference right there. Because I think when people see police behavior during protests and they're so outraged, what they don't get is that's going on every day in people of colors' neighborhoods. Every single day. That's what they experience, that's what they have to see. Get them out of most of that kind of activity.

Pete Kraska:

And then the second is extreme accountability, and accountability's got to come in a lot of different ways. It means there's no magic bullet with that, that has to be ratchet back and completely get rid of qualified immunity, it means real hard work, like Campaign Zero is doing on impacting police unions and the union contracts, it means changing, structurally, civilian oversight, police departments. I mean, there has to be something because people are never going to trust the police again if we don't have serious systems of accountability. Both of those things are very possible to do and would have a real impact on the overall scope and gravity of the problem.

John Berardi:

I'm wondering ... I keep hearing this idea that policing is just fine. We're only having these conversations because of bystander videos, meaning that the police are doing a good job, but it's just hard to watch them do their job sometimes and that if you're one of the good guys, you don't have anything to worry about with any of this. Did Doctor Kraska have anything to say about that?

Marjorie Korn:

He sure did.

Pete Kraska:

It's just so ignorant, I don't even know what to say. Just such a clear lack of knowledge and grounded knowledge about the reality that's going on. And I know it's ubiquitous. I've run into family members and relatives and friends that all believe those same kinds of narratives and all I have to do is sit down and talk to them about a legal case I'm working on right now, where, just for punishment reasons, they're grabbing young women off the street during protests, throwing them in jail and doing two or three full body cavity searches on them just for the hell of it, for no reason whatsoever, other than punishment.

Pete Kraska:

Talk about the Breonna Taylor situation, I worked on that case, and how the police instinct in those kinds of horrible situations is almost universally, and I'm not exaggerating, almost universally to cover up, to come up with falsehoods and all kinds of obfuscation so there's not any accountability in those situations. And that's just the norm. That's not the exception, that's actually the norm. And I talk to them about those kinds of things and then they kind of say, "Yeah, I get there are problems, but ..." I don't know, even today, if people understand, at a grounded level, the extent of the problems because the problems are predominately impacting the marginalized in our society. And the one really good thing that's coming out of all these crises is marginalized voices are being heard right now. Will that go away, like it did after Ferguson? It might. But it certainly feels like a different kind of moment.

Marjorie Korn:

The killing of Michael Brown in Ferguson, Missouri, outside St. Louis, happened almost seven years ago in August 2014. The Associated Press did a timeline of the events surrounding Ferguson and it's worth checking out. You can find it by googling Associated Press Ferguson timeline. Looking through what happened in that case and then the aftermath and how clearly it pointed to a need for change, it's a reminder that here we sit, seven years later, having the same conversation.

Pete Kraska:

I think it's an important moment, don't want to take it away from anybody, but I think it would be hard to not say, in another 10 years, that that case was an example of let's make an example out of this person and pretend as if the police institution is accountable and ultimately, there will be justice. I don't think many people buy into that, but I think that's part of what was put on as a political performance. I don't want to take anything away from the people that were involved and the people, particularly the victims and the surviving victims, and a quest to see individualized justice. I just think we have to be careful making grand assumptions about where this is going to lead and what this means five years down the road.

Marjorie Korn:

Earlier in the show, we met Doctor Maria Haberfeld from John Jay College of Criminal Justice in New York City. How she came to train thousands of NYPD officers and others around the country, it's an interesting story. Born in Poland, she moved to Israel in her teens and was part of the Israel Defense Forces in a counter-terrorism unit. After that, she was a member of the Israel National Police and left a lieutenant before attending John Jay, first as a PhD candidate and now as a faculty member.

Maria Haberfeld:

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I have a program, that I am one of the co-creators, that we started over 20 years ago with a Certificate in Police Leadership in the multicultural, multiethnic city. We created it a few months before 9/11. It was aimed to really defuse the tension of the [inaudible 00:24:03] of the Amadou Diallo case.

Marjorie Korn:

In 1999, Amadou Diallo, an immigrant from the Western African country of Guinea, living in the Bronx, New York, was shot at 41 times by police in the vestibule of his apartment building. The four plainclothes officers were part of the controversial Street Crime Unit and the gun they said Diallo was carrying, it turned out to be his wallet. The officers were acquitted.

Maria Haberfeld:

We started it in the summer of 2001 and since then, we've been running it on a semester basis. We have between 500 to 350 sworn officers every semester. So I'm not just an academic director of this program, I've written books for this program, I created the curriculum and I teach in this program, so, basically, I interact with NYPD officers for the past 20 years on a weekly basis.

Marjorie Korn:

Doctor Haberfeld believes that America's decentralized police structure is at the heart of its problems today.

Maria Haberfeld:

There is no other country that compares to us in terms of the centerline nature of policing.

Marjorie Korn:

In most discussions about the police, people speak as if it's a single, homogenous institution, a monolith, the same as Congress or the military, but as Doctor Kraska mentioned earlier, there are thousands of independently operating police forces.

Maria Haberfeld:

We have 18,000 different police forces, we have hundreds of police forces in each and every state.

Marjorie Korn:

When discussing the Derek Chauvin case, many said it wasn't just Chauvin on trial, all police were on trial, but, again, there's no such thing as all police.

Maria Haberfeld:

The closest decentralized police force that I can think of is Canada, they have about 400. So 400 versus 18,000.

Marjorie Korn:

According to Doctor Haberfeld, when folks call for sweeping changes, they sometimes miss the fact that it's often up to individual cities and towns and villages to decide their own rules. Among the 18,000 individual police forces, most of them are very small. There are even a handful of one officer police departments.

John Berardi:

So, Marjorie, Doctor Haberfeld is telling us about how the US has the most decentralized police system in the world by a lot. I'm just wondering what that means. I guess some people may hear decentralized and think, "Good," but it sounds like she thinks the opposite.

Marjorie Korn:

Well, according to Doctor Haberfeld, it means that if you want to institute reforms, you have to do it on a department by department basis. Now, state legislatures and Congress can make laws that affect policing, but changes within police departments generally happen one by one, which can be slow or simply not happen. The other facet of decentralization is training. She mentions a lot of police forces in developed countries are national police forces.

Maria Haberfeld:

They have police universities that really focus not just on the tactical skills, how to shoot and how to effectuate an arrest, but all the psychological aspects of police work, social aspects of police work, and they prepare a professional. We don't prepare a professional. And then that is not to say that we don't have great police officers, we do from the standpoint of their willingness to do the right thing, but we don't from the standpoint of their readiness to do the right thing because readiness is really translated into long-term education, academic education, together with field education, tactical education and we don't have it.

Maria Haberfeld:

And places like Norway or Finland or Germany, where they do have police universities and you cannot become a police officer by graduating from an academy that is 10 or 11 weeks long. We do have it here in United States. We have academies that are as short at 10, 11 weeks and we have academies that go into 32 weeks, but an average training, it's about 17 weeks. So, as a college professor, for me, 17 weeks is barely a semester. I don't accept that this is enough and this is responsible to put out people out there who have the ability to use aggressive force, to take somebody's life with lack of preparation. That's unacceptable.

Marjorie Korn:

This is an often discussed aspect of police work. Police officers are tasked with a wide range of, sometimes difficult, responsibilities with far too little training and with training that isn't standardized across police departments.

Maria Haberfeld:

Change needs to centralization of American police forces, we just have too many. It's very difficult from the standpoint of effective training and oversight and supervision because most of the departments are very small, less than 50 officers, most of the departments don't have enough field training officers. It's a vicious circle because people who are training the new recruiters and [inaudible 00:29:23] should not be training them for a variety of reasons. Not everybody's a good college professor, right? Not everybody's a good teacher in high school. So you really have to pick up the best of the best, but because of the decentralized nature, you pick up what's available and that's really a major, major problem.

John Berardi:

So I'd like to pick up on this idea of training. When listening to Doctor Haberfeld's full interview, I was knocked over by this. I guess, first, that most police officers have so little training. I remember reading some data suggesting that police officers may be the most undertrained professionals in the entire country, that they're getting an average of 700 hours versus, say, barbers, who get an average of 1500 or cosmetologists, who get an average of 1600. I guess the second thing is that if the training isn't standardized and the trainers aren't very good in some cases, the picture looks even more grim.

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Maria Haberfeld:

I mean, it's really heartbreaking. You really expect the police officer to change the injustices in the society, in American society? You really think that this individual who's standing out there is going to solve your problems? I mean, people need to wake up. And there is anger at the politicians and not at the police force because the politicians are the ones who can make the change, who can make better police organizations, but not so mandating of implicit bias training or de-escalation training or changes in police qualified immunity, that's not going to change what's happening. I've done a lot of comparative research, I've been to the police forces around the world, I've seen how it works. I looked up the complaints against the police, I look at the use of force and I realize that we are somewhere in the Middle Ages when it comes to policing. And I've been saying it for two decades now, that we are relatively lucky that what we're seeing is just what we think.

Marjorie Korn:

In thinking more about the Derek Chauvin case, I wondered if Doctor Haberfeld believed it would be a harbinger for change. For example, have we seen the last of the blue wall of silence? After all, the Minneapolis police chief testified against Chauvin. Some of the coverage of this case suggested that this was a departure from the trend.

Maria Haberfeld:

That's not the case. It used to be the case over 20 years ago, when I started my research on police misconduct and we surveyed many departments around the country and the world. Even back then, 20 years ago, we could see the wall cracking, so to speak, but certainly not today. I mean, there is a lot of accountability that it's tried to [inaudible 00:32:01], because police action's so frequently now recorded and observed and there are explanations and forms that need to be filled. It's more of a policing in the late 20th century that relates to the blue wall of silence and you can see it in Derek Chauvin case, where police officers from the department testified against him, something that probably you would not have seen 25, 20 years ago. So, things definitely have changed in the more recent generation of police officers. Definitely.

Marjorie Korn:

Okay, so the blue wall of silence is not so steadfast, but what about this idea that the outcome of the case cracks open the door of change?

Maria Haberfeld:

I don't believe that there will be a transformation or change because change is not a function of one high-profile case, change is a function of transformational change within the organization. And other high-profile cases that we witnessed over the years, Derek Chauvin case, these men are trying to portray this case as unique and different. It's not. A few years ago, we had the shooting in South Carolina, white police officer shot a minority man in his back and he's now in prison. Walter Scott case. People tend to iconize a case and run with it, hoping that things will change because of the case and they know that it's tempting to do so because change is needed. And I've been writing about this and alerting to this for over two decades, so nobody more interested in change than I am. But at the same time, we have to be realistic. Everybody's talking about a reform here, a reform there, a little bit more training. That's not going to change American police.

Marjorie Korn:

Doctor Haberfeld has a word for the current slate of proposed reforms, like the George Floyd Justice in Policing Act and proposed changes to qualified immunity. She calls them band-aids.

Maria Haberfeld:

Again, nobody's talking about this and this is very frustrating to me, because a band-aid does not cure the problem. From my perspective, from what I'm hearing on a daily basis, everybody's talking about different colors of band-aids. The cure is centralized, have one police force for each state. We are too big to have one national police force, but we certainly don't need 600, like we have in New York, ranging in size from three officers to the size of NYPD that has 36,000. We can definitely centralize one police force for each state. And I don't mean state police. I know that we have state police, but that's a different body.

Maria Haberfeld:

Centralize. Once you centralize, you start raising standards for recruitment and selection. We are the only democratic country on Earth. There are good people with criminal records. No other country records people with criminal record. We need to rerun the training, turn it into an education, turn it into a university, college, turn into a mandatory academic institution, police university for people who want to become police officers in the state of New York. So we have the infrastructure already. So we're not talking about things that require tremendous resources, but we're talking about things that require complete shift in the way people think about policing in America.

Maria Haberfeld:

Once we have these educated police officers, then we can start looking at the distribution of police forces for in-service training, which is extremely problematic because of the size of the department, and then we can start looking at the supervision and discipline and then we can start looking at who do we choose to be a training officer? The best of the best and not the available ones. And then we see some light at the end of the tunnel because, of course, we will have to deal, for the next 20 years, with the people who are currently on the job, who did not receive the appropriate tools to police the way they're policing. But at least we have a template and we have a blueprint, but right now, nobody's talking about it.

Marjorie Korn:

So she has all of this research, both within the US and comparative to other countries, and she has a blueprint for effective change, yet not much changes. And Doctor Haberfeld says it's frustrating to her that people who are the deciders of police policy, either legislatively or activists, don't completely understand this situation.

Maria Haberfeld:

To me, it's very disturbing and discouraging that people who have this loud and very convincing, so to speak, voices right now, that speak about policing, have zero understanding of this profession. They're not academics in the field of this profession. They sort of devaluate everything that my colleagues and I have been studying for years, the solid academic empirical research on policing going back to 1960s, so we have at least six decades of solid empirical research. We are not consulted. We are not brought to the table.

Maria Haberfeld:

The politicians tell the police chiefs or commissioner, "Change your police force." How will they change their police force? Who of their police commissioner or chief will say, "I want to give up my job because we need to centralize"? In a state like New York, the 600 police forces, 599 police chiefs will lose their jobs if we centralize. Bringing them to the table's not going to affect [inaudible 00:37:40], yet we continue to go the same road. And I had this conversation with people in media platforms for the last two decades at least, the same conversation and nothing changes.

John Berardi:

Okay, I just want to take a little break here to give a shout out to our main sponsor, Precision Nutrition, the world's largest nutrition coaching, education and software company. Without them, this show doesn't exist, so we're really

grateful for their support and their encouragement. If you're interested in nutrition coaching for yourself or you're interested in enhancing your knowledge through their number one rated nutrition certification program, you can check them out at www.precisionnutrition.com. All right, back to the show.

Marjorie Korn:

Like many Americans, on April 20th 2021, I was waiting to find out whether Derek Chauvin would be found responsible for killing George Floyd. The three week trial and the months leading up to it dominated the news cycle, and this was even with so much news to cover. A pandemic, a new president, a jailed Russian dissident, crises in Africa and the Middle East. Even so, people were talking nonstop about Derek Chauvin and George Floyd. Port-watchers, experts, pundits, regular folks from across the political spectrum basically agreed that the verdict was all but a foregone conclusion, that Derek Chauvin would be convicted on at least one of the three charges.

John Berardi:

From everyone you talked to, I'm wondering why was the sentiment so universal?

Marjorie Korn:

Well, primarily, the bystander video was so compelling. Much of the time that George Floyd was pinned down, Derek Chauvin was eerily calm. He looked at the camera even, so he knew he was being recorded. Meanwhile, George Floyd is saying, "I can't breathe," more than 20 times and he called out for his mother and you can hear that in the recording, and it's excruciating to watch and the jury viewed it a number of times.

John Berardi:

That seemed like the thing that brought it home for most people, in terms of having a felt sense of what really happened.

Marjorie Korn:

Totally. And kind of rounding that experience out, there were also testimony from people on the scene. The most compelling came on behalf of the prosecution. The people painted a picture of how tragic and traumatic it was to witness this killing in broad daylight. Darnella Frazier, who filmed the bystander video, cried during her testimony.

Darnella Frazier:

When I look at George Floyd, I look at my dad, I look at my brothers, I look at my cousins, my uncles, because they are all black. I have a black father, I have a black brother, I have black friends, and I look at that and I look at how that could've been one of them. It's been nights I stayed up apologizing and ... apologizing to George Floyd for not doing more and not physically interacting and ... not saving his life.

John Berardi:

For me, this moment was a pretty clear window into why many people in America felt, whether Chauvin's actions were motivated by racism or not, that this was still a race issue.

Marjorie Korn:

Yeah, definitely. And the other thing is that Chauvin's former colleagues from the Minneapolis Police Department took the stand, including Police Chief Medaria Arradondo.

Medaria Arradondo:

I’m Happy He’s Going to Jail – Part 1 Transcript

Once Mr. Floyd ... And this is based on my viewing of the videos. Once Mr. Floyd had stopped resisting and certainly once he was in distress and trying to verbalize that, that should've stopped. There's an initial reasonableness in trying to just get him under control in the first few seconds, but once there was no longer any resistance and clearly, when Mr. Floyd was no longer responsive and even motionless, to continue to apply that level of force to a person, pruned-out, handcuffed behind their back, that that, in no way, shape or form, is anything that is by policy, is not part of our training and it is certainly not part of our ethics or our values.

Marjorie Korn:

When Derek Chauvin was ultimately found guilty on all counts, there were a lot of reactions. Relief was a frequently heard one. Some happiness mixed with relief. On the other side, frustration because, of course, the trial wasn't just about the trial, it was about policing, whether you believe the criminal justice system works or if it should change, if change is even possible. It was also about race. Are people of color treated differently than white people in America? And is it even possible for that to change in our lifetime?

John Berardi:

It occurs to me that change is at the heart of a lot of this conversation. Most of the main public reactions to the trial, save those of people intimately connected to it, were based on how people saw it as a catalyst for the kinds of changes they'd like to see or whether it would trigger changes they don't want to see. Did you get that vibe?

Marjorie Korn:

So emotionally, there's a feeling that things have to change. If you're a proponent of leaving the system alone, like you like the status quo, the thing you want to see changed is a de-emphasis on race and this disbandment, really, of movements, like Black Lives Matter. But if you are in the camp that acknowledges systemic racism, you want to see systems, including policing, undergo fundamental reform. The Derek Chauvin case is one tangible, concrete event that people can sink their teeth into as they argue for the kinds of changes they want to see.

John Berardi:

Okay, this is where we're going to end Part One of this three-part series. In Part One, which you just listened to, Marjorie Korn talked with two different academics about what's wrong with policing today, whether the Derek Chauvin trial has the potential to change anything, and what change could look like if it were to happen. My sense from both interviews was disappointment, that even in the midst of unique times like these, Doctors Kraska and Haberfeld felt that real change is unlikely. However, in Part Two, Marjorie speaks with Doctor Larry Rosenthal, Professor of Law at Chapman University, and Sheriff Aaron Appelhans of Wyoming, who have slightly different takes and significantly more optimism about upcoming changes to law enforcement in the wake of George Floyd's killing. And then finally, in Part Three, Marjorie and guests will talk about race. They'll explore why, whether racism motivated Chauvin's actions or not, it continues to be an important part of this conversation, both publicly and privately, in our homes, with our children.

John Berardi:

But before we end, I want to let you know that The Doctor John Berardi Show is now on YouTube and that we're running a little contest over there with our two sponsors, Precision Nutrition and Change Maker Academy. There are 15,000 dollars in prizes up for grabs and all you have to do to enter, it's really simple, is to subscribe to our new YouTube channel and take a screenshot of your subscription. Once you have that, email it to us at youtube@drjohnberardishow.com. Make sure you spell it D-R rather than D-O-C-T-O-R, and you're done. Like I said, really simple.

John Berardi:

From there, just before the release of our next show, we'll randomly select three winners, who get to choose from among 15,000 in prizes, including a spot in the Precision Nutrition Level One Certification, the Precision Nutrition Level Two Certification or Precision Nutrition coaching. Winners get to choose which one they want. Winners also get to choose one of the following, a copy of my book, Change Maker, or up to 75 dollars of Precision Nutrition apparel. And finally, winners also get a spot in Change Maker Academy's new course, The Career Blueprint. Can't wait to find out who wins.

John Berardi:

Before signing off, I'd like to thank our production team, Marjorie Korn, my research partner and co-writer on the show, Martin DeSouza, our producer, Dylan Groff, who edited and sound designed this episode, and thanks to you for listening.