

**LA Judicial Council Foundation
National Bar Association
Scholarship**

On April 29, 2017, Jordan Edwards, an unarmed 15-year old African American boy, was fatally shot in the back of the head by police shooting at the vehicle he was riding in. Three days later, the DOJ cleared officers involved in the July 2016 shooting death of Alton Sterling. In Sterling's case, officers responded to reports of a man selling CDs outside of a convenience store and using a gun to intimidate another man. When officers arrived, Sterling was first tased after not complying with the officer's request to put his hands on the hood of a car. Sterling was later shot at close range after officers noticed a gun in his pocket.

The Fourth Amendment ensures the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures. As such, a police officer's successful use of force, deadly or not, in the seizure of person must be objectively reasonable. *Graham v. Connor*, 490 U.S. 386, 109 S. Ct. 1865, 104 L. Ed. 2d 443 (U.S. 1989).

Using the objective reasonableness standard presupposed by the Fourth Amendment, discuss the reasonableness of the level of force used in the following circumstances:

Case: An officer receives a call regarding a male suspected of verbally harassing people on a public sidewalk. The officer arrives on scene, walks down the sidewalk, and approaches the suspect from behind. As the officer gets closer the suspect, the suspect abruptly turns around facing the officer and pulls an item from his pocket. The officer fires two shots, killing the suspect. Upon further inspection, the suspect was pulling out a religious cross as he was on the sidewalk proselytizing his faith and beliefs. With further discussion, contrast your response if the suspect was female.