

# Jury hears tale of torture, brutality by New York City police

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A story of depraved police brutality against a defenseless immigrant worker was told in grim detail to a federal jury in Brooklyn May 4 as opening arguments were made in the trial of five New York City cops charged in connection with the August 1997 beating and torture of Abner Louima.

"It began with Abner Louima being brutally beaten on the streets of Brooklyn," Assistant US Attorney Kenneth Thompson told the jury. "He was beaten once by four men and once by two men. Then he was taken into a bathroom where he was beaten a third time. This time, however, he suffered more than a beating. He was tortured in that bathroom, a torture that was cruel and inhuman."

Louima, Thompson continued, didn't tell the police about his beating or his torture. "Why not? Because the men who beat him, the men who tortured him were the police, uniformed officers of the city of New York."

The federal civil rights trial, coming on the heels of the indictment of four other cops for the killing of West African immigrant Amadou Diallo in a hail of 41 bullets last February, has renewed critical focus on the NYPD's brutality and the law-and-order policies pursued by the administration of Mayor Rudolph Giuliani.

As the prosecutor pointed out, in this case it cannot be argued that cops were forced to make "a life-and-death decision in a few seconds." Rather, he said, it was a matter of calculated and hideous retaliation against a handcuffed and helpless prisoner followed by a conspiracy on the part of the cops to cover up their crime.

The main charge in this explosive police brutality case is against police officer Justin Volpe. Pointing to the 26-year-old cop, Thompson said, "The man who shoved a stick up his [Louima's] rectum, tearing his insides apart, is sitting right there." Turning to the next cop, Officer Charles Schwarz, he said, "The man who beat Abner Louima and then helped Justin Volpe torture him, holding him down while he cried out in pain, is sitting there." He then singled out two other cops, Officers Thomas Bruder and Thomas Wiese, accusing both of beating the Haitian immigrant in a patrol car.

The fifth defendant, Sergeant Michael Bellomo, is on trial for orchestrating a cover-up of one of the assaults and then making false statements to FBI agents investigating the case in order to help the other cops avoid arrest.

Laying out the case that the government intends to present, the prosecutor said that the trial would demonstrate an "escalation of violence" by police officers dispatched to a Brooklyn nightclub where a Haitian band had performed in order to disperse a crowd that had spilled into the street and deal with traffic problems.

Almost immediately, Volpe got into a confrontation with members of the crowd, including one person who identified himself as an off-duty city jail officer, showing the cop his badge. Volpe responded by shoving him and knocking the badge out of his hand.

The attention of Volpe and other cops then turned to Abner Louima, who had heard that the police had injured one person coming out of the nightclub and spoke out loudly, denouncing the action. The cops responded by telling him to shut up and knocking him to the ground. Louima's cousin, seeing the assault on his brother, sprang forward, striking Volpe and running away. Volpe and several other police officers chased after him. Coming across another man, Patrick Antoine, walking home from a friend's house, Volpe vented his "rage," the prosecutor said, yelling and cursing at him and punching him in the face. Sergeant Bellomo, seeing the unprovoked assault, ordered Antoine arrested and taken away.

Meanwhile Schwarz and Wiese, thinking Louima was the man who assaulted Volpe, carried out their own form of retaliation in their patrol car, stopping twice to beat him, on the second occasion allowing Volpe and other officers to join in. By the time they got back to the 70th Precinct station house, Mr. Thompson said, "There was blood all over the back seat of the patrol car."

Louima was dragged handcuffed and bleeding into the precinct. His belt was taken from him, leaving his pants to fall down below his knees. It was then, the prosecutor said, that Schwarz and Volpe took their prisoner to the bathroom

of the station house "to inflict their own special brand of punishment, brutality and torture."

After beating and kicking him, Volpe grabbed a wooden stick while Schwarz held Louima so he couldn't move, Thompson said. Volpe then shoved the stick up the prisoner's rectum with such force that it ruptured both his rectum and his bladder. He then pulled the stick, now covered with feces and blood, out of Louima and shoved it in his face. "He wanted Abner Louima to see what he and Charles Schwarz had done to him," the prosecutor said. As Louima lay on the bathroom floor crying, Volpe screamed at him, "This is your shit," and shoved the stick into his mouth.

Afterwards, the prosecutor charged, Volpe told Louima, "If you ever tell anyone, if you ever utter a word, I'll kill you and your entire family." Noting that Louima had a wife and baby at home, as well as a six-year-old daughter in Haiti, he said that the threat added a new level of terror to the ordeal suffered by the immigrant worker.

After an hour, Louima was taken to Coney Island Hospital where doctors and nurses discovered his horrifying injuries and rushed him to emergency surgery.

The prosecutor warned the jury members, some of whom grimaced at the presentation, that the medical evidence they would hear would be "unpleasant" because of the "horrible" nature of the crime. Such was the damage to his internal organs, he said, that Abner Louima was passing feces from his penis and urine from his anus after the attack.

Much of the case will rely on the testimony of other police officers, some of whom are being called as hostile witnesses and others who initially lied to NYPD and FBI investigators about the events at the 70th Precinct.

The pressure of the federal investigation has knocked substantial holes in the New York Police Department's fabled "blue wall of silence." Each of the accused officer is represented by his own attorney and virtually all of the defense lawyers in the case stressed that the case is effectively five separate trials in which they are defending only their own individual clients.

Stephen Worth, an attorney for the Patrolmen's Benevolent Association, is defending Officer Schwarz. In his opening statement he said that he would have nothing to say about what happened in the station house bathroom, because his client was never there with Louima. In a previous televised interview, Schwarz made a similar claim, saying that while he didn't participate in the attack, he believed another cop at the 70th Precinct did.

Worth further claimed that his client is a victim of a politically motivated prosecution initiated by Mayor Giuliani, confronting the incident in the middle of his campaign for re-election to a second term. "The mayor wanted cops brought in immediately because he needed it

for his election," the lawyer said. "My client was swept up and thrown to the mob."

There is a notable contrast between the response of the Giuliani administration to the Louima torture case and the Diallo shooting. In both cases, the mayor's attitude is driven by crude political considerations.

After the atrocity against Louima was made public, the administration moved swiftly to suspend the officers and kept them off duty while appointing a task force to investigate the incident and make recommendations for reforming the NYPD. After the election Giuliani rejected virtually all the proposals made by the panel as impractical.

In the aftermath of the Diallo shooting, the mayor has lashed out at his critics and insisted that the NYPD is the best and most restrained police department in the world, publishing statistics purportedly showing that city cops are shooting fewer people each year.

One of the arguments that will be made by the defense in the Louima case is that branding the cops involved as racists is contradicted by the facts of their personal lives. One of the officers, Wiese, is married to an African-American woman and is the stepfather of her son. Another, Volpe, is engaged to a black woman. And, while critics of the NYPD have always decried the employment of cops living in the suburbs as the hallmark of an "occupying army," all five of the cops on trial are city residents.

The source of the kind of brutality exhibited in the Louima case, together with the routine harassment and brutalization of minority youth by the police throughout the city, goes much deeper than the racial attitudes of individual cops. It is rooted in the fundamental social function of the police in a city known as the "capital of capital."

In a city characterized by one of the most extreme social divides anywhere on the planet, with an unrivaled concentration of millionaires side-by-side with a population that is overwhelmingly poor and minority, the police are called upon to protect the wealth and privileges of the "haves" from the social discontent of the "have-nots." This is the essential content of all of Giuliani's vows to get tough on crime and his myriad crackdowns on "quality of life" offenses. It is the quality of life of the wealthy that he is defending and it is no accident that in such a campaign the type of brutality and torture associated with Latin American dictatorships finds its way into a Brooklyn police precinct.



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