

Riverside California police cleared of wrongdoing in murder of teenage black girl

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Four Riverside, California police officers who killed a 19-year-old black girl while she was lying unresponsive in the front seat of her car were cleared of criminal wrongdoing Thursday by a county district attorney. Tyisha Miller died last December 28 after police fired 24 gunshots at her, striking the young woman 12 times, including four times in the head. A family member and friend had summoned the police because they were concerned that Ms. Miller was having a seizure.

"We thought we were going to get justice," said the Reverend Bernell Butler, Ms. Miller's cousin and a spokesman for the family, "but we got the same old thing. Police officers are able to murder and get away with it." Butler said that all he and the family wanted was that the officers be made to answer to a judge and jury "like anyone else who shot a defenseless girl 12 times while she sat unconscious in her car."

Ms. Miller had pulled into a gas station parking lot with a flat tire shortly after 1 a.m. last December. The friend she was with left to get help while Ms. Miller stayed behind, locking the doors and rolling up the windows. She turned up the heat and the radio, and apparently put a pistol in her lap for protection.

When Ms. Miller's 18-year-old cousin, Anthonete Joiner, and a girlfriend arrived at the gas station they were unable to get the young woman to respond or to open the doors. Seeing foam around Ms. Miller's mouth, and fearing that she was in physical distress, they called 911 to get help from the police. When the police arrived Ms. Joiner ran over to them and said something was wrong with her cousin, that she would not wake up and that there was a gun on her lap.

Ms. Joiner said the policeman told her to get back, while he and three other officers began screaming at Ms. Miller to open the door and get out of the car. One

officer pounded on the glass with a flashlight, she said, while the others took positions around the car, with their guns drawn. "A couple of minutes later," Ms. Joiner said, "they were shooting at her! She was just lying there the whole time!"

Initially, the police said the officers fired only after Ms. Miller had shot at them. After tests showed that Miller's gun had not been fired, the police changed their story to say they saw Miller arise and reach for her gun after one of the officers broke a window. Consequently, they said, they fired to protect themselves.

Daniel Hotard, one of the officers, told investigators that he broke the glass and was reaching for Ms. Miller's gun, when he heard loud, single crack of gunfire and felt its concussion near his head. Thinking he had been shot, Hotard said, he fell backward onto the pavement.

Grover Trask, the Riverside County district attorney, said that shot had come from a fellow officer. As Hotard fell to the ground, the DA said, his three partners, Officers Paul Bugar, Wayne Stewart and Michael Alagna, continued firing. Hotard, still on the ground, fired several rounds into the driver's side door. The policemen told investigators, that after firing the first volley of bullets, they paused for several seconds, and opened fire again after the young woman moved for the weapon.

Trask said he would not file charges against the policemen, not even involuntary manslaughter, because while they may have acted hastily and made mistakes in judgment they had not acted criminally. The DA said the fact that the young woman was shot in the back was evidence that she had indeed sat up when she was shot. Trask exonerated the cops without every questioning the officers, and instead relied on transcripts of their interviews with police investigators.

Trask's decision was immediately supported by State Attorney General Bill Lockyer who said the police actions were "unwise and ill-conceived" but not sufficient for criminal charges.

The police murder of Tyisha Miller provoked widespread anger last December and charges that the four policemen--three of them white and the other Hispanic--were guilty of racism and police brutality. A protest will be held Monday, from the Riverside City Hall to the district attorney's office. Miller's relatives have also filed a civil lawsuit against the shooting.

In an effort to dissipate the growing tension, Trask said he has asked the US Justice Department and the state attorney general's office to investigate possible civil rights violations because of racial comments made by other Riverside police officers in the wake of the shooting. The FBI is also involved.

Riverside, a predominantly working and middle class community of 250,000 people, located about 50 miles east of Los Angeles, has been the scene of several police murders over the last five years. The victims have been both minorities and whites.

In November 1994, police suffocated Derek Hayward, a 30-year-old father of three, while taking him into custody "for his own protection" after he allegedly became delirious on drugs. In April 1996 Richard Trejo was shot and killed by police as he was fleeing a convenience store after attempting to rob it with a knife. Although the policeman said Trejo was attacking him with a knife, the bullet wounds were in the back.

In December 1996 Adam Williamson, a white 25-year-old homeless schizophrenic, was suffocated by police. In February 1997, the Riverside Police Department suffocated Hector Islas, a young Latino man, after he fled from officers who were doing a "field identification check."

In December 1998 police shot to death David Bruner, a 35-year-old white man, while he was fleeing from a traffic stop. There were more than 20 rounds fired into the back of the vehicle. The autopsy demonstrated that he was shot after he raised his hands in surrender.

The *Los Angeles Times* reported Thursday that the Riverside Police Department activated its emergency operations center in anticipation that the DA's decision might provoke civil unrest. The Los Angeles Police Department also went on modified tactical alert at the

time of the announcement.



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