

Law-and-order crackdown in aftermath of Cincinnati riots

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Two weeks after the largest urban disturbance in the US since the 1992 Los Angeles riots, officials in Cincinnati, Ohio are prosecuting hundreds of minority workers and youth involved in four days of protests and rioting that followed the police killing of an unarmed black teenager on April 7.

Hamilton County Prosecutor Mike Allen, who denounced participants as “law-breaking thugs who should be prosecuted vigorously,” announced he is indicting 63 people on felony charges, ranging from aggravated rioting, breaking and entering, weapons possession and “inducing panic.” If convicted many could face prison sentences of up to a one-and-a-half years in a state penitentiary. A 17-member “Riot Prosecution Task Force” is also reviewing videotape of the riots subpoenaed from local TV stations in order to identify and prosecute additional suspects.

According to family members and lawyers, more than a dozen felony defendants are still behind bars. Judges have set bonds at between \$20,000 and \$30,000, and have disallowed defendants—who are almost all black, and many poor—to post the normal 10 percent of the bond to gain their freedom. Among those being held are several juveniles as young as 15 years old.

In addition, nearly 800 people were arrested for violating the four-day curfew—imposed by Mayor Charlie Luken when he declared a state of emergency on April 12—and other misdemeanor offenses, such as resisting arrest and disorderly conduct. These defendants face up to three months in jail and \$1,000 fines. The city prosecutor's office has not released information on how many defendants have been charged, what the charges are, or how many people remain in jail. The vast majority of those arrested had no previous criminal records.

Fanon Rucker, the head of the Black Lawyers Association, told the *World Socialist Web Site*, “We are concerned that the laws are not being enforced fairly. The county prosecutor is a public official, but he called these people animals and thugs. He has not gone after policemen who have abused people. On the first night of the disturbance there was a standoff between the police and a crowd of protesters in front of the District 1 Police Station. Some windows were broken, but the police held off while the TV cameras were rolling. But when most of the cameras left the police opened fire with tear gas, rubber bullets and beanbags filled with metal pellets, which, if you are hit by one, feel like you were just punched by prizefighter Michael Tyson.

“We were told by witnesses that they saw officers celebrating after they hit their targets. On the second night of the curfew police

were riding through the neighborhoods shouting ‘Nah, nah, nah,’ through their bullhorns to taunt residents. They were pointing shotguns at residents looking out of their windows. I'm a former prosecutor and I know things like this go on. My only concern is: if the Cincinnati police do these things when the world's cameras are watching them, what do they do when there are no cameras?”

The protests and rioting erupted after Police Officer Steve Roach shot and killed 19-year-old Timothy Thomas after a chase in Cincinnati's largely black and impoverished Over-the-Rhine neighborhood. Thomas was wanted on 14 misdemeanor counts—12 of them traffic infractions, including not wearing a seat belt and driving without a license.

Roach claimed that the youth was reaching for a gun in his waistband, but no gun was found. City officials, including Mayor Luken, have acknowledged that elements of the police officer's statement—including how far he was from Thomas—have been contradicted by an initial investigation of the evidence, which includes eyewitness accounts and a videotape of the incident recorded by a police cruiser.

In the last six years the city's police department has killed 15 suspects, all of them black males, including 29-year-old Roger Owensby, an unarmed man who was asphyxiated last November while being arrested by five officers. Just three weeks before the riots erupted a local civil rights group and the American Civil Liberties Union filed a lawsuit asking a federal court to end what they say has been 30 years of discrimination, including “racial profiling” by Cincinnati police officers. Many of the cases they cited included the harassment of black workers and youth like Thomas, or their arrest for petty infractions.

Tensions in the city erupted after police and city officials refused to say why Thomas was shot and killed, even after the young man's mother publicly demanded an explanation. County Prosecutor Allen—a former Cincinnati police officer—blocked the release of the police videotape and Roach's contradictory statement to investigators, claiming this would do irreparable harm to any probe into the shooting.

Angry protesters converged on an April 9 city council meeting demanding an explanation, but were stonewalled by city and police authorities. Later that evening a crowd of 1,000 workers and youth converged on the District 1 Police Station in the Over-the-Rhine neighborhood, shouting, “You're killing us!” Some stones and bottles were thrown at police, who lined up in front of the station and watched the crowd on horseback and in police cruisers.

After an hours-long standoff the police fired tear gas, rubber bullets and beanbags to disperse the crowd.

What followed were several days of protests, violent confrontations with police and rioting, particularly in poorer minority neighborhoods. These areas have been largely bypassed by the city's renovation projects—including the \$1 billion investment to build two new sports stadiums on the Ohio Riverfront—but have received the most attention from the police. The Over-the-Rhine neighborhood lies just blocks from the downtown area where some of America's largest corporations, such as Procter & Gamble and Kroger's Supermarkets, are headquartered. But over 90 percent of the area's 7,000 residents live below the official poverty level, and two-thirds of the apartment units are below code or abandoned.

As clashes with the police escalated, County Prosecutor Allen—saying he had considered “the pulse and temperature of the community”—announced on April 11 that his office would present the Thomas case to a grand jury to decide whether to file charges against Roach. At the same time, the prosecutor said the decision to charge Roach would not be based on outside pressure, but a “full and fair disclosure of the facts.”

On April 12, Mayor Luken, a Democrat, put the city under a state of emergency and called in 125 riot-trained state troopers to back up his police force. Luken denounced the protests, saying they had little to do with the “very legitimate concerns” about police abuse. “I see on the faces of most of the people involved in these activities, not people with a social or political agenda, but simply people intent on destruction. Many of them seem to be having fun, enjoying themselves. There is nothing at all funny about this.... The time has come when we must make every effort to quell such violence in our streets.”

At the same time Luken, along with national NAACP officials, Ohio's Republican Governor Bob Taft, and the Bush administration's Justice Department, sought to dissipate the anger in the city by promising that the police department's actions would be investigated. The mayor, with the support of Procter & Gamble CEO John Pepper and Carl Linder, the head of Chiquita Brands International and the owner of the Cincinnati Reds baseball team, then announced the setting up of a race relations commission to improve economic opportunities for minorities. Mayor Luken, Governor Taft and other leading officials also made a widely publicized appearance at the April 14 funeral for Timothy Thomas.

There were elements within the police department and political establishment, however, that were opposed to even cosmetic concessions to the protesters. City Councilman Phil Heimlich, a former Hamilton County assistant prosecutor who voted last month against a city ordinance banning racial profiling, denounced the mayor's race relations commission, saying it would appease rioters. He later said the money city officials were pledging for summer jobs for unemployed youth would be better used to compensate businesses damaged by the riots.

On the day of the funeral Police Chief Tom Streicher announced the police were preparing for potential violence, creating an atmosphere for further confrontations. As the funeral ended and thousands of mourners conducted a peaceful march, a police provocation was launched.

Several police officers fired several rounds of beanbag projectiles at the crowd, injuring two adults and two children. Louisville high school teacher Christine Jones suffered a cracked rib and a bruised lung and spleen. According to witnesses the police officers jumped out of their cruisers, fired without warning and then left in seconds. Heidi Bruins, an executive from Procter & Gamble who was on the scene, later said, “I'm from Southern California and this looked like a drive-by shooting. To the crowd's credit, despite the goading by the police ... they didn't break loose.”

It was later revealed that the attack was carried out by six members of the Cincinnati Police Department's elite SWAT team and an Ohio state trooper. The squad included tactical instructors at the police academy, a former Marine, a member of the undercover Street Corner drug unit and a policeman trained by the FBI in advanced sniper operations. One of the officers was previously involved in the murder of a mentally ill shoplifter and the well-publicized beating of another black man. After the latter incident produced public condemnations, hundreds of police officers marched on City Hall and seized control of the council chambers demanding that officials “Defend the Blue.”

This week, while hundreds of Cincinnati residents were being processed through the criminal justice system, Mayor Luken announced that city and business leaders would spend \$2.2 million to create 3,000 summer jobs for teenagers. At the same time he acknowledged that this gesture would do little to calm city residents and warned that social tensions were reaching a breaking point throughout the US: “There are flash points like ours in every city in America. If there is a mayor in any major city not worried about the coming summer, then he or she is not thinking.”

Luken's warning is apparently being taken to heart by police departments throughout the nation. The *Cincinnati Enquirer* reported last week that police lieutenants from Long Beach, California flew into the city during the riots to learn about the latest crowd control technology, including so-called less-than-lethal weapons, which were not available during the Los Angeles riots.

Next week the World Socialist Web Site will begin posting a series of articles on the social and political roots of the Cincinnati riots, based on an investigation by a reporting team that traveled to the city earlier this month.



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