

Canada: Cover-up of RCMP murder of immigrant worker unravels

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The British Columbia Supreme Court ruled Monday that a public inquiry into the 2007 police killing of Polish immigrant Robert Dziekanski has the legal authority to condemn the conduct of the four Royal Canadian Mounted Police (RCMP) officers implicated in his death by police taser.

Lawyers acting on behalf of the four RCMP officers had argued that a provincial government-ordered inquiry has no right to pass judgment on the activities of federal police officers, and that should inquiry commissioner Thomas Braidwood find their clients guilty of misconduct it would be tantamount to charging them with assault, obstruction of justice, and perjury.

BC Supreme Court Justice Arne Silverman dismissed both arguments. Even if Braidwood were to determine that the allegations made against the officers at the inquiry have been “substantiated” (i.e., are true) that would not, ruled Judge Silverman, “come close to a finding of criminal liability.”

To secure the RCMP’s “cooperation” with the Braidwood inquiry, British Columbia’s Liberal provincial government previously promised that, whatever the inquiry’s findings, the four officers will not face criminal charges for their role in Dziekanski’s death.

Four-months of inquiry testimony have shredded the police version of how Dziekanski, a 40 year-old construction worker, came to suffer a gruesome death at the hands of RCMP officers at Vancouver International Airport on October 14, 2007.

It has also begun to lift the veil on a police cover-up that clearly enjoyed the support of the RCMP top brass. But Braidwood, prompted by RCMP and Canadian government lawyers, has steered the inquiry away from a detailed examination of the RCMP’s purported investigation of Dziekanski’s death, stipulating that the RCMP investigation is beyond the inquiry’s purview.

The evidence presented to the commission establishes beyond doubt that:

- The police attacked Dziekanski, who was visibly

exhausted and disoriented but acting in a non-threatening way, within 30 seconds of first encountering him.

- Dziekanski was tasered five times in a period of little over thirty seconds, including four times after he was already writhing on the floor and twice with the taser set at the higher-voltage “stun” mode. In “stun mode,” the taser is meant to induce “pain compliance.”

- After Dziekanski fell unconscious, the RCMP officers showed callous indifference to his fate. Even after his skin began to turn blue, no attempt was made to revive him using CPR. Police didn’t even check to see if he was breathing. When a firefighter captain arrived on the scene and asked the police to remove the handcuffs they had placed on Dziekanski so as to facilitate an attempted resuscitation, they refused.

- During the two days immediately following Dziekanski’s death, the RCMP issued a series of statements full of errors and lies. These included claims that Dziekanski was “violent,” that he “continued to flail and fight” after being felled by the first taser-shock, that he was tasered only twice, and that Dziekanski’s “vital signs were monitored while waiting for emergency medical personnel.”

When the police story began to unravel, the RCMP clammed up. RCMP Superintendent Rideout, who headed the investigation into Dziekanski’s death, has justified the police’s failure to issue any retractions, clarifications or corrections with the claim that he didn’t want to further compromise the integrity of the investigation. But this did not stop him from issuing a press release on Nov. 30, 2007, in violation of his own “cease [communicating with the press] directive,” that sought to exonerate the police of the charge that they had done nothing to assist the dying Dziekanski.

- The RCMP, in league with Taser International (the manufacturer of the murder weapon), has lost no opportunity to malign Robert Dziekanski’s reputation, attempting to portray him as an unstable and violent alcoholic. The RCMP even dispatched officers to Poland to try to dig up dirt against the dead man.

Pivotal in demolishing the police story has been the video-recording of the RCMP attack taken by bystander Paul Pritchard.

The RCMP tried to suppress Pritchard's recording, in the name of collecting evidence, but was forced to give it back to him after he filed a lawsuit in the BC Supreme Court. (See "Canada: RCMP tried to suppress video of fatal tasing of Dziekanski")

The subsequent public diffusion of Pritchard's video recording, shocked and horrified people across Canada and around the world. By puncturing police claims that they had acted with discretion and in fear for their lives, it instigated a public outcry and diplomatic pressure from the Polish government, ultimately forcing the BC government to establish the Braidwood inquiry.

The Pritchard video has repeatedly put the lie not just to the statements made by the four RCMP officers in the days following Dziekanski death, but also frequently to assertions they have made before the Braidwood inquiry.

The official attempt to shield the four officers and the RCMP top brass has also been undercut by the aggressive cross-examination of police witnesses by the Polish government lawyer, Don Rosenbloom. He has repeatedly pointed to contradictions in their testimony and between their testimony and the video recording and challenged the ongoing police campaign to sully Dziekanski's reputation.

The Braidwood inquiry has two parts. The first concerns the use of tasers in British Columbia, the second the circumstances surrounding Dziekanski's death.

The RCMP and Taser International have mounted a vigorous defence of the "safety" of the taser and of police use of the electric stun gun.

Dziekanski's was the sixteenth death in Canada since 2003 associated with police tasing. A 2008 Amnesty International report documented 334 US deaths following police tasing in the previous seven years.

Yet Taser International chillingly continues to assert that not a single one of these deaths is due to the use of the taser.

The reality, as the Dziekanski case demonstrates, is that tasers can be and frequently are lethal and that police forces are using tasers to intimidate and subdue persons in all manner of low- or no-risk situations. Thus the taser, which is promoted by its supporters as a "safe" alternative to guns, has in fact become a means for intensifying police repression.

In an open letter to Dziekanski's mother published in the May 15 *Globe and Mail*, Dr. Michael Webster, a psychiatrist who has served as a consultant to numerous police forces including the RCMP, and who appeared as an expert witness before the Braidwood inquiry, charged that the RCMP top brass must bear responsibility for Dziekanski's death.

"The idea of intimidating people," wrote Webster, "...is reflective of the RCMP executive's view of the public they police. We have become the 'enemy' and they go to 'war' with us each day... So in a perverse way we can understand the climate in which the taser was so warmly embraced by the RCMP decision makers and is so enthusiastically deployed by its loyal members. What better way to terrify or stay at arm's length from the 'great unwashed' than at the end of two 35-foot electrical wires?"

He continues, "Let me be clear, I hold the RCMP executive responsible for this attitude and indirectly responsible for Robert's death. Tragically, the four policemen were doing what they had been trained to do.... To be specific, the RCMP must accept that they are not an elite group above and separate from the community."

The RCMP, a national police force organized along military lines, with a long record of illegal activities directed against working class and leftwing organizations, and a history of frictions with its political masters, certainly does act as a law unto itself, treating the public, especially workers, immigrants and young people, with contempt and disdain.

But Webster ignores two fundamental facts: community in capitalist society is split into classes with fundamentally opposed interests, thus giving rise to the minority ruling class' need to raise special bodies of men to uphold its property and order. Second, over the past quarter century, as Canadian society has become marked by mounting social inequality, the establishment has increasingly flattered and coddled the police, rewarding them with large pay hikes, bigger budgets and increased powers. Rightwing politicians like Prime Minister Stephen Harper and former Ontario Premier Mike Harris have championed the police while decrying any consideration of the social roots of crime as "pandering to criminals."

Neither faulty training nor a flawed police culture, but the social contradictions of capitalist society lie at the root of the RCMP's perception that it is "an elite group above and separate from the community" and tragedies like the police killing of Robert Dziekanski.



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