

# New York: Police brutality revealed in courtroom, on tape

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Three New York City police officers went on trial last week on charges of aggravated sexual abuse and cover-up for repeatedly sodomizing a suspect with a metal baton. The victim, Michael Mineo, charged that the sadistic assault occurred in a Brooklyn subway station in October 2008 after he was spotted smoking marijuana.

Mineo, who was on parole at the time, said he threw away the marijuana after being spotted by the cops and tried to escape by running down the street and into the subway station. The police officers caught up with him, threw him against the wall and the ground, and kicked him in the head, a witness recounted in court last week.

In testimony before the court Monday, Mineo described the sodomy that followed. "It was pain. I was disorientated. I saw white light... It was one, two, three, then it stopped for a second, then I felt it go in, penetrate."

Screaming of the assault to passers-by and other officers, Mineo was brought above ground and into a police cruiser. Asked by one of the officers if he was hurt, Mineo reached in his pants and pulled out a bloodied hand. Another officer dismissed his injuries with a homophobic remark, saying, "You liked it."

Mineo was subsequently released with a warning to keep quiet and stay away from the hospital. According to Mineo's testimony, the officer threatened, "We have your address. We'll find you and put a felony on you."

Police Officer Richard Kern is charged with aggravated sexual abuse and hindering prosecution, while two other cops, Alex Cruz and Andrew Morales, are accused of covering up the assault.

Lawyers provided by the Patrolmen's Benevolent Association, the police union, are going to great lengths

to try to discredit Mineo, pointing to his criminal history and gang involvement. During Tuesday's questioning, a defense lawyer greeted Mineo with, "Good Morning. You didn't get stoned today before you came to court, did you?" The PBA attorneys tried to further provoke Mineo by demanding he hold up his ripped underwear before the court and re-enact his screams during the assault.

In coming days, the prosecution is expected to call eyewitnesses of the assault to the stand, including one of the police officers, and introduce DNA evidence from the baton that matches Mineo's.

The outrageous police brutality charged in this assault is by no means unprecedented. The case bears marked similarities to that of Abner Louima. In 1997, NYPD officers viciously and repeatedly beat Louima on the streets of Brooklyn. The officers then dragged Louima to the police station, where one of the cops sodomized him with a stick, leaving him hospitalized with severe damage to his internal organs. The officers then tried to cover up the abuse.

One of the cops, Justin Volpe, was sentenced to 30 years in prison for carrying out the assault, while another, Charles Schwarz, was jailed for five years for covering it up.

More mundane forms of violence are routine for police in New York City and throughout the country. Last week, a video surfaced showing just this kind of everyday brutality. The video showed two police officers in the Bronx punching, kicking and slamming to the ground the head of a man already handcuffed and pinned down to the concrete sidewalk, screaming in pain. (See video)

The violence scarcely drew any attention from the more than a dozen officers swarming about the scene, including two supervisors. A lawyer for the victim of

the beating, Jonathan Baez, summed up, "There is no sign of outrage by any officers who witnessed it, who heard the cries for help. In fact, they just look as if it was business as usual." He added, "This is not an isolated incident. What sets this apart is that it was caught on tape."

A neighbor shot the footage on January 5 from an apartment across the street, recording the aftermath of a bungled undercover drug operation. During the pursuit of a suspect, two cops were wounded when they were struck with bullets fired by a fellow officer, who was trying to shoot a pit bull.

Baez was initially charged with resisting arrest, but all charges have since been dropped.

A second suspect, Louis Miranda, has come forward claiming further abuse not caught on tape. Miranda told the *New York Post*, "[The police] threw me into the wall and punched me in the side and threw me on the floor and started kicking and punching me. They put me in handcuffs and started kicking me and punching me in the ribs, back and face on floor. They did the same to my uncle and father."

Only after the video was made public, did the police department take disciplinary action, suspending the two officers. The Bronx district attorney's office and the NYPD's Internal Affairs Bureau have not determined whether criminal charges will be brought against the officers.

Police Commissioner Ray Kelly feigned outrage at the behavior of his officers: "If you see this film, you see a prisoner who is handcuffed, who is laying on his face, and he is struck by a uniformed officer. We simply are never going to tolerate something like that; we're going to take swift and firm action when we see activities of that nature."

In an atmosphere of popular abhorrence of police methods, political calculations govern the reaction of the mayor and his appointees - that is, when brutality is caught on film or is otherwise beyond dispute, they are compelled to denounce it.

Meanwhile police violence continues unabated, much as it did under the former Republican mayor, Rudy Giuliani. Indeed such brutality is less a function of which mayor or police commissioner happens to be in charge, than a reflection of the city's underlying social tensions.

These tensions have only exacerbated since the onset

of the current economic crisis. New York City's official unemployment rate now stands at 10.6 percent. Homelessness in the city last year reached an all time high. Even before the crisis, 1.5 million people in the city lived below an absurdly low poverty line.

On the other side of the divide, New York is home to the largest population of billionaires on the planet. Last year, despite the recession, top Wall Street firms paid out \$145 billion in compensation, much of it to New York's wealthiest residents. This layer is completely shielded from the social devastation befalling the overwhelming majority of workers.

It is in this context that the police brutality displayed in the recent events must be understood. With an increase in social discontent, police violence is employed to protect and secure the wealth and privileges of those above from the stirrings below.



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