

After brutal police shooting, Miami officers attempted to destroy video evidence

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11 June 2011

Police in Miami Beach, Florida attempted to cover-up evidence of a brutal police shooting of an apparently unarmed man on May 30. An eyewitness captured the killing on video (see below), then had his cellphone seized and smashed.

The victim of the shooting was 22-year old Raymond Herisse. At least nine officers opened fire on Herisse in a hail of bullets, injuring four bystanders in the process. Eyewitnesses say that Herisse never fired back.

After killing Herisse, the officers chased down bystanders, including Narces Benoit and a photographer for a local news organization, and confiscated their cameras and cell phones. In the video that Benoit took from his phone, an officer can be seen pointing his gun, shouting expletives, and telling Benoit and Benoit's girlfriend, Ericka Davis, to turn off the video and get out of their car.

Benoit told the *Miami Herald* that a Miami Beach officer said "You want to be [expletive] Papparazzi?", took Benoit's phone, stomped on it, then shoved the phone into Benoit's back pocket and placed him in handcuffs. Benoit and Davis said they joined several other witnesses who had been placed in handcuffs and had their cell phones smashed. Police took Benoit to headquarters where they photographed and interviewed him and demanded Benoit's video. Benoit hid the phone's SIM card in his mouth and told police that his phone was broken.

"They handled us like we were criminals," said Davis. "The officer came over to the driver's side, on my left, and just put the gun to my head. They took everyone's phones and smashed them."

The police claim that Herisse, a 22-year old black man, hit an officer with his car during a traffic stop and then took off and hit or nearly hit four other officers before coming to a stop less than three blocks away.

They further claim that Herisse was shooting from his car. Benoit and Davis told the *Miami Herald* that they saw "bullets flying everywhere" but only from the police.

The police initially stated that they did not find a gun in Herisse's car. However, two days after the shooting they reported locating a semiautomatic pistol in the car. Miami Beach Police Chief Carlos Noriega claimed that they did not find the weapon earlier because it was out of sight. Even assuming the pistol was not planted, its hidden nature raises the question of how Herisse could have been firing it.

Chief Noriega claimed that he had not heard anything about officers threatening people and destroying their cameras and cell phones until Benoit and Davis went to the media.

John DeLeon of the American Civil Liberties Union noted, "This isn't a question of police trying to secure evidence. It's a question of police trying to destroy evidence of what they had done... There were First Amendment violations. Arguably, there were Fourth Amendment violations to the Constitution and police using excessive force."

On the same day, a police officer also shot at Carlos King, 45, a fire captain at the North Charleston Fire Department who was on vacation. The police claim that the officer shot at King after he drove into a police perimeter while intoxicated. King, who was not injured, told the *Miami Herald*, "The way these police act is crazy."

The separate but nearby Miami police department has a long history of police brutality and killings. It just underwent an assessment prompted by the City Manager after police shot and killed seven black men in as many months, two of whom were unarmed. Miami

Police Chief Miguel Exposito recently appeared in a reality-show pilot in which officers refer to themselves as “hunters” and “predators.” Benoit’s video certainly makes those characterizations seem apt for the Miami Beach police as well.



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