

# New York City police sought to cover up use of chokehold in death of Eric Garner

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24 July 2014

The New York City Police Department (NYPD) officers who filed a report on the choking death of Staten Island resident Eric Garner omitted crucial information about their conduct and the victim's health, according to media outlets that were able to obtain access to NYPD files.

In their report, the supervising officers made no mention of the fact that a chokehold was used to subdue Garner. Sgt. Kizzy Adonis, according to the Daily News, told investigators probing the death that "the perpetrator's condition did not seem serious and that he did not appear to get worse." Sgt. Dhanan Saminath is quoted as saying that the police were "maintaining control of him" and that he "did not appear to be in great distress".

No doubt this would have remained the main record of the incident, if it had not been video recorded. There can be little doubt that in the NYPD, and most American law-enforcement departments, police violence of this sort normally goes unreported and official records of it seldom exist.

The police were caught on video on Thursday, July 17 in an argument with Garner, who became exasperated at what he said was a pattern of police harassment. Witnesses said Garner had broken up a fight in a nearby park, but the police turned to him as a culprit, accusing him of selling unlicensed cigarettes.

The video shows four officers wrestling Garner to the pavement and handcuffing him. One officer, eight-year veteran Daniel Pantaleo, places his forearm over Garner's neck and keeps it there while lying behind him. Garner, who weighed over 300 lbs. and was asthmatic, can be heard telling the police that he can't breathe.

A second video shows that Garner received no medical attention from the police for minutes.

Emergency Medical Technicians (EMTs) who arrived on scene did not deliver first aid either, because, according to at least one source, the police told them that there was nothing wrong with Garner.

Pantaleo has a record of brutality complaints, and has been sued in federal court twice in the past year alone. One plaintiff accused Pantaleo and several other officers of strip-searching him in public after stopping his car for a broken taillight, before arresting him on charges that were later dismissed.

Along with harassment, intimidation, and other forms of police violence, the chokehold is entirely routine in New York. Although the use of chokeholds was banned in 1994, and expressly forbidden in NYPD patrolman's manual, from 2009 to 2013 there were over 1,000 complaints over chokeholds by officers to the Civilian Complaint Review Board. Of these, only a tiny fraction have been pursued by the NYPD.

Responding to the broad popular outrage over Garner's death, as well as irrefutable documentary evidence, Mayor Bill de Blasio has promised an investigation into the killing. Two officers and two EMTs have been suspended pending a further investigation.

The NYPD prohibited the use of chokeholds in 1993. The city's independent police watchdog has substantiated 10 chokehold cases filed against cops since 2009, but next to nothing was done. In the most severe punishment meted out, the officer accused of using a chokehold lost 10 vacation days. In two other cases, the officers were not disciplined at all, and in three cases, officers only received "instructions". With "discipline" like this, it seems likely that many victims do not bother to file complaints at all, and the actual use by the NYPD of chokeholds is probably much higher than reported to the Civilian Complaint Board.

Despite posing as a reformer, Mayor de Blasio rehired former NYPD Police Commissioner Bill Bratton after Ray Kelly, whose reputation was tarnished by the notorious stop-and-frisk policy, left the department. Bratton is an architect of the “broken windows” theory of policing in New York City, from which the stop-and-frisk policy was drawn in the first place.

In the aftermath of Garner’s killing, Bratton told the media that the NYPD will review its training procedures. On Tuesday, Bratton met with local clergy and politicians in the offices of a Democratic Party City Council member, aiming to contain the nearly universal disgust and rising anger at the killing among broad layers of the population.

An accurate accounting of how the NYPD will continue to deal with the working class of New York City can be found in the remarks of police officers themselves to the killing of Eric Garner, reported by *New York Magazine* from an online forum in which only verified police officers are allowed comment. The crudity and lack of any human empathy for Garner (we have omitted the overtly racist remarks) is typical of the police apparatus as a whole.

“This is nothing more than petty blame shifting and fuel for extremist[s] with an agenda,” one officer said. Another added, “If the public isn’t willing to accept the fact that the officers did nothing wrong, they can go to hell. I could care less how the public perceives us when we’re in the right ...” A third remarked, “As far as the grab around the neck, I would have done the same thing. That piece of s\*\*t was too fat and wide to grab anywhere else. Seems it was conveniently edited as well. Maybe missing a few details of the mutts [sic] action?”

On Wednesday, the *New York Times* reported that the NYPD will review the expanded use of Taser devices and quoted Bratton as saying that the goal of the departmental review sparked by the Garner killing was, “to develop state-of-the-art use-of-force policies.”

The *Times* noted that the NYPD, “has been warier of Tasers than have many departments elsewhere. Stun guns have a scandal-tainted history in New York. In the 1980s, an early-model stun gun was used to force drug suspects to confess.”

Garner’s killing has had a significant impact on broad sections of the population of New York City, and

enormous social anger is building up, partially expressed in a series of demonstrations. On Tuesday night a vigil for Garner was held on Staten Island. Some of the participants carried signs that quoted some of Eric Garner’s last words, which were addressed to the police officers who killed him: “It ends today.”



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