

Parents of US toddler injured in SWAT raid face \$1 million in medical bills

Tom Hall

23 December 2014

The parents of 18-month-old Bounkham Phonesavanh Jr., known affectionately as “Bou-Bou,” told ABC’s *20-20* news program last week that they owe \$1 million in medical expenses after their son was nearly killed by a flash-bang grenade during a late night SWAT team raid on a relative’s home in rural Georgia. The county government has refused to compensate them, claiming that it would be a violation of state law.

Bounkham and Alecia Phonesavanh and their three children were living temporarily with Bounkham’s sister when the Habersham County sheriff’s office raided her home early in the morning of May 28. They were carrying out a “no-knock” warrant for Bounkham’s nephew, 30 year-old Wanis Thonetheva, whom they suspected of selling \$50 worth of methamphetamines to a confidential informant.

Police acquired the no-knock warrant and assembled the SWAT team, armed to the teeth with assault rifles, because Thonetheva had a previous weapons charge stemming from a drug arrest last October. The informant also falsely told the police that the house was guarded by several individuals, and that there was likely a cache of weapons inside the home.

In fact, Thonetheva was not even living there at the time, and the Phonesavanhs deny ever having seen him during their months-long stay at the house. He was arrested a few hours after the raid, without a no-knock warrant or a SWAT team. No drugs or weapons were found in the house.

When the SWAT team attempted to knock down the family’s door with a battering ram, they felt resistance which they believed to be something barricading the door from the other side. In fact, it was Bou Bou’s playpen, which had been placed just behind the front door of the overcrowded home. Police threw a flash-bang grenade through the door, which landed directly

in the playpen and exploded in Bou-Bou’s face.

Bounkham and Alecia Phonesavanh told ABC that the SWAT team refused to let them see their son before they put him in an ambulance. “I kept telling him, ‘Just give me my son. He’s scared. He needs me.’” Alecia told ABC. “The officer wouldn’t. And then he walked out of the room with [Bou Bou] and I didn’t see him again.”

The SWAT team also deliberately lied to them about the extent of Bou-Bou’s injuries. “I asked if he got hurt. And they said, ‘No, your son is fine. He has not sustained any serious injury ... They ended up telling us that he had lost a tooth.’”

The pillows in the playpen, however, were covered in blood, and burnt and torn to shreds by the blast. When the Phonesavanhs finally arrived at the hospital, they discovered that their son’s face and chest had been mutilated by the blast, and that it was unclear whether he would survive. The head of the hospital’s burn unit explained to ABC that “His chest wall had torn down to muscle, and it tore his face down to bone, down to his teeth.”

Bou-Bou managed to survive after five weeks in a medically-induced coma. He still has visible scars on his face, and one of his nipples was also blown off in the blast. Moreover, the family now faces a \$1 million medical bill that they have no way of paying.

Habersham County officials have refused to provide the family with any compensation for grievously injuring their son, citing a state “gratuity” law that supposedly shields them from responsibility and prevents them from making any payments.

The family’s attorney, Mawuli Davis, disputed their interpretation in comments to the media, saying “The child was taken into their custody, taken from his family, as a result of an injury that was caused by the

[raid]. It would be our position that they should have to pay, and it is far from a gratuity.” The family could still seek compensation by filing a civil suit against the county.

“Before this we didn’t owe anybody anything,” said Alecia Phonesavanh. “And now after all this, they have completely financially crippled us.”

The officers involved in the raid were let off the hook after a grand jury failed to return an indictment, mirroring the cases of Michael Brown in Ferguson and Eric Garner in New York City. The 15-page presentment was rife with attempts to “humanize” the officers involved and demonize the family. The document declares that the police are not “un-feeling or un-caring robots,” but “are suffering as well.”

At the same time, the incident was treated as virtually inevitable because one of their extended family was an alleged criminal: “the children were in danger from the moment that they entered into the residence ... it is unfortunate that the actions the parents took to remove the children from possible harm came a moment too late.”

The use of SWAT raids in ordinary police operations is increasingly a daily reality in the United States. A report released by the ACLU this summer titled “War Comes Home: The Excessive Militarization of American Policing” found that 79 percent of a sample of 818 SWAT deployments were for executing search warrants. No-knock warrants were used, or probably used, in 60 percent of all drug searches involving SWAT teams.



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