

Report: No federal charges against Ferguson, Missouri cop who killed Michael Brown

Andre Damon
22 January 2015

The US Justice Department will not bring federal civil rights charges against Darren Wilson, the Ferguson, Missouri police officer who shot and killed unarmed teenager Michael Brown in August, the *New York Times* reported Wednesday evening.

Citing unnamed officials, the *Times* wrote, “The investigation by the FBI, which is complete, found no evidence to support civil rights charges against the officer.”

The newspaper added, “The Justice Department plans to release a report explaining its decision,” probably “in the next month or two.” The *Times* added that the decision would “close the politically charged case.”

The report in the *Times* all but constitutes an official statement by the White House that it is not pursuing charges against Wilson.

From the beginning, the Obama White House, working together with the St. Louis County prosecutor’s office and the police, used the federal investigation into the killing of Brown to diffuse public anger over the sham grand jury proceeding that resulted in a decision not to indict Wilson on criminal charges.

Ferguson residents were told by Obama administration officials, working closely with Democratic Party operatives like Al Sharpton, that the Justice Department, presided over by an attorney general (Eric Holder) who “cares deeply” about civil rights, would ensure that justice was served.

Now that the protests have died down, the White House no longer deems it necessary to keep up the pretense that it is investigating Brown’s killing. At the same time, the killing of two New York City Police Department officers late last year has been used to shift the entire framework in which the epidemic of police violence is presented in the American media, delegitimizing and even criminalizing opposition to the

almost daily killings and beatings of unarmed individuals.

The publication of the *Times* article came the day after Obama’s State of the Union address, in which the president declared that all was well in America and that “the shadow of crisis has passed.” In the course of his remarks, Obama proclaimed that while “We may have different takes on the events of Ferguson and New York... community leaders and law enforcement” should work together.

We now know exactly the “take” of the Obama administration on the killing of Michael Brown, namely, that his murder by Wilson was entirely justifiable, and that the failure to prosecute him was not a miscarriage of justice.

Throughout the grand jury proceedings that concluded in November, St. Louis County Prosecuting Attorney Robert P. McCulloch worked to ensure that no charges would be filed, painting Brown as the aggressor and coddling Wilson, who was invited to testify for four hours before other witnesses were heard. Last month, McCulloch publicly admitted that he knowingly used perjured testimony in the grand jury proceedings, after journalists identified one of the witnesses, later cited by McCulloch to justify the decision not to indict, as a mentally disturbed racist with a history of providing false testimony.

“The fact that the original hearing was a fraud makes the dropping of federal charges against Wilson all the more egregious,” said John Burton, a police misconduct lawyer in Los Angeles County.

“The Fourth Amendment protects citizens from excessive force—such as being shot—during an arrest,” said Burton. “The Civil Rights Division of the Justice Department theoretically exists to ensure that state and local authorities do not violate the civil rights of

citizens. Michael Brown's civil rights were clearly violated."

Officers responsible for the 1991 beating of Rodney King, who were initially acquitted by a local jury, were found guilty on federal charges of violating King's civil rights by using excessive force in his arrest. In that case, the prosecutors were not required to prove that racial motives played a role in the officers' actions.

The *New York Times* piece is itself a journalistic travesty, treating the sham grand jury proceeding as entirely legitimate and inferring from the grand jury's decision that Wilson's killing of Brown was justified. It quotes the self-serving and unbelievable testimony of Wilson, but not that of any witnesses who contradicted his version of events. It qualifies the fact that witnesses said Brown had his hands up when he was shot at point blank range by saying that "some recanted their stories," without noting the perjured character of the testimony of the key witness who supported Wilson.

During the grand jury proceedings against Wilson, the *Times* and other major newspapers and media outlets played a filthy role in polluting public opinion by uncritically printing leaks from the secret proceedings that portrayed Wilson in a favorable light, including excerpts from Wilson's own testimony.

The *Times* article does, however, make one significant revelation. It states: "Mr. Holder resisted calls from local officials to announce his conclusion alongside the county prosecutor last year, in part because he did not want it to appear as if they had reached their decisions together."

In other words, while the White House and the county prosecutor's office were coordinating their cover-up of Brown's murder, the Obama administration sought to publicly distance its investigation to create the illusion of impartiality.

The dropping of the federal civil rights investigation against Wilson is of a piece with the White House's entire response to the shooting of Brown and the subsequent protests. The massive military-police mobilization against peaceful protestors was coordinated behind the scenes with the Obama White House, which sought to use the murder of Brown to set a precedent that police officers can kill with impunity, and that popular protests are to be met with declarations of emergency, the mobilization of the National Guard, tear gas, rubber bullets and mass arrests.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact