

No further prosecution for policeman who killed Detroit seven-year-old

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The Detroit police officer who killed seven-year-old Aiyana Stanley-Jones will not be retried. In a statement released yesterday, the Wayne County Prosecutor's Office said after two mistrials, it would move to dismiss the case against Officer Joseph Weekley. The first mistrial was declared in June 2013. The same judge, Cynthia Gray Hathaway, declared the second mistrial last October.

During the second trial, Hathaway issued a directed verdict on the felony manslaughter charge, resulting in Weekley facing only a misdemeanor charge of careless discharge of a firearm.

Aiyana Stanley-Jones was shot in the head with the automatic weapon Weekley wielded during a predawn "no-knock" raid conducted by the Detroit police on May 16, 2010. The raid was filmed by an Arts & Entertainment (A&E) network video crew for their reality TV show "The First 48."

A "flash-bang" grenade was used prior to the police entry into the house where the child was sleeping on the couch with her grandmother. The device is designed to create a blinding light and deafening noise to disorient anyone nearby. The device allegedly landed on the child, causing burns before she was fatally shot.

Aiyana's cousin, Mark Robinson, testified at the first trial that as police were forcing him to the ground, he warned them that there were children inside the house. Police ignored the warning.

The defense claimed that the reason the gun went off was that the girl's grandmother, Mertilla Jones, 47, grabbed at the weapon. Jones has consistently denied touching the gun. During both trials, evidence was presented that the officer's gun could not have been fired accidentally and that officers are trained to keep their fingers off the trigger. If someone attempts to grab a gun police are trained to push him or her away or

move the gun in a "J" shape to keep control.

The 2010 killing of Aiyana Jones provoked widespread anger in the city. Thousands attended the viewing and funeral from Detroit and outlying areas. A makeshift memorial was created on the steps of home where she was killed.

The killing took place during a law-and-order frenzy by city officials and the media. Detroit Police Chief Warren Evans promoted his "tough cop" image and "shock-and-awe" philosophy of law enforcement to television and print media. As social conditions in the city became increasingly intolerable for the vast majority of the population, the so-called crime wave was utilized to introduce more and more brutal and militaristic police practices.

During the second trial, presiding judge Hathaway surprised observers when she approved a routine defense motion to drop the most serious of the charges against Weekley—the felony involuntary manslaughter charge. The defense filed the same motion to dismiss—such motions are often filed at the outset of a trial by defense attorneys—in the previous 2013 trial, which Hathaway denied. Hathaway is married to a Wayne County deputy sheriff.

Wayne County Prosecutor Kym Worthy, who made the announcement yesterday, called Hathaway's October decision to dismiss the felony charge "unfortunate." She said the decision could not be appealed.

In a statement, a representative of the Detroit Police Officers Association, Mark Diaz, expressed its pleasure at the decision. He explained in relation to Weekley, "Whether he comes back to work in the near future or at all for that matter is something that's going to be up to him." Weekley has been on paid leave from the department since the shooting.

The decision of the Prosecutor's Office left many angry. A spokesman for the Detroit Coalition Against Police Brutality announced that it would request that the US Justice Department file a civil rights case against the people responsible for the raid that left the seven-year-old dead.

The decision to let Weekley off scot-free and allow him to return to the police force is a mockery of justice. It is consistent with the judicial actions protecting the police killers of Michael Brown in Ferguson, Missouri, and Eric Garner in New York City, as well as in cases of police killings across the country.



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