

Tulsa, Oklahoma deputy who shot unarmed man charged with manslaughter

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14 April 2015

On Monday, reserve deputy Robert Bates, 73, was charged with second-degree manslaughter for the April 2 shooting of unarmed Eric Harris, 44, in Tulsa, Oklahoma. Bates is only the 55th police officer in the US to be charged for fatally shooting someone while on duty over the past decade, out of a total of thousands of police killings.

Bates was working on an undercover gun buying sting operation with the Tulsa Violent Crimes Task Force when he shot Harris in what Bates and Tulsa police claim was an accident. Tulsa police sergeant Jim Clark told reporters that Bates was “a true victim of ‘slips and capture,’” a pseudoscientific term denoting a psychological slip-up made by someone while they were “captured” by an incorrect impulse, in this case an officer using his handgun instead of his Taser. This was the principal argument used to reduce the conviction of Johannes Mehserle from first-degree murder to involuntary manslaughter for the 2009 killing of unarmed youth Oscar Grant.

Bates, a wealthy insurance executive, has donated thousands of dollars in vehicles, guns, Tasers and other equipment to the Tulsa police department, and in return has attained the title of “advanced reserve deputy.” One of 130 reserve deputies in Tulsa, Bates has the privilege of accompanying patrol officers on duty, and possesses the same equipment and powers as a regular full-time deputy. Major Shannon Clark stated, “There are lots of wealthy people in the reserve program. Many of them make donations of items. That’s not unusual at all.”

Last Friday, the Tulsa County Sheriff’s Office released sunglass video footage of the shooting, which police claim corroborates Bates’ story that he believed he was holding a Taser and not a handgun when he fired at Harris.

On Monday, Harris’ family released a statement

saying they were “saddened, shocked, confused and disturbed” by the police killing. They note “Perhaps the most disturbing aspect of all of this is the inhumane and malicious treatment of Eric after he was shot. These deputies treated Eric as less than human. They treated Eric as if his life had no value.”

The family’s attorneys have said that they possess evidence that the sheriff’s office misled the public about the incident, which they will release incrementally in the coming weeks. Daniel Smolen, a lawyer for the family, said, “This horrible situation is going to be about what a corrupt sheriff’s office does after a bad shooting.”

So far, they have accused Jim Clark and the sheriff’s department of attempting to protect Bates, who served as chairman of the 2012 re-election campaign of Sheriff Stanley Glanz, to which Bates also donated \$2,500. In another statement released Sunday, the family stated that “We do not believe it is reasonable—or responsible—for [the sheriff’s office] to accept gifts from a wealthy citizen who wants to be [a] ‘pay to play’ cop.”

The police shooting itself arose out of a sting operation, in which an undercover officer was attempting to entrap Harris in the illegal sale of a firearm. When police tried to arrest him, Harris fled the scene on foot.

The bodycam video begins with the officer inside a patrol car, serving as backup for the sting operation. The officer with the camera spots Harris running and begins chasing him on foot. He then tackles Harris, and tells him to “Roll on your stomach now!” Another voice, which officers claim is that of Bates, is heard yelling “Taser!” Immediately thereafter, one gunshot is heard, but the camera is faced in another direction, so the shooter is not seen. The same voice that yelled

“Taser!” then says “Oh, I shot him. I'm sorry.”

As Harris yells “Oh sh**, he shot me!” the camera pans over, showing a gun on the street, which an officer picks up. The camera then returns to Harris, and an officer is shown pressing his knee into the back of Harris' head, forcing it into the ground. At least two officers are heard threatening Harris with obscenities, with one audibly saying “You ran, motherfu**er, you hear me?! You f**king ran! Shut the f**k up!”

Harris cries out “Oh God! Oh, he shot me! I didn't do sh**!” An officer then taunts him, saying “You didn't do sh**? You didn't do sh**? You hear me?” Harris then says “I'm losing my breath!” to which the same officer replies “F**k your breath!” and then proceeds to handcuff him.

Harris' dying words recall those of Eric Garner of Brooklyn, who cried out “I can't breathe!” as officer Daniel Pantaleo asphyxiated him with an illegal chokehold last summer.

Regardless of whether or not the shooting itself was an accident, the subsequent brutality meted out by other officers seemed a calculated decision to kill the injured man. As Harris lay on the street bleeding to death, an officer lodged his knee against the back of his head, while another handcuffed the man. None of the roughly ten officers on the scene administered first aid.

Harris died at a nearby hospital about an hour later, with the cause of death not yet released. The police claim that the officers who aggressively taunted Harris, while violently restraining him, did not know he had been shot. This claim does not hold water, as they began to violently subdue him immediately after the gunshot, and Harris repeatedly cries out that he has been shot.



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