

The conspiracy to cover up the police murder of Laquan McDonald

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Release of the video last week of the brutal police killing of 17-year-old Laquan McDonald has provoked mass revulsion in the city of Chicago, throughout the United States and internationally. The video depicts the wanton murder of McDonald by police officer Jason Van Dyke, who was finally charged November 24, more than a year after the killing took place.

In response to the video's release—which came only after extended court proceedings and in opposition to the efforts of the city and the police department—Chicago Mayor Rahm Emanuel and other city officials are doing everything they can to contain public outrage and limit the political damage. Emanuel, the former chief of staff for President Barack Obama, hypocritically claimed to support the release of the video, while portraying police violence as a result of bad perceptions held by the community about police and some police about “young men.”

In fact, the wave of police violence—in Chicago and throughout the country—is the intended product of a policy supported by both Democrats and Republicans of beefing up police forces and giving them a license to kill. This is summed up in a particularly telling statistic: Of the 400 police shootings the city of Chicago's so-called Independent Police Review Authority has investigated, only one was found to be unjustified.

Moreover, the statements of Emanuel and other officials have the air of deliberate obfuscation, aimed at covering up their own role in obstructing justice by doing whatever they could to shield Van Dyke and prevent the release of the video showing his crime. If they had been successful, Van Dyke would never have been charged. Instead, he would have been treated like so many police officers have been treated in the past.

The details of the systematic cover-up of McDonald's murder, and the city's months long fight to prevent the release of footage showing what happened on October 20, 2014, are an indictment of the entire political establishment in Chicago. The calls for increased “accountability” are bogus, because those making them can only be talking about themselves.

The mayor, police department and city council were the accessories after the fact to McDonald's murder by hiding the truth behind the false police report of events, failing to prosecute the killer cop, fighting the release of video footage after a whistleblower made its existence known, and supporting the \$5 million in hush money paid to the young man's family.

In the immediate aftermath of the killing of McDonald, Chicago Police (CPD) released a series of statements claiming that Van

Dyke acted in self defense, and that he had only been shot once. Fraternal Order of Police spokesman Pat Camden said that McDonald was shot in the chest after he “lunged” at Van Dyke and his partner with a knife, actions he characterized as “a very serious threat to the officers, and he leaves them no choice at that point to defend themselves.”

Witness accounts at the time contradicted the official story. Alma Benitez described the police reaction to local television stations in October 2014, “It was super exaggerated. You didn't need that many cops to begin with. They didn't need to shoot him. They didn't. They basically had him face-to-face. There was no purpose why they had to shoot him.” After the killing, however, witnesses were told to leave the area without making any official statements to police.

The police lies may never have been exposed to the public had it not been for an anonymous whistleblower and the actions of independent journalists Jamie Kalven and Brandon Smith. A whistleblower alerted Kalven in December 2014 to the existence of police dashcam footage from the night McDonald was killed. According to Kalven, the whistleblower characterized the video as “horrific” and proved the police statement to be entirely false: McDonald was never a threat to the responding officers and was murdered execution-style.

In February 2015, Kalven obtained a copy of McDonald's autopsy report, which suggested the police story to be false. It showed that McDonald had been shot 16 times, with the trajectories indicating that many were fired when his back was turned or he was laying on the ground.

Top city and police officials knew of the existence of the video of the killing, knew that it exposed the official story, and therefore did everything they could to keep it secret. An initial review by city attorneys proved the video to be so damning that the Chicago City Council, reported by the *Chicago Tribune* as acting on the recommendation of Mayor Rahm Emanuel's top attorney, voted unanimously to approve a \$5 million settlement in April 2015, before McDonald's family filed suit.

A condition of this agreement was that the video would not be released. The city of Chicago made public the police dashcam video only after a protracted lawsuit brought by Brandon Smith against the CPD, which began with a May 26 Freedom of Information Act request to force its release. His request was denied by the city on the grounds that the video was part of an “ongoing investigation.” Smith then filed suit in August against the city,

forcing the city to prove that releasing the video would compromise their investigation of the shooting.

Explaining his lawsuit in the *Chicago Reader*, Smith reported that the CPD had received 15 Freedom of Information requests for the footage of McDonald's murder, including his own, and rejected them all.

After having his request turned down, Smith sued the city of Chicago for the release of the video. City attorneys were unable to produce proof that the video's release would hinder the "ongoing investigation" of the shooting, and Cook County Judge Franklin Valderrama ruled on November 19 that the video be released no later than November 25, in accordance with existing Freedom of Information law. This deadline left very little time to appeal, and the city opted not to do so.

There were other elements of the cover-up. In May 2015, Jay Darshane, the district manager for the Burger King on 40th & Pulaski—located less than 100 yards from the scene of the shooting—came forward to report that minutes after McDonald was shot, four or five cops entered the establishment asking to review footage captured by the store's security system. Burger King employees gave the officers access to the security video and reviewed the footage alone over the course of three hours.

The next day, on October 21, when a member of the Independent Police Review Authority came to the Burger King to view the footage, Darshane says he realized upon reviewing the tape that a total 86 minutes of footage, the time recorded between 9:13 and 10:39pm, was missing from the tape. Prior to being gunned down on the median, police followed McDonald through the Burger King parking lot before confronting him on the street. McDonald was shot around 9:55pm.

On Tuesday November 24, Cook County State's Attorney Anita Alvarez addressed the missing footage, saying it had undergone forensic testing to determine whether or not it was "tampered with." When asked about the missing footage at Tuesday's press conference, Police Superintendent Garry McCarthy only managed to make vague allusions to "technical difficulties." Alvarez said, "We have looked at those videos and ... it doesn't appear that it's been tampered with."

Darshane continues to insist that officers must have deleted the footage as the only explanation for why it went missing. Telling the *Chicago Tribune* that he had testified to a federal grand jury earlier this year about the video, Darshane said, "I was just trying to help the police with their investigation," Darshane said. "I didn't know they were going to delete it."

The version of the dashcam video of McDonald's murder that was released November 24 also mysteriously did not include any audio, despite the fact that the equipment is capable of recording sound and this is part of typical police procedure.

On November 25 additional police dash camera video from the McDonald shooting was released by the city of Chicago. This footage does not have any audio either.

An article investigating the missing audio on NBC5 Chicago reported that according to a company video of the police dash camera's producers, "There are three ways to start recording [on] police dash cam equipment: by turning on the roof lights, hitting a red recorder button or a large button on the microphone. But only

one way to stop it: 'By touching the square on the screen both video and audio recording will stop,' according to the video."

No explanation has been given for why the police dash cam footage did not include audio, or whether there was any audio available from any of the other police cruisers visible in the video. At the November 24 press conference ahead of the video's release, McCarthy stated in response to a media questions about the missing dashcam audio, "There was no audio on the video ... there never was any."

It is telling not only that Van Dyke is the first Chicago police officer to be charged with first degree murder in an on-duty shooting, but also that Alvarez waited more than a year after McDonald's shooting amid a "still ongoing investigation."

It was only the forced release of the video, which no one in the political establishment wanted and everyone feared, that forced action. The November 19 ruling that ordered the video to be released by the 25th prompted Alvarez to move forward with the charge against Van Dyke on that Tuesday, instead of waiting for federal authorities to complete a parallel investigation. In a transparent move to preempt and attempt to diminish popular outrage, Alvarez announced first degree murder charges against Van Dyke just hours before the court-ordered deadline for video to be released expired, the evening of November 24.

Many questions are raised from this historical account: Precisely what role did Emanuel play in concealing the video and arranging the \$5 million settlement with the family? At what point did the mayor learn that the official police story was a lie? Were there discussions with the Obama administration over how to proceed? What officers were involved in viewing and allegedly deleting the Burger King video, and were they acting under the direction of others in the police department?

Whatever the answers to these questions, the cover-up of the murder of McDonald exposes the modus operandi of the ruling class in America: Police killings—which number more than 1,000 a year—are almost invariably carried out with impunity, with the political establishment doing everything it can to cover up for the crimes of its domestic armed forces.



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