

After grand jury whitewash in Tamir Rice killing

## More police murders across the US

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The grand jury decision Monday not to bring charges against the two police officers who killed 12-year-old Tamir Rice as he played in a Cleveland park on November 24, 2014 was preceded Sunday night by the police killing of a 34-year-old man outside his house in Tempe, Arizona and followed Monday evening by the killing of a 28-year-old man on a street near his home in Suffolk, Virginia.

Tuesday morning, police shot and killed a 50-year-old woman in Santa Nella, California. There was also a non-fatal police shooting of a man in his Lakeland, Florida home.

Police officer Timothy Loehmann, 27, gunned down Rice at a playground picnic area as the child was playing with a toy pistol. He and partner Frank Garmback, 47, offered no aid for four minutes as Rice lay bleeding to death and threw to the ground his 14-year-old sister when she tried to come to her brother's aid.

Loehmann and Garmback were dispatched to the scene after a caller warned that there was a "male black sitting on a swing and pointing a gun at people," though the caller added that the individual was "juvenile" and the pistol "probably fake." A YouTube video, viewed more than 1.2 million times, captured the brutal killing and leaves no doubt that the police are guilty of murder.

Local prosecutor Timothy McGinty, whose task was to determine whether or not there existed reasonable grounds for a trial, instead worked from the beginning to exonerate the police. Loehmann and Garmback were allowed to make self-serving and unchallenged statements to the grand jury. McGinty also recruited pro-police "experts" to provide testimony and discredited before the jury experts provided by attorneys representing the Rice family.

"My family and I are in pain and devastated by the non-indictment," Samaria Rice, Tamir's mother, said in a statement issued Monday. "Prosecutor McGinty deliberately sabotaged the case, never advocating for my son, and acting instead like the police officers' defense attorney... I pray and hope that the federal government will investigate this case."

Citing McGinty's abuse of the grand jury process, the Rice family on December 14 called on the federal

Department of Justice to conduct an investigation. The DOJ issued a brief statement Monday saying that an investigation under the auspices of its local office would continue. To date, the Obama administration has not brought federal charges against a single killer cop. The White House offered no comment on Monday's grand jury ruling.

Police have taken the repeated exonerations, often in the face of overwhelming evidence, as in the Tamir Rice murder, as a green light for more violence. As if to underscore the point, within 24 hours of the grand jury ruling, the list of Americans murdered by police grew four names longer.

\* Late Sunday night, 34-year-old Sean Mould was shot dead by police outside of his house in Tempe, Arizona. His wife, Sitharath Sam, called police on a non-emergency number when Mould, who had no police record, became verbally abusive after drinking alcoholic beverages for several hours.

The two officers sent to the scene gave Mould "commands to drop" what turned out to be a pocket knife, according to Tempe Police Lt. Mike Pooley. Pooley claims Mould, who was white, then "continued going toward the officers, at which time one of the officers did fire at least two rounds at the suspect."

This version of events was contradicted by Sitharath Sam. "All I did was hear, 'put your hands up' and a shot," she said. "He was a nice person, he wasn't a violent person. Now he's dead and he shouldn't be portrayed like he is out against the police or to kill the police. January 5 he's going to turn 35, and he's not going to be with us anymore."

The officer who killed Mould has been placed on paid administrative leave.

\* Also in Arizona, authorities on Monday released the name of a man shot dead by police outside a Phoenix police precinct two days earlier. Police claim that Lonnie Niesen, 41, was throwing "rocks or bricks" at a police vehicle. Niesen was shot dead when he "refused to obey police orders and instead turned and suddenly threw something at one of the officers, striking him in the hand." Family

members said that Niesen, who was white, had stolen alcohol on Friday and had made suicidal statements. The officer supposedly hurt by Niesen was treated for minor injuries at the scene.

\* On Monday evening, police shot 28-year-old Corey Achstein a few blocks from his Suffolk, Virginia, home. He died hours later at a nearby hospital.

Two police responded to a 911 call claiming that Achstein, who was also white, had a gun and was threatening a group of teenagers. Officers ordered Achstein to the ground and then shot him, based on the “actions of the suspect and concern for safety,” according to an official statement on the killing.

Police have yet to claim that Achstein was actually armed, or even that he threatened them. Achstein’s family insists he did not own a gun and family members say they “would be shocked if he had one on him,” according to a local news report. A weapon was supposedly recovered at the scene, but a city official has admitted that “officers are working [to] determine if it is real or fake.”

The officers involved in the killing, James Babor and Cheryl Abrigo, have been placed on administrative leave. The city has so far refused to release footage from body cameras the police were wearing at the time of the killing.

Achstein’s uncle said the young man’s mother is in grief. “It’s real hard on my sister,” he said. “That’s her only child, and we can’t get any answers from the police department on what happened.”

\* On Monday night, a police officer shot and wounded a man in the doorway of his Lakeland, Florida home. Police say they were responding to a request from a woman who wished to take personal items out of the house. According to claims put forward by police spokesman Sgt. Gary Gross, the man, whose identity has not been released, was told to drop a handgun police had seen him carrying inside his home after observing him through the window. When he answered the door still armed, Officer Paul Dunn, 46, shot the homeowner, who, as of this writing, remained in a critical condition at an area hospital.

\* Early Tuesday morning, a Merced County, California Sheriff’s deputy shot and killed a 50-year old woman, Siolosega Velega-Nuufolau, after she waved a kitchen knife “in a threatening and aggressive manner” at the deputy. Sheriff Vern Warnke separately claimed that Velega-Nuufolau, who was a military veteran, had charged the deputy. Velega-Nuufolau, who evidently suffered from mental illness, was pronounced dead at the scene. It was the third police killing in Merced County in 2015.

Just since Christmas Eve, 16 Americans have been killed by police. This brings the running total for 2015 to at least 1,193, up from 1,108 in 2014, the year Tamir Rice was

killed, according to a tally kept by killedbypolice.net. A separate count, kept by the *Guardian* newspaper, puts the number of dead at 1,127.

Persistent efforts have been made to portray the violence in purely racial terms, eliding factors such as growing social inequality, the militarization of the police, and the domestic impact of America’s endless wars overseas. But according to the *Guardian* count, 567 of those killed by the police were—like Mould, Achstein and Niesen—white. Nearly twice as many whites have been killed as the 292 African Americans, though, as a share of the population, blacks are killed at nearly 2.5 times the rate of whites, a ratio that roughly corresponds to the disparity in the black-white official poverty ratio. Tellingly, 27 percent of those killed in 2015 suffered—like Niesen and Velega-Nuufolau—from mental health problems.

The counts kept by killedbypolice.net and the *Guardian* are based on publicly known instances of police killings—in other words, cases where the police have been forced to admit they have killed an individual. No federal agency keeps a record of those killed by the police, and most municipalities do not require their police forces to report police killings to the FBI.

In a recent report, a regional Florida newspaper, the *Daytona News-Journal*, described the difficulties it faced in coming up with a list of people killed by police in the state for the years 2013 and 2014. “It took hundreds of public records requests, and combing through hundreds of media reports... to uncover how often police shot people in 2013 and 2014 in Florida,” the newspaper wrote. “Many agencies cooperated and turned over records, but others put up substantial barriers, charging hefty bills to provide the information and refusing to answer questions.”

The newspaper compiled a list of 162 fatal shootings in Florida in the two-year period, but wrote that “even that number is likely an incomplete picture because agencies don’t have to release records for cases that are still pending.”



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