

Notes on police violence in America

Arresting officer in Sandra Bland death charged with perjury

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Texas State Trooper Brian Encinia, the officer who arrested Sandra Bland, a 28-year-old African-American woman who was found dead in her Waller County, Texas, jail cell in July 2015, has been indicted for perjury by a Texas grand jury.

The charge carries with it up to a year in jail and a \$4,000 fine. The Texas Department of Public Safety announced after the indictment that it had begun termination proceedings against Encinia, who is white and has been on administrative (desk) duty since the violent and controversial arrest of Bland.

This decision comes about two weeks after the same grand jury refused to indict the Waller County jailers involved in her death. Police have held that her death was a suicide, despite her family maintaining that Bland, who had protested against police violence, was not suicidal.

After her brutal arrest on July 10, Bland spent three days in jail. On July 13, officers discovered her hanging from a plastic trash bag secured to a bathroom partition. The earlier refusal to indict those involved in her death—despite numerous inconsistencies in the official story—still left open the possibility of indicting Encinia, the arresting officer.

Encinia's perjury charge stems from his falsified report justifying Bland's arrest for "Assault on a Public Servant." The incident began with a traffic stop after Bland allegedly failed to signal while making a turn.

In the dashcam video, Encinia can already be heard falsifying the record. While sitting in his patrol car, apparently talking on the phone with a superior, he claims to have tried "de-escalation" and that he "tried putting the Taser away," as if he had not been the one to escalate the situation in the first place. He also said

that he "tried calming her [Bland] down," as if Bland's frustration at being pulled over was grounds for her arrest.

During the phone call, Encinia also claimed that Bland had used profanity while in the car, but it was only after Encinia attempted to bodily drag her out of her vehicle and began handcuffing her that Bland used any obscenities.

Encinia's falsified affidavit did not mention his threats to Bland, including the shouted threat that he would "light [her] up!" with a Taser after she declined to put out her cigarette.

In his affidavit, Encinia claimed that he "had Bland exit the vehicle to further conduct a safe traffic investigation" and that, subsequently, "Bland became combative and uncooperative." As a viewing of the dashcam video demonstrates, Encinia was prepared to let Bland off with a warning, thereby ending the traffic stop, until she declined to put out her cigarette. Thus, the claim that he violently removed her from the car "to further conduct a safe traffic investigation" is bogus.

The affidavit also does not mention the multiple escalatory threats that Encinia made against Bland, including the aforementioned "I will light you up!" It also paints Encinia in an unrealistically positive and professional light. Additionally, the charge of "Assault of a Public Servant" does not conform with Encinia telling Bland that she was "going to jail for resisting arrest."

Encinia previously received "written counsel" for a 2014 incident in a school in Austin, Texas, after he apparently displayed "unprofessional conduct" while he was a probationary trooper. The supervisor who filed the report said that they would meet "periodically

with Trooper Encinia.”

An indictment against Encinia does not ensure that the special prosecutors—who were responsible for the non-indictment of Bland’s jailers—will thoroughly prosecute Encinia or obtain a conviction. Moreover, perjury, a misdemeanor, carries a small penalty.

It is also possible that Encinia is being used as a scapegoat as part of an effort to dissipate widespread disgust with the brutality and violence meted out by the police against Bland and others, including in the deaths of Tamir Rice, Michael Brown, Freddie Gray and hundreds more.

Speaking for the Bland family, Cannon Lambert, their attorney, has called the grand jury process so far a “sham of a process.”

Las Vegas police kill unarmed man during pursuit after mistaking cellphone for gun

In what appears to be the final police killing of 2015, Las Vegas Metropolitan Police Department officers killed Keith Childress Jr., 23, after they mistook a cellphone he was holding for a gun. Childress was wanted for multiple crimes in neighboring Arizona and was under surveillance by US marshals. When he fled, marshals requested assistance from local police.

Police admit that Childress, who was black, was unarmed, although they claim that they believed the phone he was holding to be a firearm. They were told that Childress was wanted for attempted murder, although he was actually wanted for burglary.

Childress’s murder was the 16th shooting by Las Vegas police in 2015, 11 of which were fatal.

Kodiak, Alaska, police release video of violent detainment , pepper-spraying of man with autism

The city of Kodiak, Alaska, released bodycam footage of the violent detainment and pepper-spraying of Nick Pletnikoff, a 28-year-old white man with autism. The video of the September 16, 2015 incident

was released at the end of last month and can be viewed in the body of the KTUU article covering its release.

Pletnikoff was checking the mail when he allegedly attempted to get inside a rented car nearby. When the car’s occupant called 911, police arrived and attempted to take Pletnikoff into custody. When he initially refused and told police that he did not have ID, he was immediately grabbed and pushed onto the hood of a nearby truck.

During the arrest, which involved three officers, police sergeant Francis de la Fuente threw Pletnikoff to the ground despite the latter’s pained cries of “No” and “I want to go home.” Pletnikoff repeated “I want to go home” throughout the encounter.

De la Fuente then pressed Pletnikoff’s head into the pavement and held it there while Pletnikoff lay handcuffed. De la Fuente, after repeatedly shouting at Pletnikoff to “stop resisting” for not rolling onto his stomach, then pepper-sprayed him in the face.

Pletnikoff was released after his mother, Judy Pletnikoff, talked to officers at the scene. “Judy told me Pletnikoff was autistic and usually goes inside cars because he likes cars, but does not steal anything,” de la Fuente wrote in his report.

Pletnikoff suffered numerous injuries, including large bruises and welts and a severely irritated face.

The Kodiak Police Department claims that the use of force was minimal and “necessary under the circumstances.” A report by an “independent investigator” cited by the city allegedly supports this interpretation of events.

In releasing the video, the city of Kodiak excused the assault, stating: “The videos of the struggle between the officers and the 28-year-old may be uncomfortable to watch. However, we hope the viewers will understand there is more to the story than the media’s version that this young man was assaulted on his way to check the mail.”



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