

Manslaughter trial in police killing of Akai Gurley begins in Brooklyn

Fred Mazelis
28 January 2016

Opening statements and testimony began this week in the long-awaited trial of New York City police officer Peter Liang for the killing of Akai Gurley, an unarmed 28-year-old African-American man walking down the stairs in his apartment building, part of the Louis H. Pink housing projects in the East New York section of Brooklyn. Jury selection in the case was completed last week.

Gurley died more than 14 months ago, on November 20, 2014, as two cops were making a “vertical patrol,” checking the stairwells in the high-rise building. As Brooklyn Assistant District Attorney Marc Fliedner put it, opening the prosecution’s case, “Akai Gurley is dead today because he crossed paths with Peter Liang.”

Liang was indicted by a Brooklyn grand jury on manslaughter and other charges last February, and both prosecution and defense agree on the immediate events that led to Gurley’s death.

Liang and his partner, Shaun Landau, were patrolling in the housing project when Landau reportedly heard the sound of footsteps. They were on the eighth floor at the time. Meanwhile, Gurley and his girlfriend, Melissa Butler, had decided to walk down from the seventh floor after the elevator never showed up, a common occurrence in public housing. They descended an unlit staircase, another product of the wanton neglect of basic maintenance in the projects.

Liang opened the door from the flight above, raised his flashlight with one hand and drew his pistol with the other. He fired his gun immediately, and then returned to his partner, saying it had been an accident and that he would now be fired.

The two men, instead of checking on whether anyone had been injured, argued for two minutes over whether their supervisor should be called, as stipulated in police rules, and which of them should do it. Meanwhile, Gurley started running. Then, staggering and in increasing

difficulty, he collapsed on the fifth floor. Butler saw that he had been shot and tried desperately to get help by knocking on nearby doors.

After apparently not resolving the argument of which of them should call their supervisor, (reports after the killing indicated that Liang had instead texted his representative in the police union), the officers made their way down the stairs, came across the mortally wounded Gurley and his crying friend Butler on the fifth floor, and did nothing, even though they are required to perform CPR when needed.

In testimony on the first day of the trial, a neighbor, Melissa Lopez, said that she had called 911 after Ms. Butler rang her bell. “I saw her standing there, crying, asking for help, her hands all bloody,” Lopez said, according to the account in the *New York Times*. When she went out to the stairwell, she saw the police officers. Asked what they did, she replied, “Nothing.”

The police did not summon an ambulance. “The cops shot him, the cops shot him,” Ms. Lopez said in her call for emergency assistance, recorded and played in court. “There’s like a million cops, but no ambulance.”

After having seen the victim, Liang finally called his superior. During this whole period, Landau and Liang behaved as though Gurley was “collateral damage,” an unfortunate casualty in the job of policing the poor neighborhood.

The prosecution charges that the officer’s behavior makes him guilty of second-degree manslaughter, involving recklessness rather than intent to kill. He also faces official misconduct, reckless endangerment and other charges. A manslaughter conviction could bring a sentence of 5 to 15 years in prison.

Officer Landau is expected to testify under an immunity agreement. The prosecution’s outline of the case indicates that, although Landau was not the shooter, he also refused to provide any aid to the dying man.

The indictment of Liang is a rare occurrence. One recent report indicated that 54 police officers faced criminal charges in the past decade, out of the thousands of police killings, many of them involving unarmed and innocent or mentally disturbed individuals, that took place over this period. Convictions in cases like these are even more uncommon.

Liang's lawyer indicated that the police officer would probably take the stand in his own defense. The strategy will apparently be to present him as a virtual innocent himself, a young officer trying his best and ensnared in what his defense attorney claimed was "a million-to-one possibility," as his bullet ricocheted off the wall and struck Gurley. The attorney added that the case was "not a referendum on policing in the United States."

The cop is clearly guilty of violating specific rules on the holding and use of guns, breaching regulations in failing to notify his supervisor for 20 minutes, and, above all, refusing to provide first aid.

These actions did not take place in a vacuum. The police are sent into the city's housing projects to carry out "broken windows" policing, initiated under the current police commissioner, William Bratton, during his first stint on the job more than 20 years ago. The cops function as a virtual occupation force, making threats and arrests for such charges as loitering and trespass, even in one's own building, and minor drug charges that would barely raise an eyebrow in wealthier parts of the city.

The trial in the Akai Gurley case has been delayed for nearly a year, likely to allow anger to cool. His killing came within weeks of the exoneration of the police in the murder of Michael Brown in Ferguson, Missouri, and the chokehold death of Eric Garner in Staten Island that past summer. Only two days later, 12-year-old Tamir Rice was shot and killed by a Cleveland cop. The killing of Akai Gurley, unlike these cases, was accidental, but it was an "accident" that reflects the police-state atmosphere in working class and poorer sections of the city.



To contact the WSWWS and the
Socialist Equality Party visit:

wsws.org/contact