

# Two US prosecutors who covered up police killings lose primary elections

David Brown  
18 March 2016

Last Tuesday, the state's attorneys in Cleveland and Chicago lost primary races to secure the Democratic Party's nomination. The two prosecutors, Timothy McGinty of Cuyahoga County, Ohio and Anita Alvarez of Cook County, Illinois, had protected police from criminal charges in high profile killings. Both defeats were the result of widespread anger over police brutality.

In Cleveland, McGinty was responsible for the decision not to prosecute Officer Timothy Loehmann for killing 12-year-old Tamir Rice in November 2014. Video in that case showed the policeman shooting the child within seconds of getting out of his vehicle. McGinty solicited reports from "independent investigators" chosen for their sympathy to law enforcement who declared that shooting this child was "objectively reasonable."

A year after the killing, the grand jury led by McGinty exonerated Loehmann, with McGinty declaring: "The Supreme Court prohibits second-guessing police tactics with 20/20 hindsight, and the law gives the benefit of the doubt to the officers, who must make split-second decisions when they reasonably believe their lives or those of innocent bystanders are in danger."

McGinty lost the primary to Michael O'Malley who received 56 percent of the vote. Since there is no other general-election candidate for the office in heavily Democratic Cuyahoga County, O'Malley has in effect won the position.

In Chicago, Alvarez was complicit in the attempted cover-up of the killing of 17-year-old Laquan McDonald in October 2014. The administration of Chicago Mayor Rahm Emanuel sought to prevent video of the shooting from being released to the public and authorized a \$5 million wrongful death settlement with

McDonald's family on the condition that the video not be publicized.

Alvarez had delayed any charges against Officer Jason Van Dyke, who shot McDonald 16 times, including as he lay bleeding on the ground, until a judge ordered the release of the dashcam footage which showed the officer's claims of self-defense were a complete fabrication. Alvarez filed the charges against Van Dyke the day that video of the killing was released in order to stem the protests that erupted after the official cover story collapsed.

Alvarez lost to Kim Foxx, a former prosecutor in her office, by 36 percentage points. Foxx will compete with a token Republican candidate in November.

Despite the popular hostility to incumbents who shielded killer cops, the channeling of this thoroughly justified anger through the Democratic Party insures that the replacement prosecutors have been carefully vetted and are just as much part of the anti-working class "criminal justice" system as those voted out.

Both O'Malley and Foxx have had thoroughly conventional careers, with many years in and around law enforcement, and they received endorsements from the same figures that originally promoted Alvarez and McGinty. Their role is to use talk of reform to divert and disperse the popular anger over the well-publicized police killings so that police brutality and corruption can continue largely undisturbed.

O'Malley is a former Cleveland City Councilman with a background as a bailiff and probation officer. For eight years he has been working as an assistant prosecutor under McGinty and McGinty's predecessor Bill Mason. As part of his campaign, O'Malley received endorsements from the mayors, state representatives, city councilors and other Democratic establishment figures.

In Chicago, Foxx is the former aide of Cook County Board President Toni Preckwinkle and ran with her endorsement. Despite the widespread protests demanding Emanuel's resignation that had surrounded the McDonald killing, the day after Foxx's victory, Preckwinkle told the *Chicago Sun-Times*: "I don't think it's a message for the mayor. The message is simply that the people of Cook County believe it's time for a transformative change in the states attorney's office."

For her own part, Foxx made no direct mention of the McDonald case during her victory speech, only saying that her victory was about "turning the page." Her campaign received large donations from major Democratic donors. Fred Eychaner, who gave more than \$14 million to Democratic super PACs in the 2012 election, donated \$600,000 to the Foxx campaign. Preckwinkle's campaign provided another \$300,000, and Service Employees International Union affiliates added more than \$200,000.

Although Foxx criticized Alvarez for her handling of the McDonald case, Foxx has raised no criticisms of police brutality in general despite the Chicago Police Department's long history of violence and torture.

Police killings in the United States continue at a steady rate of nearly three a day with at least 223 victims so far this year. Far from being anomalies, the killings of Rice and McDonald express the fact that under conditions of ever-greater social inequality, the financial elite responds to mounting opposition and unrest by systematically building up its police force and arming it to the teeth.

Under the Obama administration, with the support of both Democrats and Republicans, the police have been armed with military surplus equipment and increasingly trained as an occupying force to suppress dissent in cities like Ferguson and Baltimore. Democrats like Foxx and O'Malley do not represent an alternative to this program, just a desire from some Democrats to be more sophisticated in the justification and defense of police brutality.



To contact the WSWS and the  
Socialist Equality Party visit:

**[wsws.org/contact](http://wsws.org/contact)**