

# New York cop convicted of killing Akai Gurley receives no prison time

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Peter Liang, the former New York City police officer convicted in the November 2014 shooting death of Akai Gurley, will serve no prison time. On Tuesday, the judge, state Supreme Court Justice Danny Chun, reduced the original manslaughter conviction to criminally negligent homicide. He sentenced Liang to five years of probation and 800 hours of community service.

Gurley, a 28-year-old black man, was struck by a bullet fired accidentally by Liang in the darkened stairwell of a New York City Housing Authority (NYCHA) building in Brooklyn, as Liang and his partner were conducting what the New York Police Department (NYPD) calls a “vertical patrol.” Liang, a rookie cop, with gun drawn for no apparent reason, reportedly fired his weapon when he was startled by a noise. The bullet ricocheted off of the stairwell wall and hit Gurley in the chest.

Gurley and his girlfriend had decided to take the stairs because the building’s elevator was broken, a not infrequent occurrence in poorly maintained NYCHA housing. After the shooting, instead of immediately calling for medical assistance, the two officers debated what to do, finally deciding to call their union representative, while Gurley lay bleeding to death. All parties agree that Gurley was not engaged in any unlawful activity.

Despite having his gun drawn without any imminent danger and failing to provide assistance after the shooting, the judge ruled that the prosecutors failed to prove that Liang “consciously disregarded” the risk of causing another person’s death.

Akai Gurley’s family bitterly denounced the extremely lenient sentence. Liang could have received a prison term of up to 15 years under the original manslaughter conviction. Instead, the prosecutor,

Brooklyn District Attorney Ken Thompson, the borough’s first African-American prosecutor, had recommended no prison time. The judge not only agreed, but reduced the nature of the conviction as well. Both sides have announced the intention to appeal, but it is unlikely that there will be any significant changes to the outcome.

The shooting of Akai Gurley and the extremely light sentence imposed on Liang reveal much about the role of the police in capitalist society, especially as the economic crisis drives inequality and the resulting class conflict to ever higher levels.

Liang’s defense has called Gurley’s death an unfortunate accident. It may well be asked, however, “How many working class defendants are given long prison sentences for ‘accidents’ of a much less serious nature, or even for nothing at all?” Liang’s light sentence is a glaring example of unequal class justice.

While the officer did not intend to shoot Akai, the entire context of his killing is the product of the role of the police as part of the “body of armed men” created and deployed by the ruling class to impose control, by violence and brutality if necessary, on the working class. The virtual military-style occupation of New York’s public housing complexes by the police, including the “vertical patrols” within the buildings, is one especially clear example of this policy.

Police in New York City and around the country view the working class neighborhoods they patrol as “enemy territory,” as was expressed overtly in Ferguson, Missouri, during the military-style actions against protests following the killing of Michael Brown, and numerous other such incidents. In New York, the NYPD’s longstanding policies of “stop and frisk” and “broken windows,” originally instituted by the current police commissioner, William Bratton, are consciously

designed to intimidate the working class population and instill a climate of fear.

The choking death of Eric Garner and the totally unjustifiable shooting of 12-year-old Tamir Rice are indicative of the mentality that is endemic in police departments throughout the US. This is not a question of “bad apples” or a lack of proper training, but rather an expression of class antagonism that is instilled in an occupying force.

Peter Liang was a rookie, a new and inexperienced cop. While the shooting itself was not intentional, the fact that he was patrolling with gun drawn when there was no immediate threat, compounded by Liang’s subsequent failure to act on Gurley’s condition, the consequence of Liang’s actions, illustrate dramatically that the “us against them” mentality was already well established in his mind.

The arrogance of police toward the working class population is promoted and encouraged by the virtual impunity with which they operate. A *Washington Post* report indicates that nearly a thousand people were fatally shot by police last year. Yet, the indictment of a police officer for killing a civilian is extremely rare, and conviction is nearly unheard of. The last conviction in New York City was in 2005. Another study revealed that New York police routinely violate the Fourth Amendment’s prohibition against warrantless searches. As an officer told the victim of one such search, “I can do anything I want.”

The choice to indict and ultimately convict Liang stands in stark contrast to the treatment of the vast majority of other police killings of civilians, such as Daniel Pantaleo, the officer who choked Eric Garner to death. Pantaleo was not indicted despite clear video evidence of his actions and the fact that he had a previous history of complaints lodged against him for various instances of improper conduct.

Much has been made about the “difficulty” of this case, given that Liang, an Asian-American, shot Gurley, who was African-American. The fact that Liang is not white has been used to argue that this incident should not be grouped with the mass of police shootings in which white officers disproportionately target blacks. The injection of identity politics seeks to obscure the fundamental class nature of police violence. Working class whites, as the majority in the US population, also comprise the majority of victims of

police violence. And black officers brutalize and kill black victims, as, for example in a recent case in Texas.

Democrat Bill de Blasio, New York’s “progressive” mayor, was elected three years ago pledging to fight inequality. However, while the condition of the working class continues to deteriorate (e.g., critical lack of affordable housing and record high homelessness), the mayor and his police commissioner, William Bratton, have continued to implement and expand “aggressive” police policies designed to defend the wealth and privileges of the city’s ruling elite. De Blasio has supported police actions against anti-police-violence protesters.

The Liang case is but one more confirmation that there are two sets of laws—one for the working class and another for the ruling class and the police that protect it.



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