

Video raises questions in 2012 New York police killing of Ramarley Graham

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A private surveillance video obtained by the New York *Daily News* last week shows the scene outside of the Bronx apartment after a New York City Police officer fatally shot 18-year-old Ramarley Graham on February 2, 2012.

The video shows a paramedic covering Graham's face, indicating that t\he was dead, and then uncovering it. Graham's death certificate notes he was shot at 3:01 PM but died at 3:53 PM at the Montefiore Hospital.

The new video not only indicates that Graham was dead when his body was removed from the apartment, but that paramedics were instructed to make it look as though he was alive.

If Graham was already dead when he was strapped to the gurney, then the immediate removal of his body meant that a crime scene was being disturbed and that critical forensic evidence in the killing of the young man may have been lost.

Graham was killed after an NYPD narcotics squad had staked out a corner store in Graham's neighborhood where they believed drug sales were occurring. Police followed the youth from the street to an apartment rented by Graham's grandmother.

Private video surveillance footage from a nearby building released shortly after the killing shows New York Police Department (NYPD) officers attempting to kick down the front door. The cops have their guns drawn.

When they could not get into the building, the police went around to the back, kicked down a door and entered the apartment without a warrant. Richard Haste, a member of the narcotics unit, shot Graham once in the chest in Graham's bathroom. Graham was unarmed.

A small amount of marijuana was found in the toilet. Graham's grandmother was present the time and video

footage shows the police putting Graham's six-year old brother outside in the cold without a jacket.

Haste alleged that he had seen Graham make a motion that led him to believe he was reaching for a weapon.

Graham's grandmother has insisted that the cops did not announce their presence when they entered the apartment and that Haste did not warn her grandson before he shot him.

An attorney representing Graham's mother has told the media the presence of a large number of police at the apartment made it unlikely that Graham would escape and that they could have waited to obtain a warrant.

Constance Malcolm, Graham's mother, said of the new video: "We know for a fact he died in the house. Why did they throw a sheet over him, and then peel it back? Because there were a lot of people watching, and they wanted to make it seem like he was still alive. They disturbed the crime scene. It was important to know how the body was positioned, and they could have lost other evidence that was needed.

"The video only raises more questions," Malcolm said. "This was an unlawful entry, and there was a lot of misconduct. We don't even know what happened to the other officers who were there."

The family has repeatedly asked the administration of "progressive" Democratic Mayor Bill de Blasio for information about the killing, including the names of the officers who were present outside of the building but without success.

In May 2013, a judge dismissed manslaughter charges against Haste when he ruled that a grand jury had not heard evidence, later made public, of a police radio call that indicated Graham may have been armed. Another grand jury later declined to indict Haste. In

March last year Manhattan US Attorney Preet Bharara announce that there was “insufficient evidence” for a federal indictment of Haste.

Haste has been on modified duty for five years. The NYPD announced in last month that he will face a departmental trial, but has set no date. A decision will be rendered by the NYPD’s new Commissioner, James O’Neill.

Graham’s mother said in a statement, "I’m tired of Mayor de Blasio and others playing politics with the NYPD’s killing of my son. Haste should face a trial on a number of charges and be fired for all of his misconduct, but the NYPD has given no date for the trial, timeline or even list of charges that he’s facing.”

The outcome of the departmental trial, however, may never be known to the public. In August, the NYPD declared that it was going to stop making public “personal orders” about police officers. Some observers believe that that the NYPD is seeking to restrict information about police violence after it was revealed in the media that Daniel Pantaleo, who strangled to death Eric Garner in Staten Island in July 2015, had earlier been found guilty by an internal NYPD investigation of making an “unauthorized frisk without legal authority” in 2014.

In response to the new video, and likely because they anticipate further restrictions of access to police files, the Graham family has taken out a wide-ranging Freedom of Information Law request that seeks information on a dozen NYPD cops who were present during and in the aftermath of the killing of Graham. They are also seeking records of complaints that initiated surveillance by the NYPD narcotics unit at the corner store where Graham was initially observed, roll calls of officers on duty at the 47th precinct, and recordings of communications between cops about Graham as well as activity logs and firearm discharge reports.



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