

# Ohio judge declares mistrial in the murder of Sam DuBose

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An Ohio judge declared a mistrial Saturday after jurors failed to reach a verdict in the trial of a white former police officer charged with the murder of an unarmed black motorist during a traffic stop. A hearing will be held November 28 to determine if the charges will be dropped or a new trial held.

Following the announcement about 1,000 protesters marched through downtown Cincinnati chanting “black lives matter” and “Sam’s life matters.” Demonstrators were joined by others protesting the election of Trump.

43-year-old Sam DuBose died after he was shot in the head at point blank range on July 19, 2015, just moments after he was pulled over by University of Cincinnati police officer Ray Tensing for missing a front license plate.

Tensing followed the standard line of defense given by police in such murders, that he “feared for his life.”

Video footage of the incident directly contradicted Tensing’s claim that he was being dragged down the road by the car. A report released by Kroll Inc., a risk management firm hired by the university to examine the video, said that the car was not moving or had barely moved when the shot was fired.

“It is difficult to determine with precision how much, if at all, the car moved [prior to the gunshot], but whatever movement may have occurred appears to have been minimal,” the report stated.

The video shows that DuBose stopped when he was pulled over by Tensing, and remained calm in his car. DuBose told Tensing that he had a license but did not have it with him. When Tensing ordered DuBose to get out of the car, DuBose started his car, attempting to drive off. Tensing is seen reaching into the car with his left hand while pulling his gun with his right. Before the car moves, DuBose is shot and killed and Tensing falls to the ground. The car rolls on until running into a

telephone pole.

Two other UCPD officers, Phillip Kidd and David Lindenschmidt, who arrived at the scene moments after the shooting, supported Tensing. Kidd is heard saying that Tensing was dragged by the car and Lindenschmidt picked up Tensing’s fallen flashlight and moved his car. Kidd did not repeat the claim in his statement to Cincinnati police; however, neither officer was charged with obstruction.

During the trial it was revealed that 8 of every 10 drivers Tensing pulled over were African-American, that he made more traffic stops and issued more citations than any other UC officer, and that he was wearing a T-shirt with a Confederate flag on it under his uniform the day of the shooting.

Police stopping cars for minor defects is a common practice used by police departments throughout the country to harass minority and working class motorists. Under a 2009 agreement, University of Cincinnati police are permitted to patrol neighborhoods around the campus.

The university has fired Tensing and settled a lawsuit, paying over \$4 million to the family and agreeing to provide DuBose’s children with free undergraduate education. The union representing the police filed a grievance seeking his reinstatement. The grievance has been put on hold pending the outcome of the trial.

In South Carolina, the trial of white ex-patrolman Michael Slager continues. Slager is charged with murder of Walter Scott on April 4, 2015. Scott, a 50-year-old black man, was shot in the back and killed as he fled from Slager after being tased. Slager also told officials that he feared for his life and that Scott had taken his taser.

A video taken by a witness shows Slager firing eight shots at Scott from a distance of 15 to 20 feet as Scott

attempted to get away. Five of the shots hit him, three in the back, one in the ear and the other in the buttocks. The video shows the officer placing his taser on the ground next to the fallen man, and that he and his partner never attempted to provide any first aid.

Sam Dubose's murder comes amidst continued police violence directed against the working class and the poor. There are no official logs of police killings in the United States. In 2015 the *Washington Post* recorded 991 police shootings, with 832 so far this year.

The website Killed by Police, which looks at all police killings, not just shootings, lists 1,208 people who were killed by police in 2015 and 1,008 so far this year. While the number of whites killed is higher, the number of blacks and other minority victims is disproportionately greater. Most importantly, almost all are working class and poor.

In Ohio, there were 38 killings in 2015 and 26 so far this year. Several police killings in Ohio over the past several years have made national news. Twelve-year-old Tamir Rice was shot on November 22, 2014 while he played in a playground with a toy gun. He died the next day. John Crawford was shot and killed by police on August 5, 2014 while he was shopping in a Walmart store with his girlfriend. Crawford had picked up a BB rifle while shopping and was holding it when he was killed. In neither case were police officers charged with the killings.

In almost all of these killings the officers involved claim that they feared for their safety. In only a handful of cases have charges even been filed, and most of the cops have been acquitted. In both the Tamir Rice and John Crawford shootings, charges were never even filed.



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