Notes on police violence

Video shows Sacramento police beating man for allegedly “jaywalking”

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A video showing a Sacramento police officer beating a man for allegedly illegally crossing the street, or “jaywalking,” was recorded by a witness on her cellphone earlier this week. The video has since gone viral on social media and has prompted a criminal investigation from the Sacramento Police Department.

In the video, an as yet unidentified officer is seen violently assaulting Nandi Cain Jr., grabbing him by the neck, then throwing him to the pavement and punching him in the face repeatedly. Another police car pulls up to assist the officer and put handcuffs on Cain. At no point does Cain resist arrest.

As more officers arrive to subdue Cain he yells, “You’re going to hear from my lawyer.” As they begin picking him from the ground Cain can be heard saying, “I am tired, leave me alone. Are you going to buy me more housing? Are you going to get me a better job? No, you are not.”

According to Cain, he had just gotten off work and was having a rough week. Cain said his girlfriend had kicked him out of their home. “I thought I was going to be the next Trayvon Martin,” he told local news station Fox40.

Cain said he was nervous the entire time because when the officer approached him he had his hand on his gun, which was confirmed by the police dashcam video . Cain was told by the officer to take his hand out of his pockets at which point police say that Cain took off his jacket to challenge the officer to a fight. However, Cain maintains that he only did so to prove he was not carrying a weapon.

He told Fox40, “When he started pushing up on me like that, I’m like, ‘I’m not going to give this man any reason to kill me, to gun me down,’” adding, “I could’ve tried to fight back but that’s when guns would’ve been pulled out and I would’ve gotten shot. I would’ve been dead."

Cain thanked his neighbor, Naomi Montaie, for recording the video, otherwise his fate at the hands of the police may have been worse.

After the video had already gone viral, the Sacramento Police Department was forced to release a statement Tuesday morning which called the officer’s conduct “unacceptable.” Police released the dashcam video later that day in an effort at damage control.

Cain was later released from custody after police dropped any pending charges against him saying there were “insufficient grounds for making a criminal complaint against the pedestrian.”

Local media outlets like the *Sacramento Bee* attempted to vilify Cain bringing up a prior Fresno County warrant he had for resisting arrest. The report did not explain how the officer who is seen in the video beating Cain could have possible been aware of this nor does Cain’s prior warrant justify the officer’s actions after the fact.

While the officer has not been identified, he has been on the Sacramento police force for two years and has reportedly been put on paid “administrative leave.” Once a “criminal investigation” into the officer’s actions has been completed, detectives will submit all evidence to the Sacramento County District Attorney, who will determine what, if any, charges will be filed.

North Miami police officer charged in shooting autistic man’s caregiver

A North Miami police officer has been criminally charged in the shooting of an unarmed caretaker of an autistic man last summer. Officer Jonathan Aledda was

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arrested and charged on Wednesday with a felony count of attempted manslaughter and a misdemeanor charge of culpable negligence.

The arrest stems from a July 2016 confrontation in which Aledda shot and wounded Charles Kinsey, a behavioral therapist who was lying on his back with hands up in the air and begging officers not to shoot. The incident was partially captured on video and went viral on social media.

The man in the video sitting cross-legged next to Kinsey has been identified as Arnaldo Rios, a 27-year-old autistic man who was nonverbal. Rios had apparently wandered away from the behavioral center, a common occurrence, and had a silver toy truck with him. A neighbor called 911 saying they saw a man with what looked like a gun, pointing it at his head.

Miami-Dade State Attorney Katherine Fernandez Rundle's office determined that Aledda was more than 150 feet away from Kinsey when he shot him with a rifle, while other officers with rifles were only 20 feet away and did not feel threatened. Aledda, a former SWAT officer, fired three shots from his M4 assault rifle without a scope, hitting Kinsey in the thigh.

According to a press release, Aledda "was not in a position to correctly assess the situation or in a position to accurately fire."

Despite this, the police union, the Miami-Dade Police Benevolent Association, defended Aledda's actions, saying that the officer feared for his life. Aledda remains suspended with pay and is expected to post bail.

Meanwhile, Arnoldo Rios's attorney Matthew Dietz told the *Miami Herald* that his client remains traumatized by the shooting, saying, "To this day, he suffers from night terrors and wakes up and screams 'Police! Police!' and screams about blood."

Aledda is the first officer to be charged for an on-duty shooting by the Miami-Dade County state attorney's office since 1993, according to *The Miami Herald*. Police officers in Florida are given wide latitude to shoot people, even fleeing felons.

Up until the current case state attorney Fernandez-Rundle had not charged any police officers in her entire tenure and has received complaints that her office delayed investigations into police shootings, dragging them on for years.

The last time a police officer was convicted for a shooting in Miami-Dade County was in 1989 when a jury convicted Officer William Lozano of manslaughter for shooting dead an unarmed man on a motorcycle. The conviction was later overturned, with a second jury acquitting him.

In 1993 a Palm Beach, Florida deputy who shot at a fleeing man was charged but also acquitted. No other police officer had been arrested for an off-duty shooting after that until December 2015, when Broward Deputy Peter Peraza was arrested for killing a man who was walking down the street with a BB-gun. A judge later dismissed the case after finding Peraza acted in "self-defense."

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