

New York City cop acquitted of the murder of Deborah Danner

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17 February 2018

On Thursday, New York Police Department police sergeant, Hugh Barry, was acquitted of charge of murder in the 2016 shooting of a 66-year-old mentally ill woman, Deborah Danner. Barry, a nine-year veteran of the force, was also absolved by a judge of manslaughter and criminally negligent homicide charges.

Barry had previously been named in two lawsuits alleging brutal police beatings of African American and Latino men. In 2010, 25-year-old Gregory Peters pressed charges after he was kicked, sprayed with pepper spray, and punched in the face by Barry and other officers in Times Square. Barry was also charged along with 20 other officers in the beating of three men outside a night club in 2014. In both cases, all charges against the cops were dismissed. The former suit was quickly settled by the city for \$25,000 and the latter was settled with no compensation for the plaintiff.

After the killing of Deborah Danner on October 18, 2016, Barry was stripped of his badge and placed on modified duty. Barry chose to be tried by a judge rather than a jury, and Justice Robert A. Neary of New York State Supreme Court decided his case. In his ruling, Neary explained that “the prosecution’s evidence failed to meet the burden of proof.” In other words, the judge sided with the defense’s claim that one elderly woman with a baseball bat was a deadly threat to five police officers.

Barry was the first NYPD officer to face homicide charges for an on-duty killing in over 17 years. In 1999, four cops shot an unarmed Guinean immigrant, Amadou Diallo, mistaken for a rape suspect, 41 times in the lobby of his own apartment building as he reached for his wallet to show them his ID. The four officers were acquitted in February 2000.

The police were called to Danner’s apartment

building in the Castle Hill section of the Bronx because, Danner, a paranoid schizophrenic, was displaying loud and erratic behavior, screaming and ripping posters from the hallway walls. The police had been called three times for the same behavior in the previous two years. In each of these previous incidents, officers were able to calm Danner without violence.

This time, when Barry and five other officers entered Danner’s bedroom she was armed with a pair of scissors. Allegedly, Barry was able to convince Danner to put the scissors down, after which she picked up a baseball bat and stood on her bed ready to swing. Barry, who was also armed with a Taser, shot Danner twice in the chest. Another officer with a clear view of the incident, Camilo Rosario, said Barry shot before Danner swung the bat.

The incident provoked widespread outrage. That night, a throng of people blocked traffic as they marched to the 43rd Precinct in protest. To quell social anger, New York City’s Democratic Mayor Bill de Blasio and Police Commissioner James O’Neill rushed to condemn the killing, claiming the officers did not follow protocol in dealing with an emotionally disturbed person.

Family and friends have described Danner as a bright and caring woman as well as an active member of the Fountain House community, a mental health facility in the Bronx where she taught acting classes, took art classes and wrote poetry.

Danner, like many who struggle with severe mental illness, managed her disease responsibly, yet was frequently overpowered by her symptoms. In the months leading up to her death, she visited the Fountain House community less often, and some of her friends worried she was not taking her medication.

In 2012, she wrote about her experience with

schizophrenia in a six-page essay written to an attorney for the state's Mental Hygiene Legal Service who was representing her in a case involving legal guardianship. She wrote, "We are all aware of the all too frequent news stories about the mentally ill who come up against law enforcement instead of mental health professionals and end up dead." After her death, the letter was made public online, held as an example not only of Danner's pain, but also of her acute awareness of the epidemic of police violence.

In an almost identical case from 1984, 66-year-old Eleanor Bumpurs was shot twice with a shotgun in her Bronx apartment. Bumpurs was four months behind on her rent, and the cops were called after she reportedly resisted eviction. Officers, charged with manslaughter, claimed self-defense—she was allegedly waving a knife—and were acquitted in 1987.

Danner's murder has hardly been the only egregious case of police murder in the Bronx recently. Officers broke into an apartment at 4 a.m. on December 5 and shot a retired worker, Mario Sanabria, age 69, in front of his elderly brother-in-law. While there is little credible evidence, officers claim Sanabria brandished a machete.

The cops were members of the Emergency Service Unit of the NYPD. They had arrived in full tactical gear to execute a search warrant as part of an investigation related to narcotics and firearms. Without announcing themselves, they broke down the front door and searched every room of the apartment before shooting Sanabria. They had been looking not for Sanabria, but for his nephew, and found neither weapons nor drugs.

Danner and Sanabria's deaths both recall that of 18-year-old Bronx resident Ramarley Graham in 2012. Claiming that he believed that Graham had a gun, NYPD officer Richard Haste chased him from a bodega to his apartment, forcibly entered and shot Graham in front of his grandmother and six-year-old brother. No gun was found at the scene.

The police killings in the Bronx are part of the relentless attack on the rights of the working class, especially its poorest layers. Officers are regularly cleared of their crimes by the courts, the city government and the police department itself. In recent years, no New York City cop has done jail time for the killings of unarmed workers and youth such as Ramarley Graham, Eric Garner and Akai Gurley.

The Bronx is the poorest of New York City's five boroughs and the poorest urban county in the United States, with 52.6 percent of its neighborhoods experiencing high or extreme poverty. The conditions in these high poverty neighborhoods are appalling and can be deadly. On December 28, a fire that erupted in a Bronx building with several building safety violations took 12 lives and left four others critically injured.

The prevalence of police shootings under these conditions of worsening social crisis is no coincidence. The principal task of the NYPD is to police the widening chasm between the city's ultra-rich, including its 82 billionaires, and upper middle class on the one hand, and the city's working class on the other.



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