

# Anger mounts over police killing of unarmed man in Barstow, California

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The fatal shooting of 26-year-old Diante Yarber by police in Barstow, California on April 5 has sparked widespread outrage as video and witnesses have raised doubts over the police account of the killing.

On April 5, Yarber and three passengers drove into a Walmart parking lot when Barstow Police officers, who were supposedly responding to a report of a suspicious vehicle, attempted to stop Yarber's car around 11:00 a.m. local time. Police demanded that Yarber, an African-American father of three known as "Butchie" by family and friends, exit the vehicle.

According to statements released by the Barstow Police Department and the San Bernardino Sheriff's Department, Yarber then reversed the car and struck a police vehicle, then accelerated forward toward officers and struck another police car. At that point, the statements say officers opened fire.

The ensuing torrent of 30 bullets killed Yarber and seriously injured a female passenger, who was airlifted to a trauma center with bullet wounds in the abdomen and leg. She is now in stable condition. No weapons were found in a subsequent search of the vehicle.

One of the male passengers in the back seat of the car also sustained a minor injury exiting the car and was taken to a nearby hospital. Yarber's cousin, who was uninjured, was apprehended by police for questioning and remained in custody until 11:00 p.m. that night.

The Barstow Police Department claims that officers believed the driver of the car was wanted for questioning in connection with an unrelated vehicle theft, though it has not provided any further detail to substantiate that assertion.

Police have refused to say whether the officers knew the identity of the driver or whether Yarber was the one they wanted for questioning. The Mustang he was driving was a family car, not the vehicle whose theft

police were investigating. Moreover, police could not have identified Yarber as the driver before they unleashed the hail of gunfire that killed him, so it is unclear on what basis they supposedly believed the driver to be a criminal suspect.

Cellphone video of the tail-end of the incident does not support the police account. The video shows a black Mustang beginning to slowly move backward when two gunshots can be heard, at which point it appears the Mustang swipes a police car as numerous more shots are fired.

"I don't believe I have seen a more brutal shooting. They just began pouring bullets into the car in broad daylight. The car was barely rolling backward. You can walk faster than that," S. Lee Merritt, an attorney representing Yarber's family told local media.

Police claim that the video only shows what took place after the vehicle had already struck the police car but have not released any video to back up their account.

Barstow police officers have worn body cameras since 2014, but the police department has refused to say whether the incident was captured on bodycam video, apparently deciding that the outrage that would follow the video's release far outweighs the criticism it has received for failing to do so. This fear is certainly not unfounded given the widespread anger sparked by the release of bodycam video of Stephon Clark's murder at the hands of police in Sacramento last month.

On April 10, about 100 people gathered to protest Yarber's killing and demand answers as to why he was shot. The crowd, led by Yarber's family, gathered in the local Food 4 Less parking lot and marched to City Hall, which houses both the mayor's office and the police headquarters. Demonstrators wore t-shirts with Yarber's face and carried signs that read "Justice for

Butchie,” chanting “No justice, no peace!” Yarber’s family has since filed a lawsuit against the city alleging that the shooting was unjustified and excessive.

Dale Galipo, an attorney for the female passenger who was shot, told the *Los Angeles Times*, “The shooting was unjustified, and the police version of events contradicts information in the video and given by eyewitnesses.”

Galipo went on to note that if officers were indeed in the path of the vehicle, police policies and training would prohibit the officers from firing on a moving vehicle: “You don’t shoot the driver because killing him sends the vehicle out of control... You have passengers you can hit.”

Two officers involved in the shooting have been placed on administrative leave as the San Bernardino Sheriff’s Department investigates the shooting. Based on the Sheriff’s findings, the county prosecutor’s office will decide whether to bring charges.

Given the statement released by the Sheriff’s Department after the shooting, in which it regurgitated in full the account of the Barstow Police, there is little doubt that the investigation will result in a whitewash, as is the case in most police killings across the United States.

Yarber is yet another victim of the police rampage sweeping the country as ever-greater numbers of working-class men and women are gunned down with impunity. According to the *Washington Post*, police have killed almost 10 percent more people so far this year as compared to the same time in 2017. If the trend continues, about 100 more people will die at the hands of police this year, while the overwhelming majority of police will never face criminal charges for these killings.



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