

Former Dallas police officer found guilty in off-duty shooting of neighbor

Aaron Murch
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On Tuesday morning a Dallas jury found former police officer Amber Guyger guilty of murder for killing her unarmed neighbor Botham Jean in his apartment in September of last year.

After coming off duty on the night of September 6, 2018, Guyger entered Jean's apartment thinking it was her own, and fired two shots at the 26-year-old accountant, who was sitting on his couch eating ice cream, hitting him directly in the chest. The door to the apartment was unlatched, allowing Guyger to enter without turning her key in the lock. She opened fire almost immediately after walking in, giving Jean just enough time to scream out in surprise as someone armed with a gun walked into his apartment.

Guyger claimed she feared for her life, as she believed the 26-year-old accountant to be a burglar and that she was in her own apartment, since the floor plan was identical to her own apartment located just one floor directly below Jean's.

The jury was not convinced and found her guilty of murder rather than the less serious charge of manslaughter. The conviction marks the first time a Dallas police officer has been found guilty of murder in more than four decades. That conviction came in 1973 after an officer shot and killed a 12-year-old Hispanic boy in the backseat of his squad car while seeking to extract a confession to a burglary.

The sentencing phase of the trial will begin soon, with Guyger facing 99 years to life in prison.

Her defense team claimed she was justified in using deadly force because Botham showed a grave threat. Guyger, who was still in uniform despite being off duty, claimed she ordered Botham to put his hands up but when he came toward her she fired twice, hitting him in the chest. Neighbors dispute that she ever gave any commands, as the shots were fired mere seconds

after entering her downstairs neighbor's home.

Guyger also testified that when she found the door unlocked, she believed someone had broken in and was still inside waiting for her. The prosecution argued that because she did not immediately call backup and step away from the door upon discovering an "intruder," she ignored obvious signs of a mistake and in doing so became the aggressor.

"I was scared he was going to kill me," Guyger told the jury when she took the stand to testify on her own behalf. Witnesses contradicted her claims that she made verbal commands, and the medical examiner testified that Botham was struck in the chest from an upward position, as if he was getting up or even "in a cowering position" when he was shot, not moving toward Guyger as she claims.

The jury reportedly asked for clarification regarding the so-called castle doctrine which has been used in the past to justify controversial shootings, including the so called "stand your ground" law used to justify the 2012 shooting of Trayvon Martin by vigilante George Zimmerman.

The prosecution called this defense "absurd" as Guyger was not in her own home but in fact entering someone else's home. "Botham Jean was never a threat to Amber Guyger, never," prosecutor Jason Hermus told jurors during closing arguments on Monday. "Justice needs to happen in this courtroom today."

The jury was not moved by Guyger's claim that it was an honest mistake, as there were several signs, including a unique doormat outside the apartment, that would indicate she had the wrong house. Whatever motivations drove Guyger to shoot, it was clear she was never in danger and had every opportunity to realize her mistake and leave Jean alone.

The shooting and its aftermath immediately caused

outrage, with many claiming that race played a major factor in Guyger not immediately being arrested at the scene. She is white and Jean was black. Weeks of protests were organized by Jean's family and other activists outside the Police Headquarters and City Hall, leading to many arrests.

While Guyger was initially placed on administrative leave with pay, typical of the whitewashes which follow most police shootings, she was fired less than three weeks later and indicted on murder charges by the end of November. It only took the jury five hours to reach its conclusion that Guyger was guilty of murder.

When the verdict was announced there was cheering in the courtroom, as Botham's mother Allison Jean lifted up her hands in joy. Lawyers representing Jean's family raised the names of other unarmed black people murdered by police in recent years claiming the verdict as a victory for black civil rights and justice movements. Attorney Benjamin Crump said, "For so many unarmed black and brown human beings across America, this verdict today is for them."

While racism was not mentioned explicitly during the trial and Guyger repeatedly claimed the shooting was caused by fear and not hate, the case was seized upon early on by Black Lives Matter and others in an attempt to shift the focus to race and away from the class reality and class function of the police under capitalism. The job of these armed bodies of men and women is to defend the ruling elite, and they operate with virtual impunity, brutalizing and killing for that purpose.

Since the murder of Michael Brown in Ferguson, Missouri, five years ago sparked popular protests against police violence, more than 5,000 people have been killed by the police across the United States, an average of three every day. While African-Americans are still disproportionately victims of police violence, the largest number of those killed are white. What the victims share in common is that they are overwhelmingly working class and among the most vulnerable members of society.

Despite the astounding number of killings and popular opposition, convictions as in the case of Guyger are exceptionally rare. Most killer cops are never charged, and so few are convicted as to be statistical anomalies. An analysis by NBC News found that since 2005 just 35 officers have been convicted in connection with an on-duty killing, often on the lesser

charge of manslaughter. This is a conviction rate of just 0.25 percent out of approximately 14,000 killings in that time period.



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