

## Notes on police violence

# No charges against US Park Police in 2017 shooting death of Bijan Ghaisar

Harvey Simpkins  
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Nearly two years ago, on November 17, 2017, US Park Police in Alexandria, Virginia, just outside Washington, D.C., gunned down unarmed 25-year old Bijan Ghaisar in his vehicle after he was the victim of a minor traffic incident. Ghaisar died 10 days later after suffering severe brain damage from four bullets to his head.

On Thursday, the Justice Department announced that it would not pursue charges against the two officers involved. The officers, Lucas Vinyard and Alejandro Amaya, claim they acted in self-defense. Video footage clearly shows this claim is bogus.

Ghaisar was initially hit from behind by another vehicle but with little property damage and no injuries he drove away from the accident. Approximately 10 minutes after driving away, video recorded by a Fairfax County police officer's dashcam starts. In the video, Park Police are seen following Ghaisar's vehicle in a marked SUV, with lights and sirens on. After Ghaisar stopped his car in the right lane, the police stopped alongside him. Immediately, an officer jumped out of the passenger side of the police vehicle with a gun drawn and reached for Ghaisar's door handle.

Likely frightened by an extremely over-aggressive response, Ghaisar drove off at a normal speed. As he did so, the police officer who had leapt out of his car slammed his gun against Ghaisar's rear driver side window, in clear frustration. Both the Fairfax and Park Police vehicles then followed Ghaisar for about a minute and 35 seconds before Ghaisar made a right turn at a stop sign and then stopped his vehicle a second time. Immediately, two Park Police officers are seen with guns drawn, aimed at Ghaisar. Again, after seeing the guns drawn, Ghaisar drove off. In response, one of the Park Police officers kicked Ghaisar's rear passenger side tire.

Ghaisar drove for about another minute, again with both the Fairfax and Park Police in pursuit. As he stopped for a third time, the Park Police pulled up in front of Ghaisar, perpendicular to his vehicle. An officer immediately emerged with his gun raised at Ghaisar's passenger side window. As Ghaisar slowly began to drive off, the officer shot him four times before a second officer emerged, at which point another

shot was fired. As Ghaisar's car lurched forward, one of the officers fired off two more shots. Then, as the car slowly rolled into a stop sign, with Ghaisar obviously incapacitated and unable to control the vehicle, an officer fired off two more shots.

Park Police have never explained what led to the shooting, including why they were chasing the driver of a car who had been the victim in a minor rear-end collision, nor why the officers opened fire.

In response to the decision not to prosecute, Ghaisar's family released a statement noting that the "decision was a cowardly act by a Department of Justice that is afraid to hold law enforcement, especially federal law enforcement, accountable when it commits murder. The Department of Justice's refusal to prosecute Officers Lucas Vinyard and Alejandro Amaya for killing Bijan after a minor traffic accident is another betrayal in this nightmare that began for us almost two years ago to the day."

After noting that the Department of Justice broke a series of promises made to the family about the investigation, the family added "Let's be clear about what happened here: Two people executed an American citizen who they were sworn to protect and serve, and the only reason they're escaping justice is because they wear badges."

## **Tucson, Arizona police officer assaults teenage quadruple amputee**

In an outrageous display of police thuggery, video provided by the Pima County, Arizona public defender's office shows a burly police officer manhandling a 15-year-old quadruple amputee. The shirtless teenager, living in a group home after being abandoned by his parents, can be seen huddled on the floor after the officer wrestled him to the ground, with the officer holding him in a headlock.

The incident, which occurred on September 26, only came to light thanks to the courageous actions of another teenaged resident of the group home who videoed the officer in the face of threats. Indeed, the videographer paid for his audacity by being arrested, with the officer who manhandled the quadruple amputee shoving his head against the wall.

To add to the absurdity of the incident, the two teenagers were charged with disorderly conduct and jailed. Only the release of the video by a Tucson TV station on Thursday prompted prosecutors to drop the charges.

The Public Defender representing the two children, Joel Feinman, told the *Washington Post*, “These are kids who live in a group home because they can’t live with their parents. This is exactly the type of person that law enforcement needs to protect and defend. Instead we see them being treated like they’re animals.”

At the beginning of the video, the officer is on the ground, holding the legless and armless boy in a headlock. Unable to fight back in any way, he pleads with the officer to stop, reminiscent of the notorious police strangulation of Eric Garner. When the officer, who is at least twice as big as the boy, eventually loosens his grip, the teenager tries to break free. The officer responds by tackling him, and wrestles him to the floor, eventually pinning the boy to the ground with his forearm.

Finally, the officer releases him, but continues to badger the teen, stating “I’m telling you to stop moving, but you still move!” In response, the boy insists that there is no issue but the cop continues to get louder, tells him to “Shut the hell up,” and then bends down to yell in his face “I’ll raise my voice at you whenever the fuck I want, you understand?”

C.J., the boy who videotaped the incident, told the officer, “Hey, you asked him a question, and he answered.”

“Shut the hell up!” the cop snapped back and told him to go to his room. C.J. responded that he was eating and therefore not allowed to be in his room. The deputy aggressively moved towards him, screaming, telling him to stay out of something that doesn’t involve him. “Why don’t you go eat your cereal and shut the hell up?” he yelled again. C.J. responded by telling the officer to get out of his face.

The officer replies: “You’re going to get arrested, too” and proceeded to do just that. A third teenager began filming C.J. getting arrested. Despite the complete arbitrariness of his arrest, C.J. remained calm; without warning, however, the officer slammed his head into the wall.

To this point, the Pima County Sheriff’s office has taken no action against the officer, other than opening a whitewash internal investigation.

### **Colorado grand jury finds officers justified in shooting teenager three times in the back**

On August 3, 19-year-old De’Von Bailey was shot and killed by two Colorado Springs, Colorado, officers after he was stopped on the street, along with another man, and questioned by police about an alleged armed robbery. On Wednesday, an El Paso County grand jury ruled that the officers will not face charges.

Video from multiple police body cams shows officers arriving on the scene, stopping the two men, asking their names, telling them to “keep your hands out of your pockets”

and to hold their hands up. As another officer approaches from behind, apparently to search them for weapons, Bailey suddenly took off running. Within three seconds, officers opened fire and Bailey falls to the ground after being shot three times in the back and once in the arm.

Despite Bailey being obviously incapacitated, and uttering an incoherent low moan, the officers proceed to handcuff him while he was sprawled out face down on the pavement, blood pouring out of his midsection. The officers searched Bailey for weapons, eventually cutting his shorts to dislodge a gun.

While the officers claim Bailey was shot after he “reached for a firearm,” given how quickly they opened fire, this is highly doubtful, and the video fails to establish this. Furthermore, Bailey made no attempt to turn towards the officers and was running full speed away from them, clearly attempting to avoid arrest.

Bailey’s family had called for an investigation to be conducted by authorities from outside El Paso County, where the shooting occurred. Instead, as in most such “investigations,” it was handled by the local sheriff’s office. In rejecting calls for an outside investigation, the El Paso County District Attorney Dan May only consented to have a grand jury decide the merits, rather than immediately discarding any charges out of hand.

However, Mari Newman, an attorney for Bailey’s family, believes the prosecutor deliberately undermined the case to the grand jury. “This is the exact response we expected to see when there is a tainted investigation presented by a biased prosecutor,” she said. “We never believed for even a minute, given the way that this investigation has gone that there would be a prosecutorial finding. We knew that Dan May referred it to a grand jury in a way that it was designed to have no indictment and of course that’s what happened.”

Darold Killmern, another attorney for the family, explained that “This is the exact reason why we have called for an independent investigation and an independent prosecution from the beginning. The refusal to allow an independent investigation doomed the chances of a fair outcome from the outset.”



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