

Georgia autopsy report shows Ahmaud Arbery shot three times

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The autopsy report of Ahmaud Arbery, a 25-year-old black man who was shot and killed in Brunswick, Georgia, while jogging in February, was released Tuesday showing that he was shot three times, twice in the chest.

The report's contents match up with a video of the shooting that went viral after being posted online earlier this month, spurring the arrest of the father and son, Gregory and Travis McMichael, who were charged with felony murder and aggravated assault. Reports also emerged Tuesday that the elder McMichael, a retired investigator for the local district attorney's office, helped prosecute Arbery in the past.

The McMichaels were not arrested until May 7, two days after the video went viral and more than two months after the incident took place. Gregory McMichael, a retired police officer and investigator, told police in February that he recognized Arbery from a surveillance video that captured a recent burglary and that he had planned to make a citizen's arrest. Police allowed the McMichaels to return home after the killing without arrest or pursuing any criminal charges.

The autopsy report, released by the Georgia Bureau of Investigation (GBI), states that Arbery sustained three gunshot wounds "during a struggle for the shotgun." He was shot twice in the chest, and a third bullet grazed his right wrist. This is corroborated by the video, which shows Arbery struggling with Travis McMichael over the latter's shotgun after being approached by the two armed men in their vehicle.

Georgia Attorney General Chris Carr, who has taken charge of the investigation, announced Tuesday that he was requesting that both the GBI and the U.S. Department of Justice investigate the two district attorneys who had previously been in charge of the case, both of whom failed to arrest either of the

McMichaels and later recused themselves due to conflicts of interest. The investigation involves "possible prosecutorial misconduct."

Brunswick District Attorney Jackie Johnson was the initial prosecutor who took the Arbery case. She recused herself due to the fact that Gregory McMichael had retired in 2019 after spending 20 years as an investigator for her office. The case was then taken up by Waycross District Attorney George Barnhill, who advised police on April 2 that there was "insufficient probable cause" to arrest the McMichaels.

Barnhill wrote in a letter: "It appears their intent was to stop and hold this criminal suspect until law enforcement arrived. Under Georgia law, this is perfectly legal." He also suggested in that same letter that Arbery was responsible for the shooting since he had been pulling on the shotgun. He wrote that Travis McMichael "was allowed to use deadly force to protect himself."

A few days later, on April 7, more than a month after the killing took place, Barnhill wrote a letter to Carr stating that his own son, along with Gregory McMichael, had both been involved in an earlier prosecution of Arbery while working for the Brunswick Judicial Circuit District Attorney's Office. This letter served as notice that he would also recuse his office from the investigation, given this connection, but did not specify what the prior prosecution was or when it took place. His recusal only came after it was requested by Arbery's mother.

According to news sources, Arbery was indicted for allegedly bringing a gun to a high school basketball game in 2013, when he was 19 years old, and served five years of probation as a first offender. Arbery was also arrested in 2018 on shoplifting charges and convicted of probation violation.

This was acknowledged by the Arbery family's attorney, S. Lee Merritt, who told reporters that any reference to "alleged conduct from high school or shoplifting is absurd and has nothing to do with this murder." An attorney for Arbery's father, Benjamin Crump, told news outlets, "We've been here before, whether it's Tamir Rice or Trayvon Martin. When they kill our children, they then try to assassinate their character, and I know they're going to do that with Ahmaud Arbery."

Barnhill wrote in his April 7 letter that he knew about the earlier connection to his son and McMichael "three or four weeks" prior to recusing the case but has not explained why he waited so long to do so. He tried to justify his actions to Carr by writing that "this family are not strangers to the local criminal justice system. From best we can tell, Ahmaud's older brother has gone to prison in the past and is currently in the Glynn jail, without bond, awaiting new felony prosecution. It also appears a cousin has been prosecuted by DA Johnson's office."

Merritt responded to this by again asking what it had to do with Arbery's killing. "This speaks to the wider issue of mass incarceration. If black people have any kind of criminal record, somehow that justifies their murder."

Arbery's mother, Wanda Cooper Jones, had requested Barnhill's recusal without knowing the connection between the men and her son's earlier case. "I just looked him up on Facebook and saw this son worked for the Brunswick DA." Merritt told reporters that had Jones not made this request, "the case would've been no-billed to a grand jury and the McMichaels would've gotten away with murder."

When asked why local authorities did not arrest Gregory and Travis McMichael prior to the video release, GBI Director Vic Reynolds stated that he could not speak to the actions of other agencies, but said, "I'm very comfortable in telling you that there's more than sufficient probable cause in this case for felony murder."

While Gregory McMichael claimed that Arbery looked like a suspect in a "string of recent burglaries," Glynn County Police Lt. Cheri Bashlor told reporters this week that there had only been one burglary reported in that neighborhood, an automobile burglary where a pistol was taken from an unlocked truck

outside of the McMichaels' home.

The owner of another nearby home under construction said that his surveillance system captured a man who appeared to be Arbery "coming onto his property" on that day. Merritt responded to this by stating that if Arbery was involved in the incident, it was, at most, trespassing, and not grounds for a citizen's arrest. The video shows a young man who looks like Arbery walking into the home and gazing at the stacks of building materials before leaving.



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