Judge orders release of recordings in Breonna Taylor grand jury proceedings

Kevin Reed
30 September 2020

Less than one week after Republican Kentucky Attorney General Daniel Cameron announced that a grand jury was not charging the Louisville police officers responsible for shooting Breonna Taylor to death in her apartment in March, the state cover-up of her brutal killing is beginning to unravel.

In an extraordinary development, a still unidentified juror has come forward to accuse Attorney General Cameron of misleading the public about the grand jury's deliberations. The juror has said Cameron failed to offer the panel the option of indicting the two Louisville officers who shot Breonna Taylor and "may not have presented" all the available evidence in the case to the grand jury.

The juror, speaking through attorney Kevin Glogower, demanded that the grand jury transcripts and related recordings be released to the public so "the truth may prevail." The juror filed a formal motion on Monday asking Jefferson Circuit Judge Ann Bailey Smith to allow fellow jurors to give up their confidential status if they wish and to speak freely about the case.

The juror's motion states, "The full story and absolute truth of how this matter was handled from beginning to end is now an issue of great public interest and has become a large part of the discussion of public trust throughout the country." The motion further accuses Attorney General Cameron of using the jurors "as a shield to deflect accountability and responsibility for those decisions" and says that has led to "more seeds of doubt in the process."

After arraigning the former Louisville police detective Brett Hankison—the only officer charged in the case—on three counts of first-degree wanton endangerment, Judge Smith ordered that "the recording of the grand jury proceedings shall be filed in the court file by noon of Wednesday this week."

Several hours later Cameron said he would comply with the judge's order to release the recordings even though he had previously stated that he would not do so. Cameron told CNN that "we stand by our belief that such a release could compromise the ongoing federal investigation and could have unintended consequences such as poisoning the jury pool."

The juror has also made it clear that they wish to remain anonymous until protected by a judge's order because of concerns that "Attorney General Cameron would attempt to utilize the court's contempt powers … if there was a public disclosure that contradicted certain things that he stated happened during the proceedings, characterized the singularity of the decision in a different light, or raised doubts about charges that were presented during the proceedings."

According to John Stewart, a former criminal defense attorney and former Kentucky Assistant Attorney General, the submission by the juror in the Taylor case is unprecedented. "I've never heard of a grand juror asking the court to authorize the release of a transcript because they want to say something but don't want to be held in contempt or violate any rules," Stewart told CNN. "It's clear that this person is saying, 'I want to speak the truth' but are concerned they'll violate the grand jury process … it seems they're afraid the attorney general will come after them."

Given everything that has happened in the Taylor case up to this point, the juror's concerns are well-founded.

The whitewashing of the police killing of Taylor by the Republican Kentucky attorney general was entirely predictable. Cameron's announcement last week that the two officers who shot Taylor—Sgt. Jonathan Mattingly and Detective Myles Cosgrove—were

© World Socialist Web Site

"justified" in their use of force is part of a politically orchestrated attempt to beat back the mass protests that have erupted against police violence across the country over the past four months.

Cameron said during his press conference that Mattingly, who fired six times, and Cosgrove, who fired 16 times, including the fatal shot that struck Taylor in the head, were protected by Kentucky law which permitted them to use deadly force because they had been fired upon by Taylor's boyfriend Kenneth Walker.

Walker has maintained that the police raid on Taylor's apartment—which included bashing the door down with a battering ram—was unannounced and he fired his weapon as a warning shot against what he thought was an unlawful entry.

In another development over the weekend, leaked police body camera footage and other documents from the investigation show that Mattingly, Cosgrove and Hankison—all of whom fired their weapons in the raid on Taylor's apartment at 12:30 a.m. on March 13—violated Louisville Metro Police Department (LMPD) procedures and remained on the scene, roaming around with their guns drawn.

Based on a review of the leaked documents and footage from 45 different bodycams from officers at the scene after the shooting—LMPD has maintained that none of the officers involved in the shooting wore bodycams—Vice News reported, "The failure to separate the involved officers isn't just clearly documented in body camera footage—it's also brought up in multiple interviews conducted by [the Public Integrity Unit] in the aftermath of the incident, which are included in the investigative file that was compiled by LMPD and sent to the attorney general's office."

The Vice News report also said, "After SWAT team members clear the apartment and pronounce Taylor dead on scene, now-former LMPD detective Hankison, who fired 10 shots that night, according to the department, approaches the front door to ask if someone is dead inside. Minutes later, Hankison returns and even steps inside the apartment, an active crime scene. He asks SWAT officers if they found a long gun, and whether the casings on the ground are 'theirs'."

Vice also reported that important aspects of Walker's statements are corroborated by the bodycam footage, including that police on the scene threatened to set a dog on him and told him he would spend the rest of his life in jail. The Vice report said, "As Hankison and another officer handcuff Walker, footage shows, Walker is heard yelling, 'What did I do?' Hankison responds: 'You're going to prison, that's what's going on. For the rest of your fucking life.'"

Walker's attorney Steven Romines told Vice News, "It's all just further evidence of a cover-up to violate their own policies and allow suspects involved in the shooting to have access to the crime scene and interview witnesses."

Initially, Walker was charged with attempted murder and Taylor's death was not even investigated by LMPD. It was only after weeks of demands by family members for an accounting of what happened to Taylor intersected with the mass demonstrations across the country in late May that Louisville authorities dropped the charges against Walker, fired Hankison and claimed that an investigation was being conducted.

As is clear from everything that has taken place since March 13, the cover-up of the murder of Breonna Taylor by LMPD began immediately after she was killed and continues to this day. Nothing in the official account of what happened, whether it is the claims that police did not wear bodycams during the raid or that they did not serve a "no-knock" warrant or the Kentucky attorney general's presentation of the charges to the grand jury can be accepted as fact.

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site