

Notes on police violence

Maryland state trooper kills 16-year-old student who held a toy gun

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A Maryland state trooper shot and killed a 16-year-old white youth in a residential driveway in the Leonardtown area of St. Mary's County on Tuesday afternoon. Law enforcement officials said the trooper—who was also white—mistook a toy gun held by the teenager for a real weapon.

Peyton Ham, an honor student attending an advanced academy at Leonardtown High School, was shot twice by the officer and died at a hospital in the area. The *Washington Post* reported that a representative of the Maryland State Police said that they received two 911 calls that a male “was acting suspiciously and appeared to have a gun.”

The state police reported that an eyewitness said Ham took “a shooting stance” and pointed his weapon when he was approached by the trooper. The officer then fired his weapon and wounded the youth.

Another witness was reported to say that Ham then pulled out a knife and attempted to get up. The state police official said, “The trooper ordered him to drop the knife before he fired again.” The police later released photos of the gun—which turned out to be an airsoft gun that fires non-lethal plastic pellets—and a folding pocket-knife as evidence of their account.

The Maryland State Police do not wear body cameras and, although their vehicles are equipped with the dashcams, the agency spokesperson said there was no in-vehicle footage of the events on Tuesday. The unidentified officer who shot Ham has been a trooper for two years and seven months and has been placed on leave.

The family of Peyton Ham released a statement that described the youth as “an avid history enthusiast” who was looking forward to attending college to pursue a law degree and a career in politics. The statement said, “Our family is absolutely heart broken and shattered over this

sudden, unexpected loss of life of a talented young man, filled with promise. Words cannot express the gratitude our family is feeling with the overwhelming love and support being extended by our friends and family in our amazing community.”

The killing of Ham is reminiscent of the shooting of Tamir Rice, a 12-year-old black youth, by a police officer in a city park in Cleveland, Ohio, in 2014. In that instance of police murder, two officers were responding to an emergency caller who said a male was randomly pointing a pistol that was “probably fake” at people in the area.

A surveillance video showed the officers pull their cruiser up to the youth and one of them jump out of the vehicle and immediately shoot Rice in the torso. The youth died in the hospital the next day, and the pistol was found to be an airsoft gun. One year later, the officers were cleared of any wrongdoing by a grand jury, and in 2020 the US Justice Department refused to bring charges against the Cleveland cops.

The killing of Peyton Ham in Leonardtown, Maryland, was one of numerous events over the past week involving the ongoing instances of police violence and the protection of the shooters by government officials and the courts. According to a database of people killed by police in the US maintained by the *Washington Post*, there have been 262 deaths from police shootings so far in 2021.

This rate is on a par with every year in the database of more than 1,000 people killed by police going back to 2015. The complete data set (6,768 deaths) shows that lethal force has been used by police in all 50 US states, and those with the highest rates of shootings are New Mexico, Alaska and Oklahoma. The data also shows that 95 percent of victims are male, more than half are between the ages of 20 and 40, more than half are white, and African-Americans and Hispanics are killed at

disproportionate rates.

The following police-violence-related developments took place in the US over the past several days:

Kenosha , Wisconsin: Rusten Sheskey, the police officer who shot Jacob Blake seven times in the back last August, returned to active duty on March 31, according to a statement from Kenosha Police Chief Daniel Miskinis on Tuesday. Blake was shot in front of three of his children who were in the back seat of his car and paralyzed from the waist down.

Even though Sheskey was previously the subject of five internal police investigations involving excessive force and property damage, the Kenosha District Attorney announced in January that he would not bring any charges against the officer based on “the facts and the laws.” The entire incident was caught on smartphone video by a neighbor across the street and has been viewed online millions of times.

Windsor, Virginia: Video was released on Sunday of two police officers pointing guns at Caron Nazario, who is black and Latino and a 2nd Lt. in the US Army, during a traffic stop that took place last December.

The cops—identified as Joe Gutierrez and Daniel Crocker—pointed their guns at and pepper sprayed Nazario in the face as he asked them what he was being pulled over for and insisted that he did not need to exit his vehicle until they explained the reason for the stop. Instead of responding to Nazario’s request, which he made with his hands in the air, Gutierrez can be heard on the video threatening to kill the driver—you are “fixin’ to ride the lightning, son”—for failing to comply with his demand to get out of the car.

Nazario feared for his life and has filed a \$1 million lawsuit for compensatory damages asserting that the officers violated his First and Fourth Amendment rights. According to Windsor Town Manager William Saunders, Gutierrez has been fired from the city police department while Crocker is still on the force.

Chicago, Illinois: On Tuesday, the family of Adam Toledo viewed the police body camera footage showing the shooting of the 13-year-old on March 29 by an officer who chased him into an alley, the family’s attorneys said in a statement. According to a statement by the Civilian Office of Police Accountability, the body assigned to investigate police misconduct, the family has requested that the video not be immediately released. It is unclear when the footage will be published, as authorities are fearful of the public response to the exposure of yet another killing of a young person by Chicago police.

Attorneys for the Toledo family said, “The experience was extremely difficult and heartbreaking for everyone present and especially for Adam’s family.” In the meantime, city officials and the media have moved to portray the youth as a hardened criminal who essentially got what he deserved to justify the actions of the officer who shot the boy.

The police have claimed that security camera video shows Toledo with 21-year-old Ruben Roman who fired a gun at a passing car and set into motion a ShotSpotter system that alerted police of the incident. Within minutes, Chicago police arrived on the scene and chased the two. While Roman was caught immediately, Toledo was pursued by an officer into a nearby alley and shot in the chest. Police and prosecutors say that a gun laying near where Toledo fell matches the shell casings found at the location where Roman was seen firing the weapon.

Buffalo, New York: On Tuesday, a state court vacated a ruling that upheld the firing of Officer Carol Horne, who intervened to save the life of a black man who was handcuffed and brutalized by a fellow white officer in 2006.

According to the case record, Horne, who is also black, saw the other officer putting the man in a choke hold while he said he could not breathe. She forcibly removed the white officer and engaged in a fist fight with him. Following an internal investigation of the incident, Horne faced reassignment, was charged with violating departmental procedures and then fired in 2008, one year shy of reaching 20 years on the force. The other officer was promoted to lieutenant in the same year, and he later sued her for defamation and won a \$65,000 settlement.



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