Family of white youth killed by police seeks out attorneys in George Floyd case

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The family of 17-year-old Hunter Brittain, shot dead June 23 by a Lonoke County, Arkansas, sheriff's sergeant during a traffic stop, has hired Benjamin Crump and Devon Jacob, two of the attorneys for the family of George Floyd, murdered by Minneapolis cop Derek Chauvin last year.

This action blows a hole in the racialist narrative that portrays police violence exclusively as white cops killing black men. The Brittain family clearly identifies with the Floyd family, although one is white and the other black, because both have suffered a tragic loss at the hands of the police, who carry out violence every day against working class families, whatever their color.

Jesse Brittain, Hunter's uncle, said of hiring Jacob and Crump, "We've seen what they've done on TV. We know that they can handle the business that needs to be taken care of here." Crump and Jacob played prominent roles in the efforts of Floyd's family to obtain justice, which led to the trial and conviction of Derek Chauvin, sentenced June 25 to a prison term of 22½ years.

As the Arkansas State Police investigate the death of Brittain, the Lonoke County Sheriff's Office initiated an internal investigation to determine if Sergeant Michael Davis followed the department's policy and procedure. Davis, hired by the sheriff's office in 2013, was initially placed on administrative leave but was soon fired as a calculated move following the announcement that the Brittain family hired the high-profile attorneys Jacob and Crump. Currently, no charges have been filed against Davis.

On June 23, 17-year-old Brittain was cooperating with Sergeant Davis during a traffic stop. He exited his vehicle to obtain a blue antifreeze container in the bed of his truck to place behind his rear-wheel tire to prevent the truck from rolling back into the squad car. However, this innocent gesture proved fatal, as Davis discharged his weapon, without having issued any commands, shooting Brittain through the neck, killing him instantly.

Scott Hendrickson, whose son was friends with Hunter, said, "One life is too many. I mean it shouldn't have had to happen, but it happened for a reason and we are going to show what that reason was."

A critical point of contention in this case is the body camera footage. It has yet to be released and has gone unviewed by Brittain's family in the course of the investigation. Davis reportedly did not turn on the bodycam until after the shooting, so it shows only the aftermath.

The state of Arkansas is one of forty-three states that do not require police officers to wear body cameras. But Lonoke County Sheriff John Staley said in a recorded video statement last Thursday that his department did require deputies to activate their body cameras before any public encounter.

"You have a right to know the latest about the Hunter Brittain matter," Staley said in the video. "There's a lot of noise, misinformation, down-right lies on social media, so I will set it straight. There are two issues here.

"First, did the deputy act legally? That is up to the Arkansas State Police and the prosecuting attorney. I have nothing to do with it nor should I. That is the whole point behind an independent investigation. People who think that determining whether this deputy acted legally is somehow my decision [do not] understand the law or they are just trying to make trouble."

"The second issue is something I do have control over, whether this deputy remains employed here.

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Here's my decision, I'm basing it on transparency: I gave my deputies body cameras. I directed them to use the body cameras properly. Our policy says the deputy must activate the camera before encountering any member of the public while taking official action, certainly as part of any traffic stop. I reviewed this deputy's actions and have determined he did not activate his body camera in a timely way. This means there's no video of the actual shooting. We see the aftermath but not the shooting. Due to that failure, I terminated the employment of this deputy."

In other words, Davis was fired, not for shooting and killing an unarmed teenager at point-blank range, but for failing to record the killing properly on his bodycam.

The claim that there is no video of the actual shooting remains somewhat murky, however.

In an interview with Channel 11 in Little Rock, criminal defense attorney Patrick Benka said, "I can understand why they are doing some further investigation in regards to a video. However, I do find it quite odd that they are not at least acknowledging that a video of the incident exists."

Believing the Brittain family should already have viewed the footage, Benka added, "It's kind of hypocrisy. There's been shooting incidents here in Arkansas where the tape was released in short order. And in those cases, those officers at least had a defense. It has to be across the board."

Crump and Jacob said the Lonoke County Sheriff's Office did the right thing by terminating Davis' employment for not activating his body camera prior to the encounter. "Body cameras are, in the overwhelming majority of cases, the only way to see the unbiased facts surrounding a police and civilian encounter resulting in injury and/or death," said Crump and Jacob. "When officers turn their body cameras off, they turn off their intent to be transparent along with it."

"We'll let the investigation play out, but I think what we already know is we have a 17-year-old child who was shot and killed by a police officer on a traffic stop merely because he was holding a bright blue jug of antifreeze," Jacob said. "It's very hard to explain how we ended up in this situation."

Arkansas Fraternal Order of Police President Kevin "Bart" Simpson said " *almost* all police officers support body cameras, but the problem is money. There are grants available for smaller law enforcement agencies but the cost of upkeep for the devices and for data storage is where it can really get pricey."

The day Brittain was killed, President Joe Biden said, it is "not a time to turn our backs on law enforcement." He announced that state and local governments could siphon as much as they wanted of the $350 billion in pandemic relief funds, allotted to the governments under the $1.9 trillion American Rescue Plan enacted in March, to fund their police departments.

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