In advance of bodycam video release on Friday

5 Memphis cops charged with second-degree murder and kidnapping for beating Tyre Nichols to death

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Five former officers of the Memphis Police Department were charged on Thursday with second-degree murder for the brutal beating on January 7 and death three days later of Tyre Nichols, a 29-year-old black man.

Steven Mulroy, district attorney of Shelby County, Tennessee, said that a grand jury had returned indictments against the five men, Demetrius Haley, Desmond Mills Jr., Emmitt Martin III, Justin Smith and Tadarrius Bean.

The five ex-cops were arrested and booked into the Shelby County jail on Thursday. However, two of the cops, Mills and Smith, posted a $250,000 bond and were released late in the evening.

The former officers, who were fired on January 20 by the police department, were charged with second-degree murder, aggravated assault—acting in concert, two counts of aggravated kidnapping, two counts of official misconduct and one count of official oppression.

The indictments and arrest of the five former policemen, all of whom are black, were announced by Mulroy at a press conference on Thursday afternoon. Mulroy said, “While each of the five individuals played a different role in the incident in question, the actions of all of them resulted in the death of Tyre Nichols, and they are all responsible.”

Mulroy also said two emergency medical technicians with the Memphis Fire Department had been relieved of their duties pending an investigation. Media reports on Thursday said that other officers were also under investigation for their role in the savage beating of Nichols, which was captured on police bodycam video.

Indicating the level of state and federal concern about the social and political fallout from the police murder of Nichols, Tennessee Bureau of Investigation (TBI) Director David Rausch also spoke at the press conference. Rausch feigned outrage, saying he was “absolutely appalled” and “sickened by what I saw” on the video. The TBI director claimed that the agency was pursuing “truth and justice,” adding that “this should not have happened.”

US Attorney Kevin Ritz announced a federal civil rights investigation into the death of Nichols, and President Biden issued a pro forma statement saying, “[W]e must do more to ensure that our criminal justice system lives up to the promise of fair and impartial justice, equal treatment and dignity for all.”

The district attorney reported that the bodycam video of the beating will be released to the public on Friday after 6:00 p.m. (Central Standard Time). The family of Nichols watched the video on Monday and confirmed that the young man was pepper sprayed, shocked with a stun gun and restrained with handcuffs while the officers brutalized him. The beating took place less than 100 yards from his mother’s residence.

Tyre Nichols had worked the second shift at a FedEx facility in Memphis for nine months before his death. Family members said Tyre would return to his mother’s house every evening around 7:00 p.m. for his lunch break.

The young man had a four-year-old son. He was a photography enthusiast and skateboarder, a passion he

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had maintained since he was six years old. His mother, RowVaughn Wells, said that her son had her name tattooed on his arm. “That made me proud,” she said. “Most kids don’t put their mom’s name. My son was a beautiful soul.”

According to the family’s lawyers, Nichols told the officers during the January 7 beating that he just wanted to go home. In what is believed to be his final words, he called out for his mother.

Nichols died on January 10 from bleeding caused by blunt force trauma after being pulled over for an alleged reckless driving violation in the Hickory Hill neighborhood of Memphis. Authorities say that after an initial altercation, the young man fled on foot and was subsequently caught, taken into custody and, in the words of family attorney Antonio Romanucci, beaten like a “human piñata” by the policemen.

Romanucci also said on Monday, after watching the video, “He was defenseless the entire time. ... It was an unadulterated, unabashed, non-stop beating of this young boy for three minutes.”

The family had called for charges of first-degree murder to be brought against all five cops.

However, Romanucci, speaking to CNN Thursday evening, noted that second-degree murder charges, and especially kidnapping charges, against police officers were highly unusual.

Romanucci also told CNN that police units, such as the one to which the five former officers belonged, frequently use bogus assertions of traffic violations to pull over, beat and arrest people.

The five indicted individuals were members of the Street Crimes Operation to Restore Peace In Our Neighborhoods (SCORPION) unit of the Memphis Police Department. The unit was created with great fanfare in October 2021 under the department’s Organized Crime Unit. The SCORPION unit is made up of four teams of 10 officers each and tasked with “crime suppression.”

The unit was praised by Memphis Mayor James Strickland as an example of the city’s successful anti-crime strategy, which includes gun violence intervention that frequently begins with a traffic stop and escalates into a serious confrontation, ending in the arrest of people for drug and gun possession.

Retired Memphis police officer Mark LeSure told NBC News that former colleagues still at the department had told him the SCORPION unit was known for having a “zero tolerance” policy, meaning the officers “do what they can to arrest people.”

WREG News 3, the Memphis affiliate of CBS, interviewed Cornell McKinney, who said he had been pulled out of his car at a gas station and had a gun pointed at his head by the same group of officers who killed Nichols. McKinney reported that the SCORPION unit pulled up behind him in an unmarked vehicle.

Memphis community organizer Keedran Franklin told NBC News that SCORPION was like other specialized police units that stoke fear in the community. “The way they move in unmarked cars, looking like regular guys, bumping to rap music, they got on hoodies, they’re really looking the part, like they’re a part of the community, but they’re police,” Franklin said.

He added that only after the officers got out of their cars would people see “SCORPION” on the backs of their vests. “They’re their own internal little gang,” Franklin said. “When they turn them loose on the streets, how does that affect ordinary citizens?”

In advance of the release of the police video Friday evening, Memphis city authorities, as well as other government institutions across the US, were preparing for an eruption of protest and outrage over another brutal police killing.

As was the case with the protest movement that emerged after the killing of George Floyd by Minneapolis police Officer Derek Chauvin in May 2020, the anger against police violence is part of growing opposition among youth and workers to attacks on jobs, living standards and working conditions, fueled by the COVID-19 pandemic and war, alongside ever greater social inequality.

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