

Family of assassinated anti-fascist activist Michael Reinoehl files federal wrongful death lawsuit

Kevin Reed
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On Tuesday, the estate of anti-fascist activist Michael Reinoehl filed a federal wrongful death lawsuit against the US government, the state of Washington and law enforcement officers involved in the execution of the 48-year-old father of two on the evening of September 3, 2020, in Lacey, a suburb of Olympia, Washington.

The lawsuit says the defendants violated Reinoehl's Fourth Amendment rights against unreasonable seizure. The filing names the US government, the state of Washington, Pierce County, the city of Lakewood and the four officers, who fired 40 rounds during the failed arrest attempt: Pierce County Sheriff's Deputies James Oleole and Craig Gocha, Lakewood Police Officer Michael Merrill and Washington State Department of Corrections Officer Jacob Whitehurst.

Reinoehl was shot by deputized federal agents—members of the Pacific Northwest Fugitive Apprehension Task Force based out of Tacoma—hours after he was charged with murder in the death of Trump supporter and right-wing vigilante Aaron “Jay” Danielson at a protest in Portland, Oregon, six days earlier.

As explained by the *World Socialist Web Site* at the time, the killing of Reinoehl was a state-sanctioned execution, which had the support of then-President Donald Trump, his Attorney General William Barr and the US Justice Department.

Minutes before Reinoehl was gunned down in a hail of bullets outside of a Lacey apartment building where he had sought refuge, Trump tweeted an implicit order to kill him, writing, “Do your job, and do it fast. Everybody knows who this thug is.”

For his part, Attorney General Barr issued a statement following the second-degree murder charge, which said

that locating Reinoehl was an “unmistakable demonstration that the United States will be governed by law, not violent mobs.”

Reinoehl had been an active participant in the protests against police violence that had erupted in Portland following the murder of George Floyd by Minneapolis police Officer Derrick Chauvin in late May 2020. In the nightly protests, which lasted from May to October, demonstrators were being repeatedly assaulted by police in riot gear with tear gas and other weapons.

During the summer months, the federal government deployed law enforcement brigades that included unmarked vehicles and unidentified officers seizing protesters and transporting them to unknown locations, which turned out to be federal government facilities in the area.

Reinoehl was a vocal opponent of racism and fascism and, while he stated that he was not a member of any organization, had expressed sympathy for the positions of Antifa. One of his primary activities at the protests was to provide security and, according to one participant, he would frequently be involved in breaking up fights between protesters and right-wing counter-demonstrators.

On the morning of the day he was killed, Reinoehl gave an interview to VICE News acknowledging he killed Danielson in self-defense. Reinoehl stated, “I had no choice. ... I could have sat there and watched them kill a friend of mine of color. But I wasn't going to do that.”

Reinoehl also said in the interview that he had not turned himself in to police because he believed they were working with far-right groups and that he would not be safe after being apprehended. He said, “They're

out hunting me. There's nightly posts of the hunt and where they're going to be hunting. They made a post saying the deer are going to feel lucky this year because it's open season on Michael right now."

Danielson was a member of Patriot Prayer, a far-right organization that organized a caravan of pickup trucks to Portland for the purpose of initiating physical confrontations with anti-police violence protesters. The shooting of Danielson was a direct byproduct of this provocation.

In hunting down and murdering Reinoehl, the US Marshals task force acted as judge, jury and executioner even though law enforcement officials were well aware that he said he acted in self-defense.

In the lawsuit, the attorneys representing Reinoehl's estate wrote, "The actions of the officers, before, during, and after the shooting, show that they either had no plan to arrest the man without injury, made no effort to follow such a plan, or planned to use deadly force from the start."

It also states, "Meanwhile, the officers sprayed more than 40 bullets through the neighborhood, killing (Reinoehl), grazing a child playing nearby, and striking cars, fences, backyard playground equipment, buildings, and residences."

Based on police records obtained by Olympia Public Broadcasting (OPB), Officers Oleole and Merrill made the decision to move in as Reinoehl walked from the apartment to his car in the parking lot. According to the lawsuit, Oleole and Merrill accelerated their vehicles toward Reinoehl's car, followed by Officer Gocha in a different police vehicle.

Witnesses reported that the police vehicles had no emergency lights on. The lawsuit says that witnesses thought they were caught in a road rage incident or gang shooting, and Reinoehl, who had been targeted for death by far-right and fascist groups, had no way of knowing who was firing at him.

One witness reported to OPB that the officers appeared as "buff white men dressed in khakis and ballistic vests and armed with rifles" and said they looked more like right-wing militia than law enforcement officers. The lawyers said the officers claimed in their statements after the shooting that Reinoehl's "facial expression" made it clear that he knew they were police rather than right-wing vigilantes.

The official investigator who managed the case said

Oleole, Merrill, Gocha and Whitehurst fired 40 rounds, hitting Reinoehl five times. Other police rounds hit nearby vehicles, went through backyard fences to homes, and one went through the wall of a neighboring apartment.

Even though the police have maintained that Reinoehl fired at them first, investigators found a .380-caliber casing inside his car but never found a round or were able to determine if he had fired his handgun. The investigation showed that Reinoehl had a loaded .380 pistol in his right front pocket when he was killed.

The lawsuit says Reinoehl never got the pistol from his pocket, and there was no round in the chamber, meaning he never fired it. Police investigators insist absurdly that Reinoehl pulled the gun from his pocket, fired one round, then put it back in his pocket in about 15 seconds while he was being fatally shot.

The lawsuit states, "From the perspective of a reasonable person in Reinoehl's shoes, the aggressive driving, sudden and unprovoked shooting, and physical appearance of the individual defendants was indistinguishable from the armed and violent far-right extremists who Reinoehl feared had recently shot up his home (while his children were inside) and made true threats against his life."

The attorneys also reported in an accompanying press release that, after Reinoehl was murdered, the officers involved were not separated and had more than 10 days to consult with each other before giving any statements to investigators.

The lawsuit is seeking compensation for Reinoehl's pre-death pain and suffering, the violation of his civil rights and the emotional damages inflicted on his children.



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