

More US police charged with murder, manslaughter this year

By **DON BABWIN**
Associated Press

CHICAGO — The number of U.S. police officers charged with murder or manslaughter for on-duty shootings has tripled this year — a sharp increase that at least one expert says could be the result of more video evidence.

In the past, the annual average was fewer than five officers charged. In the final weeks of 2015, that number has climbed to 15, with 10 of the cases involving video.

“If you take the cases with the video away, you are left with what we would expect to see over the past 10 years — about five cases,” said Philip Stinson, the Bowling Green State University criminologist who compiled the statistics from across the nation. “You have to wonder if there would have been charges if there wasn’t video evidence.”

The importance of video was highlighted last week with the release of footage showing a Chicago officer fatally shooting a teenager 16 times. The officer said he feared for his life from the teen, who was suspected of damaging cars using a small knife. He also had a powerful hallucinogen in his bloodstream.

“This had all the trappings of a life-threatening situation for a law-enforcement officer — PCP-laced juvenile who had been wreaking havoc on cars with a knife,” said Joseph Tacopina, a prominent New York defense attorney and former prosecutor who has represented several police officers. “Except you have the video that shows a straight-out execution.”

When he was charged with first-degree murder last week, officer Jason Van Dyke became the 15th officer in the country to face such charges in 2015.

Over the last decade, law-enforcement agencies have recorded roughly 1,000 fatal shootings each year by on-duty police. An average



Clergy, labor leaders and supporters gather at the Cook County Administration Building, Dec. 3, in Chicago to demand the resignation of Cook County State’s Attorney Anita Alvarez before delivering 32,000 petition signatures calling for her to quit. The long wait to file charges against a white Chicago police officer who fatally shot a black teenager has provoked sharp criticism of the city’s top prosecutor.

of fewer than five each year resulted in murder or manslaughter charges against officers, Stinson found.

The cases are often difficult to prove. Of the 47 officers charged from the beginning of 2005 through the end of last year, about 23 percent were convicted, Stinson found.

“For forever, police have owned the narrative of what happened between any encounter between a police officer and a civilian,” said David A. Harris, a University of Pittsburgh law professor who has written extensively on police misconduct. “What video does is it takes that power of the narrative away from the police to some extent. And that shift in power of control over the narrative is incredibly significant.”

In case after case, that is exactly what has happened this year.



In this frame from dash-cam video, Laquan McDonald, right, walks down the street moments before being shot by officer Jason Van Dyke in Chicago Oct. 20, 2014. Van Dyke, who shot McDonald 16 times, was charged with first-degree murder, Nov. 24. The video has no sound, nor do videos from four other squad cars at the scene. But police protocol indicates that all the cruisers should have been recording audio that night.

Stinson said Van Dyke would “never, ever” have been charged without the video. He said the same is true for Ray Tensing, the white

black motorist whom Tensing shot to death after pulling him over for a missing front license plate.

Tensing’s attorney said the officer feared he would be dragged under the car as DuBose tried to drive away. But, Stinson said, the video from the officer’s body camera shows that his explanation “doesn’t add up.”

Other cases around the country also reveal just how important the video is.

In Marksville, Louisiana, for example, two deputy city marshals were charged with second-degree murder after authorities reviewed video from one of the officers’ body cameras, which showed a man with his hands in the air inside a vehicle when the marshals opened fire. The man was severely wounded and his 6-year-old autistic son killed.

Just how dramatically a video can shift the balance of

power was apparent in North Charleston, South Carolina, when officer Michael Slager shot and killed Walter Scott, an unarmed black man as he ran away after a traffic stop.

Slager told investigators that Scott had tried to grab his gun and Taser. But after a video from a cellphone showed Slager taking careful aim at Scott as he ran away and then picking up his Taser and dropping it near Scott’s body, Slager was charged with murder.

“If not for the recording, I have no doubt that the officer in the Walter Scott case would be out on patrol today,” Harris said.

Videos have also played a key role in cases in which the victims were, in fact, armed — something that Tacopina said typically brings to a halt any thought of charging officers.

Chicago prosecutors concluded that McDonald did not pose a threat to Van Dyke, despite the small knife that he was carrying. Likewise, prosecutors in Albuquerque, New Mexico, charged two officers with second-degree murder of a mentally ill homeless man who was holding two knives when he was shot to death. Defense attorneys have said the officers shot James Boyd out of concern for their lives, but Boyd appears to be turning away from the officers when the shots were fired. In another case, an officer may owe her freedom to the camera that was attached to her stun gun. Lisa Mearkle, a police officer in Hummelstown, Pennsylvania, was charged with third-degree murder, voluntary and involuntary manslaughter after shooting an unarmed man twice in the back as he laid face-down in the snow. But after watching a video that showed the man’s hands repeatedly disappear under his body as Mearkle shouted at him to keep his hands where she could see them, the jury acquitted Mearkle.

Loggers host ‘Fun Meet’

The Daily Astorian

Local wrestling teams officially began the 2015-16 season Wednesday night at Knappa, where the Loggers hosted a “Fun Meet,” mixing and matching wrestlers.

Astoria’s Tristen Osborne won both of his matches by pin, while sophomore teammate Tyler Ranta won three matches.

Overall, “a strong showing,” said Astoria coach Roy Sanchez. “I’m excited about the depth we have this year. We will probably fill an entire roster.”

The Fishermen have also added two transfers: Andrew Poplin from Idaho (qualified for state three times), and Osborne, from California (qualified for state in one of the toughest state tournaments in

the nation).

Seniors Bronson Holthusen, Mateo DeVargas and Devon Nikkila-Keiner all return and “look promising,”

Sanchez said. “We have many freshmen who have just started wrestling and the team looks like it’s developing well.”

Friday December 4th

SEAFOOD PLATTER

Cod, Catfish, Shrimp, Oysters, Clam Chowder, Seafood Gumbo

Tater Tots, Coleslaw & Cornbread

\$8

4 pm ‘till gone

ASTORIA AMERICAN LEGION Post 12
1132 Exchange Street • 325-5771

Happy Holidays from The Growler Guys

Present this coupon for

\$2 off

Offer expires 12/31/15
limit one coupon per visit

a 64 oz. Growler of fresh craft beer, cider, kombucha or root beer

64 oz. container can be re-filled again and again!

Visit us in the Mini Mart!

Like Us on facebook
[TheGrowlerGuysAstoria](#)

2264 Marine Drive (in Astoria Mini Mart East - Mill Pond area)
[www.thegrowlguys.com](#) | [www.astoriaminimart.com](#)

Hearts for Hospice

Dedicate a Handmade Heart Ornament

Honor or remember a loved one. Help a Clatsop County neighbor in need.

COLUMBIA MEMORIAL HOSPITAL

2111 Exchange St., Astoria
(503) 325-4321
[www.columbiamemorial.org](#)

Lower Columbia Hospice
A COLUMBIA MEMORIAL HOSPITAL AFFILIATE

For a \$10 donation, we will place a handmade heart ornament on a tree in memory or honor of the person you choose.

In Memory of	In Honor of	Name on ornament:	Send acknowledgment to: Name and address
☐	☐	1. _____	_____
☐	☐	2. _____	_____
☐	☐	3. _____	_____

I am enclosing \$ _____ for _____ ornaments.

TAX DEDUCTIBLE: Make checks payable & return to Lower Columbia Hospice at Columbia Memorial Hospital.

Your name: _____
Address: _____
City/State/Zip: _____

Please mark location of the tree you wish to decorate:

☐ Columbia Memorial Hospital ☐ Providence Seaside Hospital
☐ Bob Chisholm Community Center

Mail form and donation to: Hearts for Hospice, c/o Lower Columbia Hospice, 2111 Exchange St., Astoria, Oregon 97103