

# **The BLACK C o M M e n t a t o r**

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African Americans and the African world.

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## **When You Know It's Wrong The Other Side of the Tracks By Perry Redd BC Columnist**

I've grown to say in years past, that if anyone ever tells you "I know how you feel," you know that they're a liar. No one can ever know how you feel. Sure, we may share similar situations and circumstances, but how we respond is unique within itself. I had the opportunity to interview a man who is suffering in more ways than one. He just got sentenced by the United States Parole Commission to 72 months in prison, and is still grieving over the murder of his son...at the hands of vengeful police.

I'm a father of an only child. I cannot even begin to imagine what it would feel like to lose my child, but many in my community have lost at least one child to the street violence that has become epidemic in the Black community. But when one loses one's progeny to the very authority that is charged with serving and protecting our very lives, the pain appears insurmountable.

I've seen mothers - Black, white and Hispanic - who hold year-long vigils when their child is taken by the streets, and I can understand how that act may be both therapeutic and redemptive. As the father I mentioned previously, Mr. Harris, told his story, my mind reverted to the face of my child, and what she might look like in death. Though a morbid thought in and of itself, it gave me a greater appreciation for her contribution here on earth and the reality of how unsafe our children are - even in the presence of authority, law enforcement in particular.

He told the story of the highly public case of his son's alleged inadvertent killing of a Prince George's County, Maryland police officer. His son allegedly drove an SUV over an apparent crooked cop. Once the 19-year-old was arrested, he ended up dead in his holding cell - at the hands of law enforcement.

This occurred in 2008. Tomorrow, June 29, will be the four-year anniversary of Ronnie White's death; he "lasted" 34 hours, 15 minutes in police custody. Finally, after much hedging and obstruction, a Prince George's County officer was arrested in 2012. Harris, Ronnie White's father, grieves as if the event happened yesterday. Oh, did I mention all of the principles are Black?

You see, Conservatives have picked up the talking point of "Black-on-Black" violence whenever Black people rage against our young peoples' murders at the hands of police. Conservatives quickly divert the reality of concerted attacks on Black men by the white establishment (media, judicial system) to a conversation about gang violence. What I know is that Oscar Grant (Oakland); Sean Gillepsie (Knoxville); and Amadou Diallo, Shawn Bell, and Ramarley Graham (New York City) were **not** gang members. Human life rises above the convenient excuse of gang-banging. I want murderers arrested - even when they are police! No, especially when they are police!

Is there hope for us as a society? I would posit yes, hope is real. Each week, I monitor new case law adjudicated across the country. I have said for some time during my years as an activist, that police have lost their minds. The precept that law enforcement cannot be wrong is ludicrous. Our confidence in a system that protects corrupt executive branch officers - police, investigators and prosecutors - is shaken with each sordid instance. Each act of deceit, disregard or bias destroys our belief that the system is worth keeping. We cannot reasonably believe that the system is working to a citizen's advantage. If you do, there's a spot on a psychiatrist's sofa for you. Get a grip.

I taste hope when I read about two recent cases of excessive force in which the **jury ruled for the victims!** You wanna' talk about rare! In one case, *Phillips v Community Insurance Corporation* (2012 WL1449675), the court ruled that using a baton launcher [what is *that?*] with polyurethane bullets - which had the force equivalent to a .44 Magnum pistol - to fire four shots at the driver's legs - which were outside the stopped car - was "unreasonable use of force under the circumstances" - even if police officers reasonably treated an arrest as

a high-risk stop due to uncertainty as to whether the driver was drunk and the vehicle stolen.

The ruling went on to say that the officer knew the driver had diminished capacity and that the driver didn't resist arrest. Now ask yourself, "Why would an officer proceed to use that level of force?" Yeah, people - particularly, Conservatives - make lame excuses for police who conduct themselves this way.

I say the time is now to stop making excuses for scared men. This is the behavior of cowards. The second case out of Tennessee involved police officers who violated Wesley Hemphill's Fourth Amendment right against unlawful search and seizure. The court *denied* the officers "qualified immunity." (That is, public servants can't be found wrong in the course of doing their jobs.) Qualified immunity protects police officers - even when they are *dead* wrong.

Officer Andrew Hale choked and beat Mr. Hemphill three times while he was handcuffed. Only a corrupt judge would grant the officer immunity in an instance like that. It took a three-judge panel to get this right.

Let's get back to Ronnie Harris, the father. He was unjustly charged and tried for a bank robbery. At trial in 2011, the jury deadlocked, after which he made bond. This charge was brought as a retribution for fighting to expose his son's killer. He was tried without his lawyer present. Though there was a mistrial, the Parole Commission elected to revoke his bond and this father fights today - from a private prison. No one can hear him from there.

In order to get the system right, it takes us. People like Mr. Harris need us. As a direct result of his persistence to get justice for the police-induced murder of his son while in police custody, he was recently handed a parole violation - of 72 months in prison...an unheard-of sentence for a parole violator in Washington, DC. But DC and Prince George's County have their own "good ol' boys" network, and it's corrupt at its core. The question is, what are you going to do, even when you **know** it's wrong?

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