

What if Michael Brown Had Been Armed?

by Arlene Eisen

It was simple arithmetic, I thought. In 2012 police, security guards and vigilantes killed a total of 313 Black people. Divide the number of hours in a year by 313 and you get one every 28 hours. If federal law required all law enforcement agencies to report all their killings, if most reporters didn't depend exclusively on police department press releases, and if I had had more time to investigate, I have no doubt that the number would have been 24 hours or even more often. Yet, after spending more than 18 months in dogged research and data analysis, I am sure that at least one Black person is extrajudicially killed every 28 hours by police, security guards and vigilantes.

Still, I wish I had never decided to use the hashtag "#every28hours." I was seduced by the promise of social media that with a dramatic slogan, my Report would "go viral." The hashtag encouraged people to reduce 171 pages of radical analysis and data to 13 clock-related characters. It can't be done.

Operation Ghetto Storm

"#OperationGhettoStorm" might have carried more meaning. It is an adaption of the code name of the first US invasion of Iraq. It encapsulates the conclusion drawn from studying the deaths of 313 Black people—the purpose, policies, high tech military hardware and mind-set that were mobilized to invade Iraq also sustain the occupation and war on Black and Brown communities inside the US.

To prevent future extrajudicial killings of Black people by those paid or sanctioned (security guards and vigilantes) by the national security state, it is important to know that these killings are a result of the perpetual war on Black people. But, even with renewed interest in the Report, with images of police in full battle gear maintaining a military occupation of the community of Ferguson, the national conversation has focused more narrowly on abusive police and taking them to court. Operation Ghetto Storm urges that we widen our lens to expose that Ferguson, like most low-income Black and Brown communities, is a colonized community under siege.

Here's an example of the pitfalls of communication by hashtag. On August 20, 2014, in one of those debates that corporate media set up more for entertainment than for enlightenment, CNN pitted right-wing Black pundit Larry Elder against liberal Black commentator Marc Lamont Hill. Lamont attempted to explain that the killing of "unarmed Black youth Michael Brown" was part of a pattern. Elder interrupted and demanded to change the subject to "Black-on-Black" violence. In an exchange, now partially deleted from CNN's website, Elder accused Hill, "You don't even know how many Black people are killed by police."

"Yes we do know," Hill proclaimed. "Every 28 hours an unarmed Black person is killed," and he cited the Report. Unfortunately for Hill, neither the hashtag nor the Report distinguished between "armed" or "unarmed." It counted the total.

If perhaps Hill had thought about Operation Ghetto Storm rather than "Every 28 hours," he might have countered with a quote from the Report. "We certainly do not intend to minimize the horror and importance of thousands of Black people who tragically die at the hands of other Black people each year. However, in general, those killings are not directly sponsored or sanctioned by federal, state and local governments. On the other hand, police, sheriffs, security guards and to a certain extent self-appointed enforcers of the law (vigilantes) are authorized by governments and paid for by taxes."

They killed 313 in 2012, and 288 of these killings involved unnecessary excessive force. Only 10 police officers and 16 security guards/vigilantes were ever charged with a crime. In contrast, both the victims who survive and the perpetrators of intracommunal violence ("Black-on-Black crime") end up in the rosters of the more than million Black people incarcerated in the US. The Report also details the ways that the state even promotes intra-communal violence through its involvement in drug trafficking from the federal to local levels.

Accounts of his fatal encounter with Officer Darren Wilson, August 9, invariably add the adjective "unarmed" to Michael Brown's name. Community outrage flared when news spread that Brown was unarmed. Demands for justice hinged on

Brown's innocence, proven by the fact that he had no gun. Protest marchers demonstrated his unarmed status and made it iconic with the chant

"Hands up, don't shoot." Brown was not the first or the last unarmed Black person to be killed by police, security guards and vigilantes. Operation Ghetto Storm reported that 136, or 44%, of the 313 killed had no weapon at all at the time they were executed. Another 83, or 27%, allegedly possessed a gun, but police reports of gun possession frequently turn out to be false. [1] Police are infamous for planting

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Does it matter: hoodie or suit, aged 9 or 29, gun or no gun?

weapons or declaring that a cell phone, wallet or other harmless object is a gun. While reporters rarely question police reports, Operation Ghetto Storm required corroboration before accepting allegations as fact.

Still, 62, or 20%, of those 313 killed in 2012 were armed—including three who carried toy or replica guns. Please keep in mind that in 41 states, including Missouri, it is legal to carry a pistol openly, in public. [2] Some states require permits; most do not. Carrying a gun is not a crime, let alone a capital offense.

However, Black people have been so demonized that the public, including some Black people, typically sees an armed Black man as a menace at best and, at worst, as a terrorist to be shot on sight as efficiently as possible with militarized overkill.

Study of the 313 deaths profiled in Operation Ghetto Storm leads to the conclusion that whether a Black mother's child is young or old, wearing a hoodie or a suit, carries a gun or not, makes little difference. That child will still be subject to omnipresent surveillance, racial profiling, mass incarceration, trial without due process and execution without trial. For example, conservative white pundit Ben Stein insisted, "He [Michael Brown] wasn't unarmed. He was armed with his incredibly strong, scary self." [3] Before you dismiss this remark as the hate speech of a right-wing fanatic, consider that 47% of killer cops are routinely justified and returned to duty when they claim, without a scintilla of evidence, that they felt threatened by an unarmed "suspect," and another 36% kill with impunity based on their unsubstantiated allegations like "suspect lunged". [4]

Regardless of how fatal encounters with police begin, whether they involve activity that violates the laws of the state or the laws of basic human decency, no one should be sentenced to death without trial. In most countries, even with a trial, capital punishment is considered barbaric. The use of deadly force—regardless of how police paperwork, investigators and juries try to rationalize it—is almost always excessive and "extrajudicial" by international human rights standards. The Report pointed out one exception. In 2012, 25 cases, or 8%, involved situations where the "suspects" shot at, wounded and/or killed police officers and/or others while the police were on the scene. Although it may have been preferable to stop them with non-lethal force, the use of lethal force in these circumstances can be justified.

No comprehensive study for 2013 or the first half of 2014 has been published, but it is safe to assume the numbers have not improved since the 2013 update of Operation Ghetto Storm. Given the escalating militarization of local police and intensified demonization of Black people, there is reason to believe that the numbers have deteriorated. The painful truth is that these state-sponsored and sanctioned killings are part of a comprehensive system of containment that ranges from surveillance, profiling, and mass incarceration to military occupation and death. Until Black and Brown communities organize

for a long haul struggle against this system, the killings will continue.

Police impunity exposes national security state

The legal system almost always allows police to commit homicide with impunity. The names of only a few of the 313 people on the 2012 death roll have become nationally known rallying cries for justice, like Trayvon Martin, Remarley Graham and now Michael Brown. Their murders have sparked massive mobilizations, media commentary, calls for government intervention, lawsuits and endless legal wrangling. However, after the initial announcements in local news media, the lives of most of those who were executed are forgotten. In some cases, scanty police reports and press coverage barely note their deaths. The failure of the federal government to require police to fully report all killings, including race-based data, is deliberate and helps perpetuate police impunity. [5]

The standard procedure in most jurisdictions is for police involved in fatal shootings to be given paid time off or "desk duty" while the department investigates itself. The press applauds their fine records, while headlines scream about the "criminal past" of the deceased. Almost all killer cops are routinely exonerated and quickly return to duty. Grieving families who typically ask, "Why did he have to die?" are ignored. If there is some demonstrated, concerted community outrage, the case may be investigated further. The legal system rarely charges

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the executioners. In 2012, of the 313 extrajudicial killings, only 10 officers were ever charged: 3 for vehicular crimes stemming from reckless driving and 7 for manslaughter.

To date, of those 10 charged officers, 4 were acquitted or had their charges dropped. Two pleaded guilty to misdemeanor vehicular manslaughter, 2 of the cases have not yet been litigated, and 2 faced "unimpeachable" evidence. [6] New Orleans plainclothes officer Joshua Colclough shot Wendell Allen, who was wearing only his pajama bottoms. Confronted with videotape evidence and community outrage at the killing of a star athlete, Colclough pleaded guilty to manslaughter and was sentenced to four years. Randy Trent Harrison of Del City, Arkansas was convicted of first degree manslaughter for shooting Dane Garrett Scott in the back. Scott was unarmed with his hands in the air. In a nearly unique act, another police officer who witnessed the shooting refuted Harrison's version of events. Harrison was also found to have drugs in his system. He received a four-year sentence.

The convictions of these two officers are the exceptions that prove the rule. In 2012, district attorneys, grand juries and other state agents refused to charge nearly 300 police officers responsible for the extrajudicial killing of Black people. Several recent Supreme Court decisions have reinforced this impunity. [7]

Nor have the Executive or Legislative branches of government done anything to limit the impunity police enjoy. On the contrary, they have supplied police with enough military hardware to wage several wars at a time, passed legislation that strips citizens of the basic rights that protect against all forms of police tyranny, given various agencies carte blanche to monitor citizens' every move and utterance, justified racist profiling and provided infinite funds to maintain a system of mass incarceration. If you think the label of "national security state" for our government and its armed agencies is hyperbole, think again.

Operation Ghetto Storm reported on more than the extrajudicial killing of one Black person every 28 hours. The study of the outcomes of the killing of 313 human beings documented that federal investigations, lawsuits, trials and tweaking laws won't protect our children or prevent the next Michael Brown. Operation Ghetto Storm sounded an alarm that the national security state threatens the survival of Black and Brown people and ultimately negates everyone's rights. The horror of police troopers firing on protesters in Ferguson, hurling curses along with teargas, calling them animals and threatening them with death—all on camera—turned that alarm into a deafening siren.

The actual eardrum-piercing military equipment used against the people of Ferguson spurred their resistance. Their example of massive community

participation gives new energy to a national comprehensive campaign to challenge surveillance, racist profiling, mass incarceration, police impunity—to organize block by block a movement capable of ending military occupation of all oppressed communities so they become self-determining with full human rights to life, housing, health, education and dignified employment.

Arlene Eisen is the author *Operation Ghetto Storm: 2012 Annual Report on the Extrajudicial Killings of 313 Black People by Police, Security Guards and Vigilantes*, published by Malcolm X Grassroots Movement with

preface by Kali Akuno, posted at www.operationghettostorm.org

Notes

1. A classic study documented that 76% of officers admitted that they frequently bent the facts to establish "probable cause" and 48% said that judges were correct in tossing out police testimony as untrustworthy. http://www.vice.com/read/testilying_cops_are_liars_who_get_away_with_perjury
2. http://en.wikipedia.org/wiki/Gun_laws_in_the_United_States_by_state
3. <http://talkingpointsmemo.com/livewire/ben-stein-michael-brown-unarmed>
4. www.operationghettostorm.org pp. 25–26.
5. http://www.huffingtonpost.com/radley_balko/why_is_there_no_good_data_b_2278013.html, and http://www.dallasnews.com/opinion/sunday_commentary/20120810_stephan_salisbury_police_shootings_go_largely_ignored.ece
6. http://www.operationghettostorm.org/uploads/1/9/1/1/9110795/14_09_02_impunity_table.pdf
7. http://www.nytimes.com/2014/08/27/opinion/how-the-supreme-court-protects-bad-cops.html?smid=fb-share&_r=0

...federal investigations, lawsuits, trials and tweaking laws won't protect our children...

Building a New World

review by **R. Burke**

A World to Build: New Paths Toward Twenty-First Century Socialism By Marta Harnecker, Monthly Review Press, New York, 2015, 224 pages, ISBN: 978-1-58367-467-3 \$19.00

Since the election of Hugo Chavez as President of Venezuela in 1998, Latin America has charted a path away from the neoliberalism that has dominated the capitalist world-system since the 1970's. Left wing and progressive governments have come to power in the region promising to provide an alternative path of development. Despite obstacles such as coup attempts, the opposition of the US government, and definite shortcomings, these developments have led to improvements in the lives of the Latin American masses.

They stand as a source of hope both to those in the region, as well as elsewhere in the world, that a truly democratic socialism is possible. In *A World to Build: New Paths Toward Twenty-First Century Socialism* Marta Harnecker, herself a long-time participant in the Latin American left, reflects on events and provides some in-depth thinking regarding the

new forms of socialism which are arising from these experiments.

For Ms. Harnecker, the recent advances in Latin America make the region the pioneer in rejecting neoliberalism. She sees there are lessons to be learned by the wider world-left, as well as indications for successful future development of the movement. What makes the recent history of the