

CounterPunch

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How Many Do Cops Kill?

BY KAREN SAARI

Each year the Department of Justice releases a tally of people killed by police and each year it totals about 350. No other information is given. We don't know who the victims were, where they were or any circumstances of their deaths. Over and above the report's lack of important details, police critics have long suspected that the official figure is seriously understated.

I can now confidently assert that this is indeed the case. I found that in one twelve-month period 694 deaths occurred in the presence of law enforcement, nearly twice the DOJ's official count. As activists have been saying for years, police killings are not isolated incidents.

The 1994 Crime Bill increased police powers. It also mandated that the Department of Justice (DOJ) keep statistics on the number of people killed by police as a kind of check on their power. Despite the increased public concern about police brutality in the past few years, Attorney General Janet Reno has never seen clear to conduct this research. The DOJ has claimed that it lacks the money and manpower to follow through with this kind of accountability to the public.

Frustrated by the lack of statistics and concerned with the growing trend of repression, I decided to do the research myself. With the support of the Stolen Lives Project, a few thousand dollars and an old 486 PC, I did what Janet Reno could not find resources for.

In 1998 with a grant from the San Francisco Foundation, the Stolen Lives Project had the opportunity to conduct a research project under the auspices of Project Censored at Sonoma State University. The goal was to use large newspaper databases such as Lexis Nexis and ProQuest to search for all deaths by law enforcement in one 12-

month period. That research is complete and some results have been tabulated.

This is one of the few studies of its kind ever conducted in the history of American police community relations. Despite the fact of the Rodney King beating, the Abner Louima torture and sodomy, the killing of Amadou Diallo, to mention only the most famous and egregious, police authorities and the Congress have done nothing to stem the tide of police violence. To the contrary, they have continued to pour more police onto our street.

I conducted a search of on-line newspaper databases and collected news stories on deaths at the hands of law enforcement for one 12-month period, October 1, 1997 to October 1, 1998.

In addition to finding that police killings are much higher than the government admits, my study indicates that the rate of police killings varies from state to state and that it also varies with the season of the year.

Part of the reason for the discrepancy between my total and that of the DOJ is that we count differently. The DOJ includes only people who have been killed by active-duty law enforcement officers. Just who is it that the DOJ does not count?

They do not include killings by all those acting in the capacity of law enforcement officers. This means that killings by security guards (frequently off-duty officers), retired officers and off-duty officers are not included. To my knowledge the DOJ also does not include killings by the Border Patrol, DEA agents, park police, FBI agents, BATF agents and the myriad other kinds of police. I have included them. This expanded definition gives a clearer picture of the dangers law enforcement presents to the general population.

The DOJ generally does not include (Killer Cops continued on page 6)

Our Little Secrets

IT REALLY WAS A COUP

Can you imagine if it was the other way round, and it was Bush who'd won the popular vote but lost the electoral college after a US Supreme Court dominated by Democratic appointees had voted 5-4 to stop counting votes likely to assure a Republican victory in, let us say, Illinois? We think we can safely guarantee that the Republicans would not be taking the soft path of "coming together" and reconciliation. They would be screaming about stolen elections, constitutional illegitimacy and pledging to resist the "coup" by any means necessary. By now we would have had the Republicans in both House and Senate vowing to boycott the Inauguration. Unlike the Democrats, Republicans take losing and winning seriously.

You can tell the Republicans know this is going to look bad in the history books. Why else have they floated the notion that it might be wise, in the interests of civic tranquillity, to put all Florida's ballots under lock and key for all eternity? It seems that Christie Todd Whitman, the governor of New Jersey, first put the idea up on MSNBC, claiming that a recount of the sort promised by the Miami Herald

would somehow delegitimize the Bush presidency. Then Jennifer Dunn, the right-wing Republican from Washington state, hammered the point home by announcing on Capitol Hill that "Those ballots are going to be sealed right after the election."

You'll note that neither Whitman nor Dunn entertain any romantic notion that a recount of Florida's ballots would propel George W. Bush into an assured and unchallengeable majority. Florida would certainly have reflected Gore's popular victory across the rest of the country, by a margin that has now risen to 540,435 votes. A useful article in the Philadelphia Inquirer by John Duchneskie and Stephen Seplov gives us the final official national tally with all absentee ballots counted. According to The Inquirer's review, Gore has 50,977,109 votes to 50,436,674 for Bush, thus giving a margin way wider than that enjoyed by Kennedy over Nixon, which was 119,450.

NO CLOSURE, NO PEACE

Back in the 1980s we radicals used to write about "demonstration elections", (title of a useful book by Frank Brodhead and Edward Herman) conducted in Central American countries such as El Salvador at the instigation of the US government and micromanaged by the CIA. After the money was appropriately spread around, the opposition's more tenacious and principled leaders either butchered by death squads or driven underground, and the unruly poor thoroughly intimidated, the election ritual would take place amid complacent orations about the democratic way from North American commentators.

We've just had a peaceful and non-lethal version of these "demonstration elections" in the state of Florida and no calls for closure will erase that national disgrace, least of all in the minds of those who were denied their democratic rights. Don't forget, as we narrated in our last issue, beyond those who made it to the polls in Florida, there were those denied even the dubious benefits of that access. It was only after Gore had conceded that mainstream media began to concentrate on this story. For example, Jim Lehrer devoted an hour to it three days after the Prince of Tennessee finally fell upon his sword.

A FRAUD CALLED SCALIA

So far as the Florida decisions are concerned Scalia should certainly have recused himself since he had more than one conflict of interest. For example: on November 7 his son John joined the Miami law firm Greenberg, Traurig. The following day Barry Richard, a partner in that firm, said he was called to represent Bush in Florida.

Clarence Thomas's wife has been working for the Heritage Foundation which is putting forward resumes for appointments in the Bush administration. Section 455 of Title 28 of the United States' code requires recusal if a spouse has "an interest that could substantially be affected by the outcome of the proceedings." Other family relations, such as Scalia's, can cause for recusal. Scalia has leaked stories to the effect that if Gore were to be elected he would leave the Court.

The weeks since November 7 have entirely vindicated the accuracy of Nader's assault on the corruption of the two party system. We've seen Republicans toss aside their supposed dedication to states' rights, same as did Scalia as he bent his supposed principles to elect a President he hopes will make him Chief Justice. We've seen Democrats equally eager to assert states' rights, while exhibiting absolutely no disquiet about the actual application of states' rights in Florida, meaning the racist efforts described above to stop blacks and other minorities from voting at all. Not a word from Gore on this. Honesty is divisive. It was a "demonstration election" in every sense of the word. It demonstrated how rotten the whole system is.

THE CURSE OF CONSTRUCTIVE CONSENSUS

The air is thick with pieties about "healing the nation", and "ending partisan bickering". President-elect George Bush distilled this mush last Wednesday night into the narcotic slogan, "constructive consensus".

But what will all this treacle amount to when Democratic and Republican legislators start hunkering down with Bush's new cabinet appointments to stake out "common ground"? In fact the Clinton administration, triangulating its way through the Nineties, has given us a good preview. Consensus amounts to the usual collective enterprise of gouging the poor to refresh the rich, and to pillaging nature at the behest of oil companies, real estate barons and big timber.

The genius of the Clinton administration was to coat this deal-making with a patina

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