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*The Leveller*

## **Killer Cops: Licensed to Kill**

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truly represent the community and will keep the cops accountable. Obviously, their only purpose is to legitimize any course of action the cops choose.

What are the Police afraid of? Are they afraid of criminals? No! They are afraid of us; the ordinary people. They are afraid of accountability. They are afraid of losing control. Like any army of occupation, they are afraid of the freedom of the people whose communities they have occupied and the justice of those they have wronged. The fact that they fear us means that they know that our action is all that is necessary to begin to change the direction of society and dismantle the Police State. It means that only our reluctance to act keeps the present system in place.

We can only be free of the Police State when we refuse to condone it. We must refuse to cooperate with its activities. We must challenge the free reign of police terror and hold each police action accountable to the members of our communities. We must be the court of last resort that decides the fate of any cop who violates us. We must treat cops as criminals and accept no excuses. We must expose all police criminals and kick them out of our communities. **We must refuse to be abused. Our power is in our refusal!**

written to protect former slaves from discrimination (which didn't stop the court from handing down the Plessy v. Ferguson decision authorizing "separate but equal" discriminatory treatment for non-whites).

Lawyers interviewed in the capitalist press claim that this Supreme Court ruling won't stop them from filing "Civil Rights" lawsuits in response to Police Brutality and abuse. But, relying on courts which are increasingly lorded over by judges chosen from the ranks of prosecutors and business lawyers is never going to free us from the growing Police State being built around us. How many police brutality lawsuits actually succeeded before the new decree? 1 in 5? Worse? What happens when we take the police into the courts? It is much like a rape trial. The victim or victims are presented as immoral, not politically correct and trouble-makers while the jury, which is mostly selected from middle and lower-middle class employees of the Government and Big Business (ordinary people have to work for a living and don't get time off from their employer to be on a jury, let alone get paid while their on jury duty), is told fairy tales about how noble the cops are and how they protect us from the "bad elements" of society. They are told that cops only use force when they "have to" and then asked to believe that Police terrorism, murder, and mayhem somehow fits this thin definition of "necessity."

If we cannot rely on the courts, it is equally absurd to rely on the politicians who appoint the judges. The politicians who feed at the trough of corporate money to get elected have echoed the corporate law and order propaganda in the media that is contradicted by years of decline in violent crime. They want more cops and more prisons. They contract out prisons to profit-driven corporations who convert them to forced labor camps. With so many cops roaming the streets with less and less to do except harass the innocent and imagine the ghosts of criminals, the psychology of paranoia and brutality can only become epidemic.

Now the Police tell us to believe in "Neighborhood Watch" and "Community-Based Policing." But, Neighborhood Watch is nothing more than recruiting people as the Gauleiters of the cops: to inform on their neighbors and risk their lives for cops that turn a blind eye to crimes against anyone without money and property. Community-Based Policing is a farce where we are told that committees hand-picked by police captains

As I pour over article after article of police brutality, criminal activity and corruption for the "Copwatch Report" of *The Leveler* I am struck by the fact that each and every article has scores of quotes from the cops; rationalizing the insane behavior of the police. Whether it was murdering innocent people, beating peaceful demonstrators, or using their badge to act out their racist fantasies against communities of color, the function that the corporate media assumed was to try to legitimize the conduct.

A great example of this was a recent 3-day series in the *Los Angeles Times* which tried to refute the fact that the C.I.A. had helped import cocaine into Los Angeles to finance covert support for right-wing terrorism and guerilla activity in places like Central America. Implicit in the information which came out about this is that local law enforcement seems to have been aware of what was going on. After the story broke, the Los Angeles Chief of Police Willie Williams (Who was chief in Philadelphia when the cops and D.E.A. fire-bombed M.O.V.E.; killing innocent children and destroying a city block) took great pains to commission a report denying the allegations. Williams was locked into a battle for political survival at the time because of charges of personal corruption brought to light by his enemies within the Police Department.

When you read these articles over and over, the number of police quotes and quotes from government authorities is overwhelming while, there is usually little information from the victims of police abuse. Judging from the victims of police violence that I know personally, a lot of this is because the System is stacked up against the victim. When the cops interrogate you and say "I want to hear your side of the story" what they really mean is "I want you to spill your guts and give us any fragments of information we might be able to distort to legitimize police conduct against you and to lock you up in prison for as long as possible."

The most extreme things you ever read about cops is when they absolutely can't beat the rap. Then you hear a lot of fairy tales about the "one cop gone bad" or the "rotten apple in the barrel" and the cop gets a slap on the wrist. The only time you really see a cop do hard time is when the Police Department wants to shut them up to cover a wider conspiracy within the Department which would ordinarily be kept under

wraps by the police “code of silence” which operates similar to the code attributed to La Cosa Nostra (The Italian Mafia).

The way the System treats police conduct is incredible. Most behavior that would land an ordinary person in jail is considered part of a police officer’s job! When you read about the level of brutality that police exercise on the job, it is apparent that the job of a cop must attract a lot of closet sociopaths and personalities with a need to reassure their ego that they’re a worthwhile person by exercising dominant behavior over others (sort of like a dominatrix except with less leather). Most obsession with authority, control and machismo (the person who is out to prove how tough they are by bullying others) are characteristic of deep-seated inferiority complexes and incomplete emotional development created by a highly regimented family, religious, peer group, school and “career path” which left little room for the development of individualized personality, creativity or ambition.

When you realize that these people are given power by the Government, the only rational explanation is that they are tools of the system which created them. If you examine the dictates of the Court System, which is the most reactionary element of the government (outside the military), it is clear that this is the case. American courts base their rulings in legal cases on: (1) Their interpretation of the U.S. Constitution, (2) The concept of Common Law (based on English Common Law) which interprets the law based on custom and practice (Based on how the law has been applied historically in cases the judges regard as similar – sometimes called “case law.”) and (3) on the doctrine of “Legislative Intent” (this means that the judges do research to try to see what the people who wrote the law intended it to mean). What this means is that if the system has always been racist, classist and allowed unrestricted police brutality, then the courts would favor those things continuing.

In 1871 a law was passed that said that people who committed acts which violated the Bill of Rights but, claimed to be acting with the authority of the law could be penalized for violating the U.S. Constitution.

Cops got around this by arguing that their conduct was either not defined by the law (“in a grey area”) or it was authorized by state law (this was the case in the South) and therefore not subject to the Federal Constitution.

In 1961 the U.S. Supreme Court ruled on a case, where a black family had been terrorized by cops, that the cops should be accountable to the Federal Law even if they didn’t violate a state law.

In 1978 another case said that the local government was also accountable to Federal Law. In this case a pregnant social worker sued for job discrimination for being forced to take an early unpaid maternity leave.

The courts have used these cases as a “custom and practice” rationale for lawsuits filed for police violations of the U.S. Constitutional limits on Government conduct toward individuals.

On 28 April 1997 all this changed when the United States supreme Court ruled that “taxpayers” (in other words, “The Rich”) should not have to pay if a cop is guilty of violating a persons rights (for example, if they beat the shit out of someone for kicks). Their argument was that the person filing the complaint had to show that the City Government was the “moving force” behind the injury: basically, that they told the cop to do it either as an order or written policy. The case in question, Brynt County v. Brown, involved a reserve deputy sheriff who was shown to be a person of “deficient character,” with a “propensity for violence” and “disregard for the law”: The guy was some redneck bully who got hired only because he was the nephew of County Sheriff B. J. Moore! According to the Supreme Court, hiring someone with a warped and violent personality doesn’t make the Government at fault if that person beats the shit out of someone.

This defies all reasoning unless you look at who is now at the Supreme Court. Since Ronald Reagan was President of the United States, there have been a string of Reactionary political appointments to the Court. The capitalist press focused on whether they would be social activists for people like the Christian Right and concluded that they were “Strict Constructionists” not interested in judicial activism. Nothing could be further from the truth. Their activism isn’t social, it is economic. These justices were selected for their ideology preferring the protection of private property over justice for people. Their activism is on behalf of the possessors of wealth rather than a social agenda. The last time this was done was during the heyday of robber Baron Capitalists and resulted in a Supreme Court invention of “Civil Rights” for corporations based on the Reconstruction Amendments to the U.S. Constitution which were