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10 shocking examples of police killing innocent people in the war on drugs

Many innocent victims have become collateral damage in our pointless, destructive drug war

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In a

democratic republic, the “innocent until proven guilty” concept is supposed to be sacrosanct. Jurors, police officers, judges and prosecuting attorneys—at least in theory—are required to err on the side of caution, and if a guilty person occasionally goes free, so be it. But with the war on drugs, the concept of innocent until proven guilty has fallen by the wayside on countless occasions. The war on drugs is not only fought aggressively, it is fought carelessly and haphazardly, and a long list of innocent victims have been killed or maimed in the process.

Attorney General Eric Holder recently addressed the war on drugs during a speech for the

American Bar Association’s annual meeting, calling for the United States to seriously reevaluate its harsh policy of mandatory minimum sentences for nonviolent, low-level drug offenses. Holder acknowledged that “too many Americans go to too many prisons for far too long and for no truly good law enforcement reason,” and he pointed out that according to one report, black males convicted in drug cases typically receive sentences that are 20% longer than the sentences imposed on white males for similar offenses. It was refreshing to hear an attorney general make those statements; also encouraging is a recent Rasmussen poll finding that 82% of Americans see the war on drugs as a failure.

Many people from across the political spectrum—from the American Civil Liberties Union, the NAACP, the National Urban League and the Rev. Jesse Jackson to right-wing libertarians like Ron Paul, Walter Williams and

2012 Libertarian Party presidential nominee Gary Johnson—have pointed out that the war on drugs has become much deadlier than the drugs themselves. Innocent civilians have more to fear from botched drug raids and careless police work than they do from drug dealers.

Below are 10 innocent victims who became collateral damage and lost their lives in the war on drugs (there are many, many more).

1. Kathryn Johnston; Atlanta, Georgia, 2006.

Narcotics officers who kill innocent people in the war on drugs often don't even face suspensions, let alone criminal charges. But the conduct of three Atlanta police officers in the killing of 92-year-old Kathryn Johnston was so unscrupulous that all three faced criminal charges.

On November 21, 2006, plainclothes officers Jason R. Smith, Gregg Junnier and Arthur Tesler carried out a no-knock drug raid on Johnston's Atlanta home based on bad information from an informant/marijuana dealer named Alex White. When they broke in, Johnston (who lived alone in a high-crime area of the city and kept a gun in her house for protection) assumed she was being the victim of a home invasion and fired a shot. But a lot more shooting was done by the officers: a total of 39 shots were fired, several of which hit her. And while Johnston was lying on the floor dying, Smith handcuffed her.

An investigation revealed that after Johnston's death, a major coverup was attempted, including planting bags of marijuana in her house and trying to bully White into lying and saying that Johnston was selling crack cocaine. Smith, Junnier and Tesler faced a variety of charges from both the federal government and the state of Georgia. Smith and Junnier both pled guilty to charges of voluntary manslaughter; Smith also pled guilty to perjury and admitted he planted the marijuana in Johnston's house. And all three of them pled guilty to federal charges of conspiracy to violate her civil rights. In a civil suit, Johnston's family was awarded a \$490,000 settlement.

2. Tarika Wilson; Lima, Ohio, 2008.

On January 4, 2008, narcotics officer Joseph Chavalía shot and killed 26-year-old Tarika Wilson in Lima, Ohio. Wilson, a single mother, had been romantically involved with a suspected drug dealer named Anthony Terry (who later pled guilty to selling drugs). When Chavalía and other narcotics officers raided the house where Wilson was living, Terry was nowhere to be found. Wilson, however, was in one of the bedrooms; when Chavalía fired shots into that bedroom, she was killed. Wilson's one-year-old child was also shot but survived, although one of his fingers needed to be amputated.

Chavalía later said he thought shots were coming from that bedroom, but the fact that he killed an unarmed woman holding a baby was inexcusable, especially in light of the fact that Wilson, according to her sister Tania Wilson, was not involved in drug sales herself. In a democratic republic, civilians are not executed in paramilitary-like raids based on guilt by association. And using a SWAT team to go after a small-time drug dealer is bad police work. Although Chavalía was acquitted of criminal charges, Wilson's family was awarded \$2.5 million in 2010 in a civil lawsuit against the city of Lima.

3. The Rev. Accelyne Williams; Boston, 1994.

The Rev. Accelyne Williams was no drug dealer. In fact, the 75-year-old minister was a substance abuse counselor in Boston and had a long history of doing good work in that city's African-American community. But no good deed goes unpunished, and on March 25, 1994, Williams' efforts to help a substance abuser led to his death.

That substance abuser was a police informant who gave Boston narcotics officers the address of an alleged drug dealer who lived in the same building as Williams, but a SWAT team raided the wrong apartment—Williams' apartment—and after being violently shoved onto the ground and handcuffed, the minister began to vomit. Williams suffered a heart attack and died.

4. Annie Rae Dixon; Tyler, Texas, 1992.

Annie Rae Dixon, an 84-year-old African-American woman, was killed by a narcotics officer in Tyler, Texas on January 29, 1992. Dixon, who was a paraplegic and was battling pneumonia, was in her bedroom when narcotics officers raided her home at 2am; an informant claimed he had bought drugs from Dixon's granddaughter. Narcotics officer Frank Baggett, Jr. said that when he kicked down the door to Dixon's bedroom, he stumbled—which caused his gun to go off and sent a bullet into Dixon's chest. No drugs were found in her house.

At an inquest, a predominantly white jury decided that the shooting was accidental and that Baggett should not be charged with anything. Many African Americans in that part of Texas, including members of the local NAACP chapter and Smith County Commissioner Andrew Mellontree, were outraged that Baggett dodged both criminal and civil charges. Mellontree, in a 1992 interview, told the New York Times: "People can't accept the idea that a 84-year-old grandmother gets shot in her bed, and it's not even worth a negligence charge."

5. The Rev. Jonathan Ayers; Toccoa, Georgia, 2009.

One of the most disturbing examples of "collateral damage" in the war on drugs was that of the Rev. Jonathan Ayers, a 28-year-old Baptist minister from northern Georgia. Ayers, who was white, had a reputation for being the type of Christian who didn't spend all of his time on a soap box preaching about sin and salvation—he actually put his money where his mouth was, became active in his community, and did things to help people. Tragically, that cost Ayers his life when, on September 1, 2009, he gave a woman named Johanna Jones Barrett \$23 to help her pay her rent.

Undercover narcotics officers who had been trailing Barrett suspected that she was selling crack cocaine, and when Ayers gave her \$23, they began trailing Ayers. When Ayers left a gas station/convenience store after using an ATM and saw three plainclothes officers pointing their guns at him, he had no idea they were cops. Ayers, who obviously thought they were gang members or carjackers, tried to escape but was shot and killed. Not surprisingly, no drugs were found in either Ayers' vehicle or on his dead body, although one of the officers claimed that before the killing, Barrett had sold him \$50 worth of crack cocaine.

6. Rodolfo "Rudy" Cardenas; San Jose, California, 2004.

Had the narcotics officers who confronted Ayers been wearing uniforms that made them easily recognizable as cops, it's possible that he would not have fled and would still be alive today. But Ayers had no way of knowing he wasn't being attacked by carjackers or gang members; in fact, the officers who killed him went out of their way to look as thuggish and intimidating as possible. A similar tragedy occurred in San Jose, Calif. on February 17, 2004, when plainclothes officers were attempting to serve a warrant for a drug-related parole violation and 43-year-old Rodolfo Cardenas, a father of five, had the misfortune of being in the wrong place at the wrong time.

The officers saw Cardenas and assumed he was David Gonzales, the man they were looking for—and when they pointed their guns at Cardenas, he fled (first in a vehicle, then on foot) but was shot in the back and killed. Cardenas, clearly, found himself in the same position as Ayers: he was violently confronted by police officers he didn't know were police; he ran for his life and was shot dead. Dorothy Duckett, a 78-year-old neighbor, told the San Jose Mercury News that when Cardenas was running away, he had his hands in the air and was yelling, "Don't shoot."

Michael Walker, the California Bureau of Narcotics Enforcement officer who fired the fatal shot, was charged with voluntary manslaughter but was acquitted by a San Jose jury in 2005.

7. Ismael Mena; Denver, Colorado, 1999.

SWAT teams can serve a valuable function in law enforcement. In hostage situations, for example, a SWAT team can save lives. But in the drug war, the combination of SWAT teams, no-knock raids and sloppy police work can have deadly consequences for innocent people. In Denver, one such person was 45-year-old Ismael Mena, who was shot and killed by a SWAT team during a no-knock raid on September 29, 1999. The raid was conducted based on bad information from an informant, but a thorough search of the house turned up no evidence of drug dealing—and an autopsy showed no evidence of drugs in Mena’s body. Apologists for the killing claimed that Mena (a Mexican immigrant) had a gun, and LeRoy Lemos (a community activist) responded: “If police hadn’t gotten the wrong house, Mena would be alive. No matter what the misconduct is, the police are always exonerated.”

ACLU members were critical of the way the raid was handled and asserted that a no-knock raid was totally uncalled for; Mark Silverstein, legal director for the Colorado ACLU, said, “If the government officials who authorized the warrant had followed the law, Ismael Mena would be alive today.”

8. Mario Paz; El Monte, California, 1999.

On August 9, 1999, 64-year-old Mario Paz was in his home in Southern California when up to 20 narcotics officers for the city of El Monte conducted a no-knock raid and used a grenade during the attack. Some of the officers claimed that Paz appeared to be going for a gun, and they fatally shot him twice in the back in front of his wife. Although Paz was a gun owner, he never shot at the officers—he didn’t live long enough. No drugs were found in the house, and Bill Ankeny (El Monte’s assistant police chief) later acknowledged that there was never any evidence of the Paz family being involved in drug dealing.

The decision to raid the Paz home, according to Ankeny, was made after narcotics officers found some bills and Department of Motor Vehicle records containing the family’s address among the possessions of a drug suspect named Marcos Beltrán. Back in the 1980s, Beltrán had lived next door to the Paz family—and at one point, they agreed to let Beltrán receive mail in their home. So in other words, El Monte officers conducted a commando-style raid on the Paz home based on the fact that a drug suspect (who was out on bail and hadn’t been convicted) had received some mail in their home during the previous decade.

9. Alberta Spruill; New York City, 2003.

In many cases, politicians (both Democrats and Republicans) are so afraid of being considered soft on drugs that they are reluctant to say anything critical of narcotics officers no matter how badly they screw up. But in the case of 57-year-old Harlem resident Alberta Spruill, New York City Mayor Mike Bloomberg admitted: “Clearly, the police made a mistake.”

Around 6:10am on May 16, 2003, officers executed a no-knock drug raid on Spruill’s apartment based on bad information they had received from an informant/alleged drug dealer. A concussion grenade was thrown into the apartment; Spruill, a city employee who was getting ready to leave for work, suffered a heart attack and died. After causing Spruill’s death, the officers realized that they had just killed an innocent person. Attorneys for the city of New York agreed to pay \$1.6 million to Spruill’s family.

10. Pedro Oregon Navarro; Houston, Texas, 1998.

Drug raids are often conducted based on information from informants (many of them drug users and/or low-

level drug dealers), but all too often, the information is unreliable and costs innocent victims their lives. One such victim was 22-year-old Pedro Oregon Navarro. On July 12, 1998, Houston officers raided Navarro's home based on an alleged drug user's claim that drugs were being sold there. A total of 30 bullets were fired, and Navarro was shot 12 times. Officers claimed Navarro had a gun and fired at them, but ballistics tests proved that all 30 shots were fired by the officers.

In 1999, Al Robison (president of the Drug Policy Forum of Texas), denounced the killing of Navarro as a "very clear illustration of the insanity of our current drug policy." The officers who raided Navarro's home violated department policy by failing to obtain a search warrant. No illegal drugs were found in Navarro's home, and blood tests conducted after his death showed no traces of any illegal drugs in his system.

Posthumously, Navarro was proven innocent, and his senseless death underscored the need for the United States to seriously reform its misguided drug laws. Had war on drugs supporters learned a lesson from Navarro's death, it is quite possible that the killings of the Rev. Jonathan Ayers, Rodolfo "Rudy" Cardenas, Alberta Spruill, Mario Paz, Kathryn Johnston and others could have been prevented.

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