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EXTERNAL

USA: Concerns about police shootings of minority suspects in New Jersey

On 21 February 1995, Lawrence Meyers was shot in the back of the head by a white housing police officer (an anti-drug foot patrol officer, assigned to specified housing areas) during an undercover drugs operation in Paterson, New Jersey. According to press reports of the incident, the Paterson police said that Lawrence Meyers and two other suspects tried to flee from a car which was under surveillance for drug dealing; an officer pursued him with his gun drawn, and he was accidentally shot during a struggle with the police officer. According to press reports, several eye-witnesses say the two never struggled. After the shooting, Lawrence Meyers was taken to hospital where he was put on a life support machine, and died three days later without regaining consciousness. According to reports, police said they recovered 23 grams of cocaine from Meyers and the two other men.

The officer involved in the incident was inexperienced, having graduated from police academy only two months earlier. At the time of the incident, he had been assigned to the housing police for a probationary period of a year, and was patrolling with an undercover narcotics squad from the regular police force.

Criticism has been raised within the community about why an inexperienced housing officer was working on the streets together with experienced detectives from the Paterson Police Department.

According to press reports, the shooting was followed by three nights of unrest as youths took to the streets in protest, some throwing bottles and looting stores. In the days following the incident, 600 police officers were put on the streets, some of these in riot gear. During one afternoon, large squads of police wearing riot helmets and carrying nightsticks were sent to patrol outside the high school Lawrence Meyers had attended to prevent students moving downtown as they emerged from their classes. At a memorial service for Lawrence Meyers on 26 February, the priest reportedly said "this case is a reflection of a growing problem of policemen running out of control."

Evidence from an investigation carried out by the Passaic County Prosecutor, overseen by the State Division of Criminal Justice, was presented to a Grand Jury. According to press reports, the County Prosecutor who headed the investigation said that one of the key questions which needed to be answered was whether the officer adhered to state guidelines on the use of force (that an officer can draw his weapon when he believes he is in a dangerous situation, and fire his weapon if he believes he is in a life-threatening situation). The Grand Jury decided not to indict the officer in May 1995. Amnesty International understands that the attorney for Meyer's family was planning to ask the US Justice Department to review the case, as a possible civil rights violation, and to convene another Grand Jury.

According to press reports, the Chief of the housing police was reported to have said that housing police officers receive sensitivity training and would probably receive more training following the incident. However, he said that the outcome of the investigation would influence such training in future.

Background

There has been concern about police shootings of minority suspects in several New Jersey police departments in recent years. More than a dozen black youths, most of them teenagers, have been shot dead or injured by (mainly white) police officers in disputed circumstances since 1990. They include the following cases:

- Philip Pannell, an unarmed black 16-year-old, fatally shot in the back while running away from police officers from **Teaneck**, in April 1990. The officer was acquitted on a state charge of reckless manslaughter by an all-white jury in 1992. The US Justice Department reviewed the case and in 1994 decided not to file federal civil rights charges against the officer involved.
- A case in **Hillside**, in which two people black people (including a 16-year-old pregnant girl) were shot dead and several others wounded when police fired 43 shots into a stolen van driven by teenage joy-riders after a high-speed car chase. No officers were charged in that case.
- An unarmed man, Maximo Cintrón, of Puerto Rican origin, shot dead by New Jersey police in July 1991 after police gave him a summons for having tinted windows in his car. Witnesses said police held him in a chokehold moments before he was shot and that the shooting was unjustified.
- Shaun Potts, an unarmed black man, fatally shot in the back by a police officer in **New Brunswick**, in July 1991;
- Howard Caesar, a black 17-year-old suspected car thief shot and wounded in June 1992 by a **Newark** police officer using an illegal handgun that was not police issue. Six police officers were later suspended for failing to report the incident. A police officer was subsequently convicted of aiming a weapon at a passenger in a stolen car in violation of police guidelines;
- Two black teenagers shot dead by three **Newark** officers in August 1992, while riding in a stolen car.

There have also been cases involving physical brutality, including the case of Julio Tarquino, of Bolivian origin, who died after reportedly being beaten by a police officer on 7 May 1995. Tarquino was reportedly hit on the head by an officer during an argument at a petrol station; he was arrested and later taken to hospital where he died several days later of multiple skull fractures and brain haemorrhage. A Jersey City police officer was arrested and charged with murder in the case, and trial is still pending.

Amnesty International has written to the New Jersey authorities expressing its concern about these cases, and urging its police forces to adhere to international standards on police use of force. These provide that deadly force should be used only as a last resort in self defence or the defence of others against an immediate threat of death or serious injury, and that in all cases it must be proportionate to the threat encountered and designed to minimize damage and injury.