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## **WHAT WERE THEY THINKING? (PART II)**

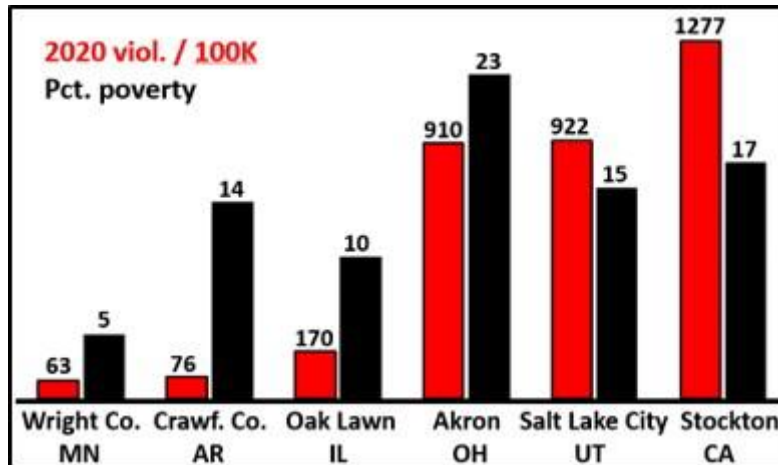
### ***Examining six recent (and notorious) uses of force***



*For Police Issues by Julius (Jay) Wachtel.* In Part I we examined the “particularly offensive” fatal shooting by Lawton, Ok. police of a 29-year old man. A pair of officers responded to a 9-1-1 call that Quadry Sanders was violating a protective order obtained by his estranged spouse. Prior episodes of misconduct had given Mr. Sanders a poor reputation, and this time around his failure to comply may have helped cops incorrectly conclude that when his hand dropped to his waistline he was reaching for the gun he reportedly brought along.

We say “helped” conclude because police decisionmaking is affected by a host of organizational, individual and situational factors. Agencies, cops and places differ, and each poses its own challenges. In “[Three In\(?\)explicable Shootings](#)” we mentioned that “cops who are easily rattled, risk-intolerant, impulsive or aggressive are more likely to resort to force or apply it inappropriately.” Lawton is the second most violent (and, not-so-incidentally, the second poorest) of Oklahoma’s ten largest cities. Gunplay is not uncommon. Indeed, only a year had passed since one of the cops (not the one who fired first) shot and killed an armed suspect – by official accounts, justifiably.

The environment in which cops toil has long been one of our favorite “explainers” (see, for example, “[The Chase is On](#)”). To continue our probe we selected a recent, highly-publicized use-of-force episode from each of six communities across the U.S. Violent crime rates were computed from the [UCR’s 2020](#) “offenses known to law enforcement” file. Poverty rates are from the Census Bureau’s “[Quick Facts](#)” page.



We ordered these places by their violent crime rates. As one might expect, it was far more pronounced in poorer areas. While the relationship between variables isn't precise, the three most economically challenged communities, Akron, Salt Lake City and Stockton, suffer considerably more violence per capita than their more prosperous counterparts. Compared to, say, the economically-blessed citizens of Wright County, the residents of Stockton, Salt Lake City and Akron are respectively *twenty, fifteen* and *fourteen* times more likely to fall victim to a violent crime.

Of course, economic conditions can't explain everything. Figuring out why cops act as they do requires probing incidents in depth. We'll begin by setting out what took place.

### Episodes

#### Otsego, Wright County, Minnesota (August 7, 2022)



Wright County sheriff's deputies provide policing services for [Otsego](#), a prosperous city of 21,000 in the greater Minneapolis-St. Paul area. During the early morning hours of August 7 a 9-1-1 call alerted deputies that Jordyn Hansen, a deeply troubled 21-year old, was "having mental health challenges" and threatening the occupants of the home where he lived with a knife (for a CBS News piece on the episode, click [here](#).)

Mr. Hansen had long suffered from emotional and drug abuse issues. He was twice committed by a court and was living with his uncle and aunt after a recent stint in rehab. When first approached Mr. Hansen seemed cooperative and agreed to accompany

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deputies to the hospital. [But he suddenly bolted](#) into the kitchen, grabbed a knife and fled.

More cops arrived. Police soon cornered the youth in a nearby yard. [According to the Sheriff's Dept.](#) attempts to Tase Mr. Hansen were unsuccessful, and when he charged in with the knife two deputies shot him dead. Unfortunately, Wright County deputies don't wear body cameras. But Minnesota's [Bureau of Criminal Apprehension](#), which investigates all uses of force that result in death or serious injury, [informed CBS News](#) that (as yet unreleased) patrol car video "shows Hansen 'running towards Deputy Wilkinson' with a knife in his hand. Wilkinson then falls backwards 'as he fires his department handgun'."

[According to Mr. Hansen's aunt](#), deputies ignored her husband's supplications that they immediately restrain the youth and allowed him to move freely. In her view, the lax response allowed the youth to grab the knife.

### **Mulberry, Crawford County, Arkansas (August 21, 2022)**

A guy came in the store...He got him some water in a bottle and went outside to sit on the bench. Got up and went to the front of the store sit on the curb. I went out and told him he could not sit there. He got up and spit on me and told me he would cut my f...face up...

[That's what an Alma, Arkansas store clerk told police](#) the morning of August 21. Two sheriff's deputies soon observed a bicyclist who matched the evildoer's description in nearby Mulberry. They were joined by a local cop. [According to Sheriff Jimmy Diamante](#), the suspect, Randal Ray Worcester, 27, instantly turned violent and brutally punched a deputy in the head, causing a concussion.



There's no video available of that interaction. But a bystander recorded the rest of the struggle (click [here](#) for the full video and [here](#) for our edited version.) Be forewarned that it's a difficult watch, as the



officers repeatedly deliver savage blows to what quickly turns into a defeated man (see left.) Towards the end, the cops notice they're being filmed and yell at the citizen to stop (see right).

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Sheriff Diamante has little sympathy for Mr. Worcester. Although he conceded that “the citizen video is troubling to watch” and gives rise to “concerns about the use of force”, he pointed out that the suspect is currently serving a three-year suspended sentence for punching an Oklahoma City police officer in the face in 2021.

Mr. Worcester was arrested for fighting the officers and was released on \$15,000 bail. He may also face charges for threatening the store clerk. His treatment, though, has drawn considerable criticism, and the U.S. Justice Department announced a civil rights investigation. [For now, the three cops have been suspended from duty.](#)

## **Oak Lawn, Illinois (July 27, 2022)**

On July 27 Oak Lawn officers on routine patrol [noticed that a vehicle lacked a front license plate](#) and exuded a strong odor of marijuana. They pulled the car over and had the driver, a young male, step out. (Click [here](#) for ABC’s full coverage of the incident and [here](#) for our video compilation.) He was quickly patted down and stood aside. A teen passenger was then asked to exit. Hadi Abuatelah, 17, came out with a bag slung around his neck. And as he was being cursorily patted down he took off.



Officers chased Abuatelah and soon had him on the ground. They struggled mightily over the bag. Abuatelah wouldn’t let go, and the officers delivered many blows, supposedly because they feared the bag contained a gun. A third officer soon joined them [and delivered a contact stun from his Taser](#). According to Oak Lawn’s police chief, that was the only way they could free the bag from the youth’s grasp.

“Had the offender drawn the weapon, [the officer] could have shot him. Were they supposed to wait for him to pull it out?” And yes, there was a gun inside. It was a Raven Arms .25 pistol loaded with three rounds of ammunition.



Abuatelah suffered serious head and facial injuries and spent four days in the hospital. An officer was also injured but didn’t require hospitalization. [Prosecutors charged the youth](#) with “aggravated unlawful use of a weapon” and “unlawful possession of a firearm by a minor”; further proceedings are scheduled for September. But as one would expect, all those punches upset many citizens. According to a spokesperson for the Arab American Action Network, “the crime that everybody witnessed is the crime of Hadi being brutally assaulted by three grown men. That’s the crime that we want to talk about...”

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Mr. Abuatelah's family filed a lawsuit over the cops' "extreme and outrageous conduct". Yet Oak Lawn's police chief strongly defends his officers' actions. An internal investigation is underway, but disciplinary action is not expected.

## **Akron, Ohio (June 27, 2022)**

During the early morning hours of June 27 Akron police officers attempted to stop a vehicle for lack of a rear license plate and other violations. Its driver and sole occupant, Jayland Walker, 25, sped onto an expressway, and a pursuit ensued (click [here](#) for the official narrative and video compilation, and [here](#) for our edited version.)



"About forty seconds" into the chase officers reported that a gunshot was fired from the vehicle. Its sound and a "flash of light" are said to have been captured by body cameras. Mr. Walker soon exited the expressway and came to a stop. Clad in a ski mask, he stepped out from the passenger side and fled on foot. Several officers took up the chase and fired Tasers, but without apparent effect.

Momentarily, Mr. Walker paused and turned to face his pursuers. Officers instantly opened fire, and they kept shooting even as he fell to the ground. (An officer can be heard commanding "cease fire!") Mr. Walker was mortally wounded. [According to the autopsy](#), he suffered 41 entry wounds and five graze wounds. Twenty-six bullets were found in his body.

And no, Mr. Walker had *not* been carrying a gun. However, a pistol and a loaded magazine were found in his car (see right), and police reported that a cartridge casing consistent with the weapon was located near the spot where Mr. Walker supposedly fired a shot from his car.



It wasn't these cops' first run-in with Mr. Walker that day. [According to WTDN News](#), the officers observed his vehicle earlier but let it go. However, they soon learned that the same car had fled from police in a nearby community a day earlier. So when they came across the vehicle for a second time they were determined to intervene.

On July 3 Akron's mayor and police chief [conducted a press briefing and played video footage](#). Protests broke out the next day and the city instituted a nighttime curfew. Akron subsequently designated July 13 as a "[Citywide Day of Mourning for Jayland](#)

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[Walker](#)". Several officers have been placed on "administrative leave" and Ohio's Bureau of Criminal Investigation is conducting an inquiry.

## **Salt Lake City, Utah (August 14, 2022)**

During the early afternoon hours of Sunday, August 14, [South Salt Lake officers](#) grabbed an odd-behaving 35-year old man at a park and dropped him off at a detox facility to sober up. But Nykon Brandon didn't stick around. An employee of a Salt Lake City brewery soon informed 9-1-1 that a crazy sort had just attacked an employee. "Definitely mental health issues. So if you've got mental health resources, send them out."



Officer bodycam videos show a pair of Salt Lake City cops chasing a very large, highly agitated man who is running across the highway dressed in nothing but his briefs (click [here](#) for the official compilation and [here](#) for our condensed version.) As a cop



nears Nykon Brandon, 35, begins throwing punches. Soon all tumble to the ground and a violent struggle ensues. Momentarily a third officer joins in, and Mr. Brandon aggressively grabs for his gun (see right).



More cops quickly arrive. Officers finally gain control, apply handcuffs and place Mr. Brandon on his stomach. As they continue to hold him in this position – from the videos, the pressure seems moderate – they verbally try to calm Mr. Brandon down. But (and this isn't on the video) he soon stops breathing. [Officers administered Narcan and chest compressions](#). Alas, their efforts were unsuccessful and Mr.

Brandon died.

Many citizens excoriated Mr. Brandon's treatment by police. A Black Lives Matter representative argued that "stealing a beer does not equate to the death penalty." BLM also complains that no video evidence was provided that confirms any lifesaving attempts. [Police announced](#) that the final video wasn't released "out of consideration for Brandon's family".

## **Stockton, California (February 22, 2022)**

Fixed surveillance cameras show that on February 22 Tracy Gaeta was recklessly motoring through Stockton. She sped the wrong way down a one-way street, struck the rear of a stopped police car, and ran a red light. (Click [here](#) for the official video compilation, and [here](#) for our edited version).



K-9 officer Kyle Ribera ultimately chased Ms. Gaeta's car into a dead end. But as he began to exit the patrol car, Ms. Gaeta shifted into reverse and rammed him. That knocked Officer Ribera back into the car and caused him to strike his head. He promptly emptied his pistol at Ms. Gaeta's vehicle, shattering its back window (see left).

Quickly reloading, Officer Ribera commanded "hands up." But Ms. Gaeta again drove backwards, swinging her car sideways so that her seat faced the cop's car. Officer Ribera promptly fired a second volley, which seemed aimed directly at the driver (see right). In all, [he reportedly discharged 33 shots](#). Ms. Gaeta's car stopped moving. Officer Ribera promptly summoned an ambulance.



Officer Ribera probably assumed that his antagonist was male. After all, the cop whose vehicle Ms. Gaeta first struck had repeatedly referred to its driver as a "he". As it turns out, the errant motorist was [a 54-year old grandmother from Sacramento](#). Her family was surprised to learn that she had wound up in Stockton, fifty miles from home. Their lawyer described Ms. Gaeta as a "victim of preventable police violence." He said that she had neither a "serious mental illness" nor a criminal record but was "depressed from a recent breakup." He insisted that "no matter what was going on with her — even if she had committed a heinous crime — [the officer] didn't have the right to shoot her."

Did the cop break the rules? [Stockton police regulations](#) require that officers "make every effort to avoid putting themselves into a position where they could be struck by a fleeing vehicle, requiring them to use a firearm to protect themselves." They may fire at moving vehicles only "to end an imminent threat to human life". Whether Officer Ribera was in compliance is still being sorted out. Still, he seems a well-regarded member of the force (click [here](#) for his appearance in a "COPS" segment) and to date no discipline has been imposed.

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## Discussion

These incidents came to our attention because of their poor, newsworthy endings. We don't claim that they broadly represent police-citizen encounters. Hopefully, they don't. After all, only one person threatened a cop with a weapon, and that was a kitchen knife. Yet three of the six citizens were shot dead. A fourth perished while under restraint, while the two who survived endured supposedly unwarranted beatings. We'll begin with the fatal encounters.

**Otsego.** We're reluctant to fault a deputy for shooting someone who lunges with a knife. Even when multiple officers are on scene, encounters with the emotionally disturbed (see, for example, the [November 2019 episode in Los Angeles](#)) are inevitably fraught. Whenever possible, the best approach to dealing with the mentally ill is to immediately gain physical control. So we're critical of the deputies' failure to promptly take custody of the youth, as his guardians apparently asked them to do.

**Akron.** This episode began with an attempted car stop that turned into a pursuit, during which the driver reportedly fired a shot. As the image shows, he ultimately stepped out wearing a full ski mask. That may have confirmed the fear that he posed a lethal threat. And when he suddenly stopped and swiveled, a nervous cop fired. As so frequently happens, that discharge apparently led his colleagues to open fire. Yet their antagonist turned out to be unarmed. He left his gun in the car.



Police personalities vary. "[Three Inexplicable Shootings](#)" suggests that "cops who are easily rattled, risk-intolerant, impulsive or aggressive are more likely to resort to force or apply it inappropriately." Had Akron's officer been more level-headed, things might have turned out peaceably. Yet his city, as our opening graph indicates, is a fraught place. As we suggested in "[Speed Kills](#)", "violent experiences...play a major role in fashioning the lens through which officers perceive and respond to threats." Might a combination of personal characteristics and the nature of one's community virtually doom some cops to over-react?

How could it *not*?

**Salt Lake City.** We found nothing exceptional about the tackling of a naked, disturbed man. Police were clearly trying to "immediately take custody" before an innocent citizen got hurt. However, the officers were heavily criticized for placing Mr. Brandon – a *very* large man – on his stomach and keeping him there. After all, that's what supposedly led to the deaths of [Ronald Greene](#) and, one year later, [George Floyd](#). And



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while the pressure applied on Mr. Brandon seems far less constant and severe than what happened in those cases, he nonetheless lost consciousness and died.

Autopsy results haven't been revealed, so we don't know whether Mr. Brandon had ingested drugs. If so, his wild, aggressive behavior would suggest that he had been in the throes of [excited delirium](#). If so, any struggle could have proven fatal. Verbally calming the man down, as the officers ultimately tried to do, was a good move. But placing non-combatative persons in a side recovery position is also recommended. However, from the videos that have been released, there's no indication this was done.

**Stockton.** Would the K-9 cop have knowingly emptied his pistol at a crazed middle-aged grandmother? We've never been in that predicament, but our best guess is a resounding – no! Had the vehicle been in fact registered to Ms. Gaeta (we don't know), and had dispatchers passed that on, the K-9 officer may have reacted differently. Another cop, though, had already mistakenly referred to the driver as a “he.” So a lack of information – and particularly, *accurate* information – may have played a role.

On the other hand, Stockton is a very violent place – indeed, it's by far the worst of our group. Considering what already took place (remember, another police car had been struck) the cop may have gone into survival mode. As in Akron, officer personality may have propelled the use of lethal force.

**Mulberry.** When Ray Worcester was first confronted, the 27-year old Arkansas man reportedly punched a deputy in the head. That wasn't captured on video. But everything that followed was recorded by a bystander.

[Arkansas Governor Asa Hutchinson pronounced the beating](#) – for that's what it clearly *was* – as “reprehensible and “not consistent” with what cops are taught. To be sure, Mr. Worcester seems a violent sort. But the cops who delivered the blows came off as his badge-wearing equivalents. It's yet another example of cops [setting aside their craft](#) in favor of satisfying their inner demons. Yet as we entitled our essay about George Floyd, “[Punishment Isn't a Cop's Job](#).” Really, it's *not*.

**Oak Lawn.** Officer bodycams reveal that police initially treated Mr. Abuatelah courteously. In our opinion, far *too* courteously. Although he exited the vehicle with a (closed) bag slung over a shoulder, it went initially unexamined, and his pat-down (left image) seemed at best cursory. A lack of meaningful restraint allowed the teen to bolt (right image), setting off a foot chase that ended with what critics describe as a beating.

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We don't agree. During the struggle officers likely sensed by touch that Mr. Abuatelah's bag might hold a gun. Bodycam videos support their claim that the blows were intended to get the youth to let go of the bag. But he resolutely held on. That forced a third cop to come in and jolt him with a Taser. Notably, while there's



been plenty of criticism of the cops, [more than a few citizens](#) have also come out in their support.

Here, our reaction is much the same as in Otsego. While officers should seek to promote voluntary compliance, being overly casual invites misbehavior. Taking prompt control of individuals and situations can avert the need to use force. And that, too, is what the "craft of policing" is all about.