

Responding to police killing: questions and challenges for abolitionists

Rachel Herzing and Isaac Ontiveros
describe the challenges for activists
after the killing of Oscar Grant.

On 5 June 2009, Johnnannes Mehserle was ordered to stand trial for the murder of Oscar Grant, III. Mehserle, a former cop with Bay Area Rapid Transit (BART), one of the local transit authorities in the San Francisco Bay Area, was charged with murdering Grant on New Year's morning, 2009, on a BART train platform while Grant was restrained and face-down. Dozens of BART passengers witnessed the scene and a number of people captured the events on their cell phone cameras.

Inside the courtroom where the order to stand trial was given, the prosecution and defence competed to influence judgment around Mehserle's intent, character, and innocence while outside, community members demanded, 'Jail for Killer Cops' and 'Justice for Oscar Grant'. For prison industrial complex (PIC) abolitionists, courtrooms themselves present obstacles in the way of our vision. And an agent of the state undergoing a hearing for killing a young Black Oakland resident presents an even more difficult situation.

After Grant's murder, Oakland boiled over. During a demonstration a week after Grant's slaying, youth participating in an unpermitted march through the city centre, overtook a police car, smashed its window, danced on its hood and roof, and then attempted to flip it, before being dispersed by rubber bullets and tear gas fired by police from armoured personnel carriers.

Angry, sad, and very likely scared and tired, demonstrators caused mild amounts of property damage to city, corporate, and personal property. Police responded with more tear gas, more rubber bullets, and mass arrests. More demonstrations, police violence, and arrests followed.

For many of us Oscar Grant's murder represented both immediate opportunities and immediate challenges for mobilisation. A wide range of organisations snapped into motion, new organisations and formations emerged overnight. Loose groupings flowed into the mix and individuals assessed the right places to jump in. Although the number of groups actively making demands related to Oscar Grant and Johannes Mehserle has dwindled, the lack of coherence remains.

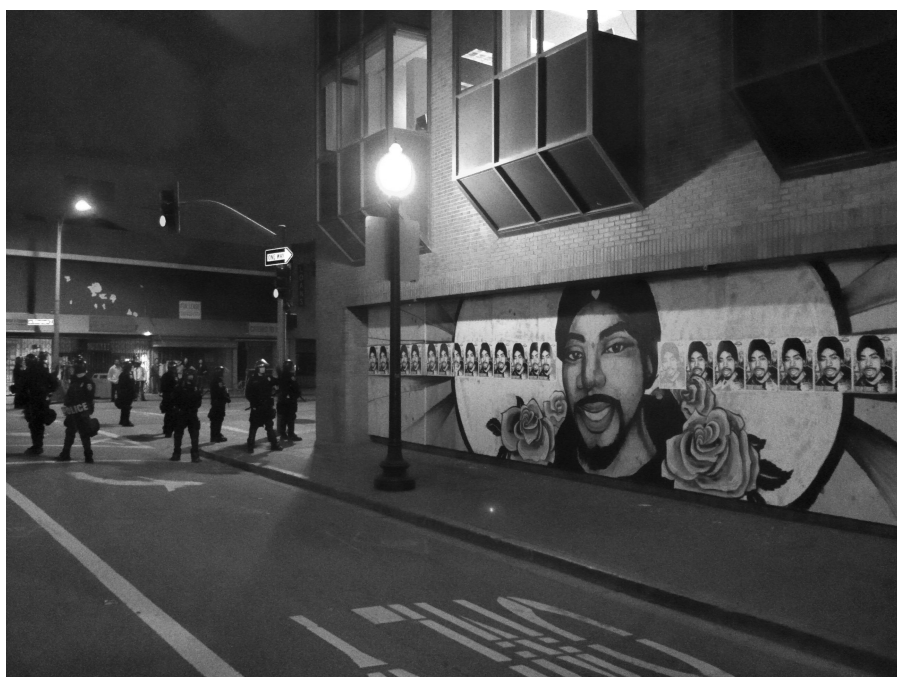
Organising a response

Communities wanting to respond to Grant's murder have been faced with complicated sets of political, strategic, and tactical questions: How to contribute to combined efforts to encourage outrage into focused activity? How to make an impact without grandstanding or undermining others' efforts? How to advocate for a specific political perspective without alienating people?

Reflecting centuries of anger and pain in relationship to the violence of policing, people – especially Oakland's Black population – were determined to not let Grant's murder be another in a long line of state-sponsored atrocities that would go unaccounted. The organising terrain became instantly difficult to navigate as groups with varying perspectives and agendas came onto the scene. Faith communities from the Nation of Islam to Baptist congregations; student groups from high schools to universities; community-based organisations representing a wide range of issues; and unaffiliated groupings of people filled the streets, engaged the media, and offered their perspectives on the best solutions.

The breadth of people ready and willing to fill the streets, make demands, and advocate for change was awe-inspiring. Within that cacophony of voices, there was little coordinated effort, however. Several organisations stepped out to offer themselves as leaders with little





OK Oakland

negotiation with others around strategy and messaging, and in several cases a lack of responsibility and coordination when calling for action. Other groups offered their spaces for community dialogues and meetings, but those spaces were often censored or tightly moderated. At times there was even direct contradiction in the messages circulated at demonstrations, town halls, and through media outlets.

A cry for justice began to solidify around the demand that Johannes Mehserle be arrested, prosecuted, found guilty, and punished to the full extent of the law. Feeling the pressure of the social upheaval in Oakland, the City Attorney complied and arrested Mehserle on 13 January 2010, and charged him with murder. More centrist organisations and coalitions seemed to be content with a primarily juridical course, concentrating political will and pressure on seeing that Mehserle's prosecution was vigorous and transparent. Many called the historically unprecedented arresting and charging of a white cop for the murder of a young Black man a victory. Even so, there was and continues to be a sense that this was not enough.

The question of demands

The question of demands is at the heart of the struggle. What does

accountability look like in response to the execution of a young Black man by agents of the state? Should groups collectively demand prosecution of the cop who did the shooting? Or advocate for the disarmament of BART police? Should people outraged by Grant's murder and ensuing police repression suggest this as a moment to consider the elimination of policing in Oakland?

How can local community members take seriously the impacts of individual people's deaths while keeping a focus on the systemic nature of racialised violence?

PIC abolitionists faced additional challenges. In positioning ourselves as against using the criminal legal system even for the prosecution of a cop who murdered one of our community members, did we risk alienating ourselves from outraged community members demanding a sufficient response to police violence

and repression; from those people brutalised and terrorised by cops ranging from local forces, and county sheriffs, to Department of Homeland Security; from our organisational partners and allies? Should we stand firm to our ideals even at the risk of standing alone? What opportunities could we seize in a moment when opposition to policing was so stark? What openings could we follow to expose the very nature of policing, prosecution, and imprisonment as violent acts of state control? How could we amplify and applaud the collective logic of cop watching via cell phone video footage that exposed and broadcast Oscar Grant's execution instantly? How do we reckon with the fact that those very images were then used in court against Mehserle and used to threaten those who would not surrender their phones to the cops?

Upending our relationship to punishment at all scales – from disciplining our children to holding friends, family, and co-workers accountable, to confronting state repression – is difficult. The prison industrial complex has been integrated into the prevailing common sense of US society for so long and with such skill that we have

often integrated it into our own common sense. If we apply the same logic to the state that we do to ourselves, however, the same questions remain: how does putting an agent of the state in a cage hold the state accountable? How does prosecuting an agent of the state highlight the systemic nature of repression and

genocide of Black communities and not simply exceptionalise this situation as the result of one bad cop?

In considering how to apply our principles to our practice, we must

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Thomas Hawk

push against simple reactions. Shouldn't the most severe punishment be reserved for our oppressors? Wouldn't prosecution and imprisonment of an agent of the state be an appropriate response for years of systematic and systemic violation, repression, and genocide at the hands of the state? Severe punishment of this sort seems particularly apt when we consider that community-based systems of accountability such as civilian review boards have proven nearly completely ineffective in preventing, stemming, or even addressing the impacts of policing on already marginalised communities.

After moving the trial out of Oakland, Johannes Mehserle was found guilty of involuntary

manslaughter. Leading up to the verdict, an array of calls came from different organisations and community members to flood the streets of Oakland on the day the decision was to come down. Once again, the messages came from many different, often contradictory,

directions. Some calls urged uprising no matter what the verdict was, others for outrage only if the verdict was not harsh enough. In preparation, the Oakland Police Department enacted a largely successful strategy of dividing 'legitimate'

organisations and community members from 'outside agitators', while pursuing a fairly meticulous and effective military containment in the streets. Perhaps unsurprisingly,

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but no less devastatingly, many centrist organisations played an active part in this policing strategy. Without unity among organisations, and without any effective leadership from organisations pushing abolitionist politics, confusion reigned. But confusion doesn't necessarily take the fire out of people's real concerns, outrage, and desire for something different, and defeat is never absolute when the conditions for outrage and organised resistance remain.

In considering a way forward Audre Lorde's warning seems more apt than ever: 'The master's tools will never dismantle the master's house. They may allow us temporarily to beat him at his own game, but they will never allow us to bring about genuine change'. Appealing to the same system that engineers and executes repression and genocide of poor people, youth, queer communities, and communities of colour for remedies only strengthens that system's hold over us. While PIC abolitionists face substantial organising challenges we are also presented with opportunities to examine the important openings for building a more unified movement against policing in Oakland. Within organisations, among loose-knit networks, and at town halls, people have been more excited than ever about building up community-based strategies around addressing interpersonal harm and conflict that don't use police. By envisioning a more liberated way of living with one another, and by building and practicing community self-determination, we take essential steps toward making policing obsolete, once and for all. ■

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