

Going down Memory Lane

The Bethlehem Gadfly George Floyd killing, Police June 10, 2020

 *Latest in a series of posts on the George Floyd killing* 

We are still talking about the first part of the **Use of Force Directives and a Community Engagement Initiative** memo to Chief DiLuzio by Councilmembers Reynolds and Crampsie Smith.

Gadfly took some heat for calling the **Mayor's statement** on the George Floyd matter a “powerful statement.” He still thinks it was. He kudo'd the **Chief's statement** at City Council as well.

Gadfly still thinks these statements were powerful, appropriate, necessary — but he didn't see such statements as complete, as putting a period to local response to the larger situation and issues.

He agreed with the call to add action, **saying**, “This is no time to be self-satisfied, self-congratulatory, smug, back-patting, complacent, resting-on-laurels, etc. It's a time for rigorous self-examination even if we think we are doing a good job.”

Here's how he handled the duality in his brief comment at last week's City Council meeting:

Audio Player not available in this archive

In that comment Gadfly could only reference the traffic stop of September 11, 2019, that, he thought, was the kind of incident that, given the right circumstances, could well blow up but, at the very least, was quite likely an example of racial insensitivity. There was not time during Gadfly's Council remarks to rehearse the circumstances of a case that he handled in detail just before the pandemic started to shut him down.

Go to **“Police”** on the right-hand sidebar for full coverage of the discussion.

The bare facts from memory: A Puerto Rican Southsider with limited English language proficiency was pulled over for rolling through a stop sign at 6th and Hayes. The officer conducted a consent search, he said,

and found two half-burnt blunts under the seat that tested positive for marijuana. While in custody, a deported felon warrant came back in the operator's name, or something close to the operator's name, noting a tattoo as an identifying mark. The operator had no tattoo, but he was taken to headquarters anyway, where he was cleared. There was no apology. And the officer refused to return the operator to his car, which was still at 6th and Hayes. The operator was charged with possession under the federal statute not the local city ordinance.

There were questions about the legality of the search and the officer's action in taking the operator to headquarters. Gadfly sought unsuccessfully to view a copy of the deported felon warrant to check the similarity of the names and the nature of the tattoo, which should have cleared the operator, to see if there was probable cause to cuff the operator and take him to headquarters.

At the February 18 City Council meeting, the Mayor reported that the officer was cleared of "allegations of unprofessional and illegal conduct" by a "thorough internal investigation" and that, on advice of the Solicitor, there would be no further comment.

Gadfly literally had **20 lingering questions** that went unanswered with that abrupt closure.

Well, in fact, there was no closure, and at Council last week in the comment above Gadfly wondered whether an internal review was satisfactory in cases like this. And he notes that speakers at the demonstrations last week called for a Civilian Review Board.

Gadfly is not sure that is the answer, but there has to be more transparency if the department and the City can be trusted to handle such cases.