

It's All So Familiar; It's All So Heartbreaking

Today, November 24th, 2015, Jason Van Dyke was charged with  first-degree murder in the slaying of Laquan McDonald in Chicago, Illinois. We all should be charged for the same thing. I won't argue with anyone who wants to call Jason Van Dyke a bad apple, but the problem is larger than that.

The problem—the problem that led to the death of Laquan McDonald—extends to Jason Van Dyke's police department, whose officers allegedly went into a Burger King and erased the surveillance video. It extends to the Mayor's office and to the State's Attorney's office, who were dilatory in bringing charges. It extends to our legislatures who have shielded our law enforcement officers with cloaks of qualified immunity, impunity, and legal invincibility. It extends to our courts, all the way up to the Supreme Court, for eviscerating the Fourth Amendment rights of the citizens.

The problem extends to each and every single one of us who wants to claim citizenship in a democratic republic.

Laquan McDonald is on all of us.

We are a society. We have a culture. We share a nation. We call ourselves the *United* States of America. We pride ourselves on our democratic ideals. We claim exceptionalism. Equal protection under the laws. A government of the people and by the people. Just as we as a nation cannot absolve ourselves for the slaughter of innocents overseas when we send our troops to war, we can't abdicate our own responsibility for the death of Laquan McDonald or any of the others unjustly harassed, abused, or murdered in our name.

All it takes to file criminal charges in this country is probable cause, a bar so low in our courts that if it were not

so tragic it would be laughable. It took over a year to charge Jason Van Dyke with first-degree murder despite the fact that clear video evidence showed far more than probable cause that he committed first-degree murder when he opened fire on a juvenile, a teenager who was moving away from him, a kid who made no threatening gestures toward Jason Van Dyke. He opened fire and he kept firing. Laquan McDonald fell to the ground and Jason Van Dyke kept firing.

It was memorialized in video. Evidence exists. Probable cause exists. As a society, we should be expected to seek justice for whomever was responsible for the death of Laquan McDonald. But we didn't. We delayed, and justice delayed is justice denied.

It took 400 days to charge Van Dyke in the shooting of Laquan McDonald.

Jason Van Dyke gunned down Laquan McDonald on October 20th, 2014. A judge, in response to a journalist's Freedom of Information Act request, ordered the video of the shooting released to the public by November 25th, 2015. 400 days.

400 days have gone by since Laquan McDonald breathed his last while he lay bleeding in the streets from sixteen bullet holes, with all the bullets being fired by one sworn to *uphold* the law and *protect* and *serve* the public.

400 days. The State's Attorney, she's an elected official. She's a politician. The video had been requested by the public for a year. When the courts finally forced the city to release the video of the slaying as unrest continued to grow, she waited until the day the video was released to press charges.

#BlackLivesMatter –Laquan McDonald's life mattered.

If Laquan McDonald had been arrested for shooting and killing someone, if the roles were reversed, he would have been put in jail and charged as soon as the courts were open for business.

He would have been denied bail. He would have been assigned to an overworked public defender who could not possibly be expected to provide effective assistance of counsel with the immorally low funding and staffing in the public defender's office. Laquan McDonald would either be coerced into pleading or he would have a mere formality of a trial before he was sent to prison or death row. No one would blink, because that is how our country operates. That is the status quo.

Instead, Jason Van Dyke is a white police officer who has a thin blue line to erase video tapes for him. He is a white police officer who has the strongest unions and political lobbies behind him. He is a white police officer who works in the executive branch of our government, hand in hand with the attorneys responsible for charging decisions and prosecutions. He is a white police officer who has 400 days to prepare a defense, to prepare his family, to practice those magic words, "I feared for my life." He is a white police officer who may have never been charged in the first place if a journalist didn't fight for that video to be released, who may have never been charged had that video not forced the hand of the State's Attorney in her own self-interested political game.

We are all complicit; we are all responsible for change.

Plenty of people will spill words indicting Jason Van Dyke, but plenty of right-wing racists will instead blame the victim and say that if Laquan McDonald weren't a "thug," if he had just followed the directions of police, if he had just not committed any crimes in the first place, he would still be alive. Their logic will rest on the idea that anything short of unflinching obedience to the State, anything short of complete purity of spirit (and skin) deserves the sentence of death with no trial.

Plenty of people will blame a police culture that encourages officers to shoot first and ask questions later, yet plenty of others will write op-eds about a non-existent war on police.

Plenty of people will march in Laquan McDonald's memory to honor him and to protest the sad truth that our government—and thus, the majority of our citizenry—cares less for the lives of black people and other people of color than it does for the white majority, yet many will point to the red herring of black on black violence.

Plenty of people will scream out in anguish because they aren't heard when they say, "Black lives matter," but—sadly—plenty of people will scream out in anger and denial to drown them out. Plenty of people will miss the point entirely; and to protect their own fragile psyches, to continue living in denial, or to maintain their own status quo, they will cry out, "All lives matter."

It's all so familiar, and it's all so heartbreaking. So many words will be spilled about the blood we continue to spill, and most of them will be pointing the finger at someone else. So few will hold up a mirror and say, "How am I complicit?" The truth is, we are all to blame.

We live in a culture of fear in which we demonize "the other." We live in a culture of violence in which we use guns in misguided efforts to solve or prevent our problems. We live in a culture in which we are at war with each other—black lives vs. blue lives, liberals vs. conservatives, extremist evangelicals vs. everyone, and the list goes on.

We live in a culture in which we voice outrage over the blood spilled in our streets, in our movie theaters, and in our schools; yet, we do nothing about it. We live in a culture in which we are all given one vote, we are all given voices, and we continue to either not use them or we waste them to maintain the status quo. The status quo is not acceptable.

My heart absolutely breaks for Laquan McDonald and for his family. And my heart breaks for us all.

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