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**\*\*\*FOR IMMEDIATE RELEASE\*\*\***

***Statement from Legal Aid's Staten Island Office on the Anniversary of the Killing of Eric Garner by the NYPD***

**(New York, NY) – The Staten Island Office of The Legal Aid Society** issued the following statement today in honor of the anniversary of the death of their client, Eric Garner:

“We look back now six years ago to the murder of Eric Garner, killed by a chokehold by New York City police officer Daniel Pantaleo, only to see the replay of the same tragedies without meaningful change. We continue to march calling the names, George Floyd, Breonna Taylor, just as we did for Eric Garner. We still look for real change. Permanent change.

Here on Staten Island, District Attorney Michael McMahon promised to address racial bias in the criminal legal system. DA McMahon claims to be ‘deeply troubled and concerned about the current state of affairs in our city and across the country.’ Yet, the legal double-standard between black and white Americans continues on Staten Island as it does across the nation. It was built and buttressed for generations, beginning in slavery. Our Constitution counted slaves as 3/5 of a person on the one hand and as property on the other. Denied any protections under the law, slaves could be raped, murdered, or assaulted without recourse. The failure of law enforcement to protect black Americans continued through Jim Crow and the enactment of the “black codes” which continue today despite the gains by the Civil Rights Movement to correct these wrongs.

The psyche of America never contemplated black Americans as equal citizens. Law enforcement has always been used to ensure that black people stay in ‘their place.’ Ordinary acts by black Americans were met by legalized terrorism: arrests, public lynching, and secret lynching were all used to instill fear and to control the black community. Police rarely arrested whites for this terrorist behavior toward blacks, and many members of law enforcement participated in this terror as active members of the Klan.

Today, this terrorism continues with the public execution of blacks by shooting, asphyxiation, and ‘suicide’ while in police custody. Police brutality causes public outrage. But it still instills fear and reinforces that police will continue to enforce the unwritten ‘black codes.’ Parents continue to give their brown and black children

‘the talk,’ because we know that our children’s behavior can determine whether they stay alive. No jaywalking, no speeding, no broken tail lights, no back talk, no attitude—because walking, talking, and driving while black can lead to death.

Elected as the District Attorney in the aftermath of Eric Garner’s death, which hurled the words ‘I Can’t Breathe’ as the emblematic representation of police brutality, DA McMahon must understand the historical double standard of the justice system. Inheriting the increased mistrust of the criminal legal system as a result of his predecessor’s mishandling of the killing of Eric Garner should have put candidate McMahon on notice, in 2016, that criminal justice reform was needed.

Instead, McMahon [protected his predecessor’s sham grand jury proceedings](#) hiding the truth by neither presenting the case to a new grand jury nor seeking a court order to release the Garner grand jury minutes to the public. Imagine if DA McMahon addressed the issues of race and unequal justice four years ago, he would now be a leader and an example for other communities who now face the same challenges.

District Attorney McMahon further reveals a shallow promise to prevent racial bias the criminal legal system when he failed to fully support the ‘Eric Garner Anti-Chokehold Act’ aimed at police reform. He insisted that the legislation include clear language allowing an officer to ‘offer a justification defense’ in the event that such force was necessary to protect officer lives. NYPD prohibits chokeholds by officers, period. DA McMahon’s proposal would have created a loophole to bar prosecution of police who continue choke citizens emasculating any commitment to justice reform.

More can be done to create accountability and transparency. District Attorneys across the City created lists of police officers who have a history of lying under oath. Such lists have been made public. DA McMahon should release his list to hold officers accountable to speak the truth. Also, when officers are caught falsifying evidence to support racist arrests, [officers should be prosecuted to hold them responsible](#). More needs to be done for a true and permanent change for antiracist law enforcement.

The time for change came long ago. We look forward to see change this time.”

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*The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. <https://www.legalaidnyc.org>*