

Students,

* Before I start- look down at the title of the article that I Reference. Why does the title not support anything written in the article?

I have received numerous emails since the grand jury decided not to indict Pantaleo (the NYPD officer who put the chokehold on Eric Garner) asking how the grand jury could have made such a decision. The following is the argument:

“The autopsy also found that compressions to the chest and “prone positioning during physical restraint by police” killed Garner. The manner of death, according to the medical examiner, was homicide” (Paddock, Parascandola, & Siezmako, 2014, para. 2).

“The autopsy determined the victim’s asthma, obesity and high blood pressure were also contributing factors in his death” (Paddock, Parascandola, & Siezmako, 2014, para. 15).

There was no medical evidence of damage or compression to the throat. The NYPD union chief also said that his death was more likely due to Garner's poor health. SO the State's argument is that

1. Garner was obviously resisting arrest.
2. The officer took down Garner pursuant to standard operating procedure.
3. Although the cop used an illegal maneuver, the coroner found that there was no damage to the windpipe...
4. ...and the cause of death was prone positioning used by police during legal physical restraint...

Therefore, the proximate cause of death (we could say this is ‘mode of death’) was not the chokehold, yet rather his physical body weight pushing down on his chest resulting in stopping him from breathing.

This does not dispose of the surrounding issues such as Garner saying ‘I can’t breathe’ at least ten audible times or the NYPD not enforcing the chokehold ban even though they have received numerous complaints about it’s since banned in 1993.

Reference:

Paddock, B., Parascandola, R., & Siezmako, C. (2014, August 2). *Homicide: Medical examiner says NYPD chokehold killed Staten Island dad Eric Garner*. Retrieved from <http://www.nydailynews.com/new-york/nyc-crime/eric-garner-death-ruled-homicide-medical-examiner-article-1.1888808>