NAACP Legal Defense Fund Statement on the U.S. Justice Department’s Decision Not to Charge Baton Rouge Police Officers for Shooting Death of Alton Sterling

Today, the Department of Justice (DOJ) announced that federal charges will not be filed against Baton Rouge Police Officers Blane Salamoni and Howie Lake for last year’s shooting death of Alton Sterling. Sherrilyn Ifill, President and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF), offered the following statement:

“The Justice Department’s decision not to indict the officers involved in Alton Sterling’s death comes just a day after it resolved the criminal case against former North Charleston Police Officer Michael Slager for the shooting death of Walter Scott. While we appreciate the fact that decisions to prosecute are made on a case-by-case basis, both police-involved deaths were caught on video showing officers using deadly force when no lives were in danger. In Mr. Sterling’s case, the DOJ said that charges would not be brought due to insufficient evidence to prove willful use of unreasonable force – the standard for the applicable federal civil rights statute. In the past, we have noted that this ‘willfulness’ standard is deeply flawed and frustrates the meaning of the federal statute designed to protect against the deprivation of rights by officers of the state. Even so, the refusal to prosecute here is particularly alarming given the video evidence, and the fact that both Officer Salamoni and Lake reportedly have been investigated for using excessive force five times over seven years of their employment with the Baton Rouge Police Department.”

“We ask Louisiana Attorney General Jeff Landry to expeditiously conduct an investigation, and to pursue state charges against Officers Salamoni and Lake for shooting Mr. Sterling. Beyond state criminal charges, it is clear that Baton Rouge, like the rest of the nation, must implement sustainable policing reform to ensure no one else suffers the same heart wrenching and avoidable fate that Mr. Sterling did.”

“We recognize that some residents of Baton Rouge may, in the wake of this decision, choose to exercise their constitutional right to protest. Law enforcement must act responsibly and avoid any unnecessarily militarized response. We call on all officers to use sound judgement and great care in interacting with a Baton Rouge community still reeling from this announcement. Lawful civil unrest cannot be met with excessive force.”

“On this immensely difficult day, our thoughts are with the Sterling family. We will remain unwavering in our commitment to pursuing justice for victims of police violence in Baton Rouge and nationwide.”

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.