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Navajo human rights officials respond to video of Farmington police brutality on Navajo witness

Navajo human rights officials hope City and County officials will not turn another blind eye to police brutality

ST. MICHAELS, Ariz.—After hearing testimonies from Navajo citizens about police brutality in Farmington, New Mexico, and the surrounding area, for the first time on video, Navajo human rights officials observed just that—police brutality against a Navajo man in Farmington.

Sheriff Deputy Dale Frazier of San Juan County was placed on leave and may be under investigation for use of force captured on his in-car camera on March 17, 2011, where he's causing harm against Donovan Tanner, who is Navajo. The video has gone viral.

“To me, there's a strong indication from the video that Deputy Frazier immediately suspects the Native American is at fault,” said Leonard Gorman for the Navajo Nation Human Rights Commission who saw the video on April 7, 2011.

The first words exchanged in the video began when Deputy Frazier appears to direct Tanner with a dictatorial tone and said, “You come here.”

Someone off camera who seems to be Tanner, said, “What did I do?”

“You may be a witness,” said Deputy Frazier, acting in an apparent non-mollifying manner and continued with a dictatorial tone.

Native Americans asked to leave

Tanner then explained he didn't know who hit him in alleged racial discriminatory incident against him and his friends at the Three Rivers Brewery in Farmington, New Mexico on March 17, 2011.

Tanner said, “We don't know who's who. They just kept pushing, pushing, pushing.”

“Okay, there's a reason why they were pushing,” said Frazier, “What is it?”

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“We don’t know,” said Tanner, “We were just trying to leave.”

Being snarky and seemingly drawing his own conclusion, Frazier said, “Oh. Exactly.”

Here Tanner retorted what do you expect when we aren’t White.

Tanner then explained how he and his friends were singled out at the brewery. “We are Native Americans and they asked us to leave [the Three River’s Brewery].”

Tanner then asked to leave after giving his account of events. He explained that another witness who works at the brewery could give her account too.

Without any indication that Tanner broke the law, Frazier instructed Tanner to wait by Frazier’s police car and a second later demanded that Tanner stand with him.

“You’re gonna stand right here by my car,” said Frazier then immediately changed his mind and said, “Come over here.”

Tanner said, “Oh my god then you’re going to...”

Frazier then apprehended Tanner pulling his arm behind his back and interrupted him and said, “Will then you’re gonna have to be lead, don’t ya? Come on.” He slammed Tanner’s back against the hood of his police car, holding Tanner’s throat with the arm of a flashlight.

Tanner immediately said, “She’s gonna tell you the truth cause she works at the bar,” about the other witness.

Ignoring Tanner, Deputy Frazier said, “You start resisting me and I will get you. Do you understand me?”

With the deputy’s force against him, Tanner said, “Hey. That’s unnecessary.”

Frazier then said, “You shut up. Do not resist,” and applied pressure on the butt of his flashlight against the top of Tanner’s throat.

That’s when Frazier lifted and used his flashlight to hit Tanner twice across the head and pulled Tanner to the ground.

“Hey. Hey. That is unnecessary,” said Tanner who was off camera for approximately 50 seconds and struck again and said, “I fear for my own life.”

Frazier then pulled Tanner by his forearm from the ground while his hands were bound, and restrained Tanner against the police car.

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Then, another officer intervened and restrained Tanner with his body against the police car while holding his throat while Deputy Frazier struggled to secure the handcuffs.

Charges dismissed

Tanner was allegedly pushed and told to leave the brewery based on his race; the video revealed he was led to believe he was being questioned as a witness, but instead endured a police beating to then be charged with resisting arrest and disarming a police officer.

Nowhere in the video is the police officer disarmed. Why did Deputy Frazier report that?

Since then, those charges have been dismissed, according to Arlon Stoker, Tanner's attorney, and as reported in the Farmington Daily Times.

Credence to complaints

"This incident gives more credence to these complaints and the people's testimonies about the mistreatment by law enforcement in the Farmington area," said Gorman. "Yes, this is one incident that is recorded on video but absolutely speaks volumes for those individuals that presented testimony accounting for similar mistreatment by law enforcements."

NNHRC had received numerous anecdotal testimonies from the public pertaining to mistreatment by Farmington area law enforcement officers.

In this case, after the police acknowledged Tanner as a possible witness, the deputy did not indicate for identification from the witness.

Police brutality in the City of Farmington

Racially charged events against Navajo people in Farmington, led the Navajo Nation Council to establish NNHRC in 2006.

In 2006, Clint John, Navajo, was fatally shot by a non-Navajo police officer in Farmington, New Mexico which led people to question the state of affairs between Navajos and non-Navajos. Then, the in-car police camera was off and the police officer was cleared after his investigation of misconduct.

"It's evident that police brutality is on-going without much acknowledgement. It is not just a past event," said Gorman.

It is not clear how many hours of training police take in cultural sensitivity training or how often they must complete a course.

Disconcerting reoccurrence so use video

Recently, NNHRC issued a human rights campaign educating citizens to call the police, but because of Clint John's fatal outcome, to also remain a witness to give an account of events.

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Exactly what Tanner had done.

“Capturing an incident on video is also important,” said Lauren Bernally-Long for NNHRC.

Video revealed how Deputy Frazier brutally handles a Navajo man who he referred to as a possible witness and the reality of police brutality in Farmington, New Mexico.

“He was initially being told by the police officer he may be a witness yet the officer unleashed brutality against an innocent Navajo man,” said Gorman.

Police brutality must stop against Navajo people. The City of Farmington including those responsible for the public portrayal of Farmington must re-examine their cultural sensitivity and ethics policies to avoid civil and human rights violations.

Gorman said, “While the video may appear to demonstrate that Tanner is allegedly not cooperating with the police when Tanner was told he may be a possible witness, what law did Tanner break at the point of being crudely dictated to by an officer?”

At the end of the video, an unidentified person off camera said, “I know how you police in Farmington are.”

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