



NEW YORK STATE SENATOR

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The Presumption of Innocence Should Apply for All

RUBEN DIAZ August 2, 2014

What You Should Know

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The Presumption of Innocence Should Apply for All

You should know that in the American criminal justice system, there is something called the presumption of innocence. The presumption of innocence protects innocent people and allows anyone who is accused of a crime to maintain his or her innocence until a court of law finds them guilty. This is true for people who are accused of a crime, who are arrested for allegedly committing a crime, or who are indicted.

You should also know that one day after the New York City Medical Examiner's office ruled that Eric Garner's death was caused by the use of a chokehold, the Daily News' top editorial was titled: Toward chokehold justice. The Daily News editors shared their analysis of this tragedy and the role of New York City Police Officer Daniel Pantaleo, who, as you may recall from the video, wrestled Garner to the sidewalk. The editors wrote:

“As likely as an indictment of Pantaleo seems, there must still be no rush to judgment and his presumption of innocence must be respected throughout all potential proceedings.”

You should know that I agree 100 percent with this statement. The presumption of innocence, where people are presumed to be innocent until proven guilty – is an essential part of the criminal process in the United States of America.

I am encouraged by the Daily News’ August 2nd editorial, which is in sharp contrast to the paper’s frequent headlines and articles that immediately condemn many people who have been accused or suspected of committing crimes. We all know how often the Daily News has served as judge and jury, writing off any number of New Yorkers, elected officials and celebrities who have been accused of or arrested for allegedly committing a crime, finding many people guilty in the court of public opinion well before any juries were ever convened, without respecting any proceedings at all.

It is good that the Daily News editors support New York City Police Officer Daniel Pantaleo’s presumption of innocence – and it would be nice if those same kind words and views about impartiality would be applied in the same fair manner in their newspaper for everyone else. We routinely see the that Daily News uses labels such as crook, hoodlum, thug, creep, and madman to describe people who have allegedly committed any number of crimes – not nearly the way they wrote to temper emotions and demonstrate respect for criminal proceedings for Police Officer Daniel Pantaleo.

Ladies and gentlemen, if the Daily News wants to promote respect for those who are being accused of crimes, I’m all for it – but they need to realize that the presumption of innocence should not apply to some, but to all.

This is Senator Rev. Rubén Díaz, and this is what you should know.

