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# No justice, no surprise

Officers who killed  
Stephon Clark reinstated  
shortly after being  
cleared by Trump's  
Justice Department

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In a wound-opening development for the family of Stephon Clark, the two Sacramento police officers who shot and killed the unarmed 22-year-old black father more than a year ago are returning to active duty.

The announcement was made only moments after a more predictable one last week: The Trump administration's Justice Department concluded that Clark's civil rights weren't violated in March 2018, when Officers Terrence Mercadel and Jared Robinet rounded a blind corner in pursuit of a window-breaker and fired 20 rounds without announcing themselves. At least seven of those rounds struck Clark, who was standing in his grandparents' Meadowview backyard holding only a cellphone.

Clark's death launched sustained protests and enough momentum for California legislators to pass one of the strictest police reforms in the country—Assembly Bill 392, which permits deadly force only when officers or the public are objectively threatened.

Throughout it all, Clark's family said they wanted one thing above all else—accountability for the officers who stole Clark's life. Last week's conclusion of the federal review by the U.S. Attorney's Office and FBI means they won't get it.

Stevante Clark was the first to break that news on his Facebook page during a meeting with federal officials on Sept. 26. "No charges will be filed[.] [T]he officers who killed my brother will remain on the Sacramento Police Department," he posted around 2:45 p.m. Later that night, Clark shared a mockup of a wanted poster with images of the officers beneath the message, "I want you all 2 never forget the fact we have two killers roaming the streets freely."

Reactions flooded in from around the region. Black Lives Matter Sacramento, Sacramento for Black Lives, the ACLU of Northern California and the Sacramento chapter of the National Lawyers Guild all urged against reinstating the officers.

"We are disappointed that the officers involved in this horrendous episode will be allowed to resume their jobs as if nothing happened," family

attorney Benjamin Crump said in a statement.

The announcement came 21 days after the city agreed to pay Clark's two sons \$2.4 million as part of a structured settlement. A federal lawsuit involving Clark's mother, grandmother and uncle is ongoing.

In a press release, McGregor W. Scott, U.S. attorney for the Eastern District of California, and Sean Ragan, special agent in charge of the FBI's Sacramento division, said their review of the incident was unable to "prove beyond a reasonable doubt that any officer's actions violated federal criminal civil rights statutes."

But like earlier reviews by the Sacramento County District Attorney's Office and California Attorney General's office, which cleared officers of criminal charges, federal authorities didn't conduct their own investigation. Instead, they based their determinations on the investigation of the Sacramento Police Department, which employs Mercadel and Robinet.

That fruit-of-the-friendly-tree approach could drive the next police reform test in the state Capitol.

Democratic Assemblyman Kevin McCarty of Sacramento previously told SN&R that he is interested in reviving legislation to require California's attorney general to investigate such deadly force cases, taking the investigations out of the hands of elected districts attorney who work closely with law enforcement. A review of such models in other states, however, found little difference in the outcome.

Meanwhile, Berry Accius, a youth mentor and community activist who helped organize student marches in support of AB 392, favors drug-testing officers involved in violent encounters, including for steroids.

While Clark's body was blood-tested following his death, the officers who killed him were not. □

PHOTO BY KATE GONZALES



Stevante Clark and other family members remembered Stephon Clark on Aug. 10, what would have been his 24th birthday.

**WEB EXTRA**

For more on the reaction from City Hall, visit [sacblog.newsreview.com](http://sacblog.newsreview.com) for an expanded version of this story.