**THE SKEPTIC ARENA.COM**

**March 28, 2015**

**No Jonathan Capehart:**

**Hands Up, Don't Shoot is not a "Lie"**

**by Frank Vyan Walton**

***Following the Release of the first Justice Department Report on the shooting of Michael Brown in Ferguson Missouri, a new narrative has begun to be formed. Headed by this article from Jonathan Capehart it is now claimed, without hesitation or pause, that the source for the "Hands Up, Don't Shoot" movement, was built entirely on a Lie.***

**Now Vyan quotes Capehart:**

***"The DOJ report notes on page 44 that Johnson 'made multiple statements to the media immediately following the incident that spawned the popular narrative that Wilson shot Brown execution-style as he held up his hands in surrender.' In one of those interviews, Johnson told MSNBC that Brown was shot in the back by Wilson. It was then that Johnson said Brown stopped, turned around with his hands up and said, 'I don’t have a gun, stop shooting!' And, like that, 'hands up, don’t shoot' became the mantra of a movement. But it was wrong, built on a lie."***

**Now Vyan continues:**

***These are pretty strong words, and fairly strong sentiment particularly from an author who is largely known for his more Liberal leanings. It of course deserves a fair and thorough response which I hope to provide both Capehart and the DOJ.***

***The first issue to address is the sweeping scope of Capehart's statement. That essentially all those who claimed that they saw Michael Brown shot at while he was fleeing or while his hands were in the air, or that he ever put his hands in the air, are not simply mistaken or confused but are perpetrating a deliberate lie.***

**Vyan, can you produce the statement by Capehart where he said that?**

**I'll be more than happy to wait while you find it.**

**But while you are frantically searching for it, I think this would be an excellent time to clear up an important issue - the definition of the word "lie":** [**http://dictionary.reference.com/browse/lie?s=t**](http://dictionary.reference.com/browse/lie?s=t)

**Like most words, the noun "lie" has various meanings depending on context. Vyan, what you have done in this essay is very dishonest. You have taken Capehart's use of the word "lie" (definition #3), and you are now trying to convince your audience that Capehart used it in the context of definition #1.**

**The only way to save yourself from the humiliation of being caught red-handed in engaging in that type of dishonesty is to claim ignorance.**

**Either way Vyan ... it doesn't work out very well for you.**

***Starting with Dorian Johnson who first went on tv to give his view of the events that day, Capehart argues that his story then tainted all the others and caused a cascade effect that skewed the testimony and accounts of all others who might be sympathetic to innocent and/or unarmed persons being shot down by police.***

***The accusation that this was all a "Lie" indicates that the DOJ must have definitively proven that it simply wasn't possible for Brown to have been shot at while his back was turned or his hands were raised based on the cold hard forensic evidence. The problem is that the DOJ doesn't say anything of the kind.***

**Next Vyan quotes the DOJ report, so I will skip over that, and pick up where Vyan resumes his essay.**

***Clearly and consistently the DOJ Forensic analysis Does Not rule out the possibility that the shooting may have occurred in the manner that witnesses such as Dorian Johnson have described. They very specifically say that they can't prove or disprove any of these claims definitively. Therefore claiming that anyone who says they saw Brown raise his arms is a "LIAR" is more than a little strong. It's completely uncalled for based on the DOJ's own analysis.***

**Vyan, whom are you claiming, is calling people liars?**

**Well, since this essay is about Capehart, I can only assume you mean him. Can you produce a quote where Capehart called people, who claimed that they saw Brown raise his arms ... "liars?"**

**If you are not referring to Capehart, then please produce the statements from the people you are referring to.**

***Now, I should stop right here.***

**Vyan, that sentence should have been right under your title.**

***I should call it and say this is done, this is over, and Capehart has simply made a mistake and overstated his case.***

**Vyan, that would have been the smart thing to do. Why do I get the feeling that you aren't going to do that?**

***But obviously that's not going to satisfy those who've now jumped onto the Capehart bandwagon in exactly the same way that Capehart accuses those who agree with Dorian Johnson of doing. Case in point, which is something I received in my inbox, and prompted this diary.***

**Huge mistake there Vyan. But let's hold off on your mistake for a minute so everyone can enjoy reading the email I sent you:**

**And now Vyan quotes my email:**

***How many diaries about this do you think will show up on The Daily KOS?***

***(I'm thinking zero - and that's being generous)***

**Hey Vyan, I got that one right - didn't I?**

***Unfortunately, the race-baiters at KOS will not learn the lesson that Capehard did. That's why this guy writes for the Washington Post ... and you guys write for KOS.***

**Ouch Vyan, I know that one had to leave a mark.**

***What do "you people" call writers like Capehart?***

***Uncle Toms? Oreo cookies? Or just Assholes?***

***Name-calling is always the last refuge ... of those who lost the debate.***

**Vyan, that was actually pretty mild compared to most of my emails. I guess I was in a good mood that day.**

**But now let's get back to your statement:**

***"... something I received in my inbox, and prompted this diary."***

**Vyan, this is where things begin to get interesting. Remember this email that you sent to me, in response to my initial email?**

**Subject: Re: Lesson to be learned from Ferguson**

**From: Frank Walton <vyanmusic@gmail.com>**

**Date: Wed, Mar 18, 2015 8:49 am**

**To: neo@theskepticarena.com**

**"*I was already working on addressing the first DOJ report findings.*"**

**Those were your words Vyan ... not mine. You stated that you were *"already working on"* it. That contradicts your claim above, that my email *"prompted this diary."***

**Vyan, do you see the irony?**

**You wrote a long essay about lying - and you get caught ... lying.**

**(sometimes these people make my job ... waaay too easy)**

***What I call Capehart, in this case, is "Wrong". The Forensics do not disprove Dorian Johnson, and to further that point, let Dr. Cyril Wecht explain why:***

***Dr. Wecht: I don't like to be dogmatic, but there is only one way this scenario plays out when you look at the bullet wounds. There are two wounds, one in the forearm entering dorsally and exiting in the front and the other in the upper arm entering in the front and exiting in the back. Both had an upward trajectory. Michael Brown was 6' 5", Officer Wilson is 6'.***

***The only way that you have an upward trajectory is with the arm like this [Holds his hand up to shoulder height, palm facing forward] and the shots fired. And you have two shots that strike Michael Brown in the chest, and they both have a downward trajectory. How do you get that with a 6'5" guy being shot by a 6' guy?***

**So Vyan, let me get this straight: you were so desperate to produce "Doctors" to support your side that you were willing to quote a guy who didn't even know that Brown and Wilson were the same height?**

**Well ... obviously you were.**

**It's especially embarrassing (for Wecht) because the height difference is what this "Doctor" rests his entire argument on.**

**See Vyan, that's why the difference between you and Capehart is about the same as the difference between Stephen Hawking ... and Sarah Palin.**

**So maybe my comment about Capehart writing for The Post and you writing for KOS wasn't so far off the mark after all?**

***Now, Wecht made this statement fairly early on when the information was that Brown had only travelled 35ft and that Wilson was only 6'1" tall (Brown actually travelled 180 ft and Wilson is 6'4" tall, the same height as Brown) but the key details of what he's saying remain relevant.***

**Vyan, his whole argument was based on the height difference. That was the key detail of his argument, and as you just admitted, it was wrong.**

***The bullet wound pattern doesn't show a shot "in the back" but it does indicate that Brown was shot at while facing away***

**So Vyan, all those wounds to the front were what ... ricochets?**

**(next Vyan does his imitation of a forensic scientist, using his vast knowledge of the subject to overrule the experts. So I will save you all the pain of struggling through it, and just skip ahead to his next screwup)**

***The other claim that Capehart makes is that the DOJ found NO CREDIBLE witnesses who professed to see Brown raise his arms because they either changed their story, or they made statements that did not fit the physical evidence like Dorian's claim that Brown "never put his hands inside the police car" even though his blood and skin cells were found there***

**See Vyan, that right there explains why no one grants any credibility to Dorian whatsoever. The fact that you do, proves that it is utterly futile to even try to argue with someone like you.**

**"You can't use reason to convince a person to change their mind, from something they desperately want to believe in, if they didn't arrive at that belief through reason in the first place."**

**Vyan, whoever coined that quote ... must have known you.**

**I will now skip Vyan's long, irrelevant section where he tries to attack Capehart by disagreeing about the credibility of witnesses, and where he rehashes the audio tape of the shooting.**

**Is it because I can't respond to Vyan's assertions?**

**No. It's because all of this has already been decided by those with far more intimate knowledge and training than either Vyan or me. If he wants to allege a conspiracy - then let him prove it.**

**Let's pick up where Vyan challenges Wilson's statements.**

***And I'm not the only one to notice this change, the FBI noticed it too and questioned Wilson about it. They say in the report they were "satisfied" with his answers but they don't bother to explain just what those answers were and why he said one thing on the day of the shooting and something completely different later on to the FBI and Grand Jury. But he did.***

**Vyan, the operative words in that paragraph were "they were satisfied with his answers." If you want to claim a cover-up or a conspiracy then give us your evidence.**

***Secondly Wilson's claims about what happened at the car don't match the physical evidence either. He claimed to the Grand Jury and to the FBI that Brown "punched him several times with his Right hand". Somehow he also had a few packs of cigarillos in the hand at the same time, but let just deal with the first issue which is illustrated by the WaPO below.***

***Wilson: Brown punched him at least twice. "I see him ducking and … his hands are up and he is coming in my vehicle. I was hit right here in the side of the face with a fist … I think my arm deflected some of it, but there was still a significant amount of contact that was made to my face." He said he tried to hold Brown's right arm. "The only way I can describe it is I felt like a five-year-old holding onto Hulk Hogan." He said Brown then handed the cigarillos to Johnson.***

**Vyan, you are aware that most humans have ... two hands, right?**

***As you can see from the illustration the described position of their bodies with Brown punching with his right hand would have made the most likely impact position to be on the Left Side of Wilson's face. But he didn't have any visible injuries on the left side of his face.***

**Vyan, that would be true if Wilson were looking forward. But considering that a 300 pound suspect was at his door, it might make a wee bit more sense that Wilson was looking *at* Brown ... dontcha think?**

***The final point and final justification for Wilson firing the last deadly shots is the claim that Brown "Charged" him, head down, like a football player. Like Wecht, I find this claim totally ridiculous.***

**Vyan, I found Wecht totally ridiculous. How does one go onto a show that millions may be watching, and present an argument that demonstrates that he doesn't even know the basic facts upon which his argument is based?**

**Now Vyan goes into another long rehash of the distance covered during the foot pursuit that preceded the fatal shooting. So let's skip that, before this turns into War and Peace, and see what Vyan wrote about Wilson as a witness.**

***So we have one Witness who changed his story, whose claims don't match the physical evidence on his own body during the altercation at the car, whose claims that he never fired at Brown while he was facing away or when his hands may have been up are NOT PROVEN in either case, and whose claim that Brown "Charged" him is very likely a total fabrication and what he really saw was Brown stumbling as he fell forward onto his face from the gun shot wounds he already suffered. That witness clearly can't be trusted.***

**Vyan, it is amazing how blind you are to your own hypocrisy. Try this: reread that last paragraph, only this time, imagine you are referring to all the witnesses on your side of the debate.**

**You still don't see it, do you Vyan?**

**You are blinder than a cave rat with a white cane.**

***That witness is someone who should have been treated as a murder suspect, but wasn't either by the SLCPD, the St Louis Prosecutor or the FBI. Why with all these inconsistencies is this witness treated as a definitive "authority" on the events yet others, whose claims actually fit the forensics just as well if not better are dismissed?***

***Hmm...***

**Vyan, while you are mulling that one over in your head, the answer might be that the witnesses, forensic evidence, Grand Jury, and DOJ, just might know a little bit more about it ... than you do.**

**And I might add - are a whole lot less biased.**

**Capehart is a Liberal Black Man. That is just eating your guts, isn't it Vyan? You can't dismiss him as a Conservative. You can't dismiss him as a racist. But you also can't accept that he sided with those hated Conservative racists.**

**So like I said in my original email Vyan (which now seems quite prophetic) ...**

**"What do 'you people' call writers like Capehart?**

**Uncle Toms? Oreo cookies? Or just Assholes?**

**Name-calling is always the last refuge ... of those who lost the debate."**

**Had I not sent you that email, would you have used one of those insults to attack an African-American Liberal who dared to disagree with you?**

**Well, I guess we'll never know. But this might give us an idea ...**

[**http://www.huffingtonpost.com/2015/03/20/jonathan-capehart-ferguson-traitor\_n\_6910618.html**](http://www.huffingtonpost.com/2015/03/20/jonathan-capehart-ferguson-traitor_n_6910618.html)

[**t-a-Lie**](http://www.dailykos.com/story/2015/03/27/1371761/-No-Jonathon-Capehart-Hands-Up-Don-t-Shoot-is-not-a-Lie)

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**Here's a link to Capehart's original story:**

**http://www.washingtonpost.com/blogs/post-partisan/wp/2015/03/16/lesson-learned-from-the-shooting-of-michael-brown/**

**After reading that, the Sarah Palin comparison should become clear.**

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**THE SCIENCE SEGMENT**

**Fossils from the heart of the Amazon provide evidence**

**that South American monkeys came from Africa**

**For millions of years, South America was an island continent. Geographically isolated from Africa as a result of plate tectonics more than 65 million years ago, this continent witnessed the evolution of many unfamiliar groups of animals and plants. From time to time, animals more familiar to us today -- monkeys and rodents among others -- managed to arrive to this island landmass, their remains appearing abruptly in the fossil record. Yet, the earliest phases of the evolutionary history of monkeys in South America have remained cloaked in mystery. Long thought to have managed a long transatlantic journey from Africa, evidence for this hypothesis was difficult to support without fossil data.**

**A new discovery from the heart of the Peruvian Amazon now unveils a key chapter of the evolutionary saga of these animals. The discovery of three new extinct monkeys from eastern Peru hints strongly that South American monkeys have an African ancestry.**

**The oldest fossil records of New World monkeys (monkeys found in South America and Central America) date back 26 million years. The new fossils indicate that monkeys first arrived in South America at least 36 million years ago. The discovery thus pushes back the colonization of South America by monkeys by approximately 10 million years, and the characteristics of the teeth of these early monkeys provide the first evidence that monkeys actually managed to cross the Atlantic Ocean from Africa.**

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**FAMOUS QUOTES**

**Martin Luther King Jr.**

**(no biography - previously quoted)**

**"This business of burning human beings with napalm,**

**of filling our nation's homes with orphans and widows,**

**of injecting poisonous drugs of hate**

**into veins of people normally humane,**

**of sending men home from dark and bloody battlefields**

**physically handicapped and psychologically deranged,**

**cannot be reconciled with wisdom, justice and love.**

**A nation that continues year after year**

**to spend more money on military defense**

**than on programs of social uplift**

**is approaching spiritual death."**