



By Leo Hohmann

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A sheriff's SWAT team raided a home in rural Habersham County, Ga., looking for drugs and threw a stun grenade into a toddler's playpen, critically injuring the child, who is given a 50-percent chance at survival, authorities have reported.

Habersham County Sheriff Joey Terrell told WND that his officers didn't know there were children in the home.

"There was no criminal intent," he said. "It's just a very, very unfortunate accident that happened, nothing we were planning for or even expected to encounter with a playpen pushed up against the door to the entrance of the house."



19-month-old Bounkham Phonesavanh was injured when a SWAT team raided home

He said the playpen in which the 19-month-old Bounkham "Bou Bou" Phonesavanh was sleeping was sitting against the side door that entered into a room "that was used like a living room; it (the stun grenade) didn't go into a bedroom."

The stun grenade, also called a flash bang, is used to distract the occupant of a dwelling, after which a SWAT team will rush in to make arrests.

But this time, the device landed in the playpen where Bou Bou was sleeping. The baby and his family, including parents and three older sisters, were all asleep in the room while visiting from Wisconsin.

"It blew open his face and his chest," the boy's mother, Alecia Phonesavanh, told the Atlanta Journal-Constitution outside Grady Memorial Hospital in Atlanta.

"Everybody was asleep. It's not like anyone was trying to fight."

Terrell said all of the department's standard operation procedures were followed by his SWAT officers, who were sent to execute a search warrant for methamphetamine at 3 a.m. Wednesday.

Terrell said his drug unit, which is funded by federal dollars, was working on information supplied by a confidential informant who had just been to the house earlier that night and told officers that no children were inside. The informant was not a police officer, Terrell said, but was confidential and therefore could not be identified.

The informant said he bought methamphetamine from Wanis Thometheva, 30, at the home.

Terrell told WND that during a prior arrest on drug charges, investigators discovered Thometheva had weapons, including an AK-47.

Thometheva was not at the home at the time of the raid but was later arrested at another house on a felony drug charge of distribution of meth.



Crib where stun grenade landed

John Whitehead, a constitutional lawyer and founder of the Rutherford Institute, says these types of military-style house raids are becoming more common in big cities, small towns, and even rural areas.

“We cover this stuff all the time,” said Whitehead, who recently authored a book, “A Government of Wolves: The Emerging American Police State.” “If you go in my book, read the story of 7-year-old Aiyana Jones in Detroit. She was sleeping on her living-room sofa. They shot her while she was sleeping under her princess blanket at night.”

The problem is that there’s no independent oversight of SWAT team operations, Whitehead said, and they are thus not accountable to anyone outside of their own law enforcement circles.

In the Georgia raid, the sheriff said he contacted the Georgia Bureau of Investigation, the state’s equivalent of the FBI, and was told no further investigation into the incident would be needed.

“Police State USA: How Orwell’s Nightmare is Becoming Our Reality,” marshals the terrifying evidence to show the world of Big Brother is much closer than we want to admit.

While police spokesmen like to claim that such tragedies are rare, a simple Google search under “statistics no-knock warrants served abused” tells another story. Hundreds of people have died or been injured in botched police SWAT raids since they became common over the past 25 years. More people now die at the hands of American police than as a result of terrorist attacks.

In 1981, estimates show that police served fewer than 3,000 no-knock warrants, according to Peter Kraska, a criminologist at Eastern Kentucky University in Richmond. By 2005 that figure had jumped to 50,000.

Whitehead said his sources in law enforcement estimate the number of such warrants is now up to 80,000 per year. Although the FBI does not keep statistics on police shootings of civilians, anecdotal evidence suggests those figures are also up.

The problem, while prevalent in cities and towns of all sizes nationwide, stems from the federal level, Whitehead said.

“Obama is giving all sorts of assistance to SWAT teams, they’re getting all sorts of equipment, so they’re thoroughly becoming the military right here in our local communities,” he said. “They train with the military now. This is like going into a war zone in Iraq in the middle of the night, and doing house-to-house sweeps.”

In the 2011 Supreme Court case of *Kentucky vs. King*, the court ruled 8-1 that if police smell marijuana they can rush into a person’s house without a warrant and still be within the boundaries of the Fourth Amendment protections against unreasonable searches and seizures.

“Justice Ruth Bader Ginsburg (the lone dissenter in the case) said it was the end of Fourth Amendment, and I think she was right,” Whitehead said. “They do it in the middle of night while you are sleeping. No one is going to be safe. It’s out of control.”

It’s a top-down problem, Whitehead said, that involves the federal government working in tandem with local police departments.

“All of federal agencies have SWAT teams now,” he said. “Most of it is now used for non-violent offenses. They’ve started doing it for overdue loans in some jurisdictions.”

Traditionally, when police rush into a home the Fourth Amendment required them to have to get a warrant from a local magistrate and, if it’s not an emergency, “you had to knock and identify yourself as the police,” Whitehead said.

He said about 30 percent of SWAT raids now are used “for mere warrant service.” These are the exact type of police actions that until recent years had been performed by a single officer who would show up at someone’s door, knock and ask the person who opens the door “are you so and so?” before handing them the warrant.

Most local police departments now have special drug units that are funded by grants from the federal government. The more arrests they make, the more money and equipment they get.

“They actually get a grant of monetary assistance for the drug raids. So your local police are incentivized to perform these raids. They get money from it,” Whitehead said. “It’s how they

keep their drug-enforcement units. A lot of it's for pot. As everybody knows, people who smoke pot are not violent."

"When Aiyana Jones got killed while she's asleep on her sofa under her princess blanket, they were in the wrong apartment," Whitehead said. "The guy they wanted was upstairs in that apartment complex. That's the problem with the no knock warrants."

Whitehead said it all boils down to police training and how it's changed over the years.

"You reverse the government-citizen relationship, the master servant relationship, to where the government is the master and they want to be served. That is the attitude of the SWAT teams," he said. "You don't ask them a question or you're going to be in trouble."

Whitehead said he advises a lot of his clients, which include a lot of veterans, not to resist if they want to live.

"I tell them that if that SWAT team comes in your door lay down on the floor. You can't fight them, not with these mine-resistance [vehicles], you don't have a chance," he said, referring to mine resistance armored protection vehicles that have become ubiquitous at local police departments.

"They are 25,000 pounds of armor. If you see one, run," Whitehead said. "They're in your local communities. They have them in my hometown, in Charlottesville, and almost every town has an M-RAP [Mine-Resistant Ambush Protected] now. It's getting worse, it's picking up steam."

Whitehead said Albemarle County, Va., just received an order of 154 5.56mm automatic rifles.

"They're the ones soldiers use in Afghanistan," he said. "This is a rural county. People don't know why they have them. I think there's a lot of paranoia in the government today, even though violent crime is radically down since 1980."

Whitehead said citizens need to get active at the local level and oppose the militarization of their police departments. He recommends that local residents convince their elected councils to establish citizen oversight boards to review police actions.

"There needs to be oversight. Approach your local councils and demand it," Whitehead said. "We were able to get a resolution passed here in Charlottesville banning the use of drones. You can get some friendly councilmen. It's called political coercion. The night of the drone meeting, 100 people showed up in a little room that seats 50, and we got three of the four votes. It works. It's the same method our founding fathers used."

Tim Lynch, director of the Cato Institute's Project on Criminal Justice, said the police SWAT raids of the type done in Habersham County are particularly dangerous.

"When you have a raid being carried out in the middle of the night, that's an especially reckless and dangerous police procedure, because the occupants of the house are sleeping and they think they're being attacked by criminals," Lynch said.

"So what you see is, they often grab their own guns and you end up with a shootout."

Lynch said the Habersham raid made the national news only because a baby was severely injured.

“But you never hear about the close calls, or the less egregious cases,” he said. “Those don’t make the news. We are seeing literally hundreds of these raids being carried out every month. The SWAT raids used to be reserved for highly volatile, hostage-type situations but they’re definitely creeping into more routine police activities. People are getting shot. Officers are getting shot.”

While the FBI keeps voluminous stats on almost every facet of the criminal world and police activity, it doesn’t log the number officer-involved shootings.

“Somebody should be keeping these statistics, if not the FBI,” Lynch said. “You’re talking about the use of deadly force, so people need to be aware of how it’s being used.”