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## [Georgia Pastor Is Latest Victim of America's War on Drugs](#)

Posted by NICK RIVERA in [At TMV](#).  
Sep 4th, 2009 | [Comments](#)



I have a developing story for you all, courtesy of libertarian blogger [Radley Balko](#):

Jonathan Ayers, a 29 year old pastor of Lavonia, Georgia was shot and killed last Tuesday by undercover narcotics officers during a botched drug bust. The shooting occurred around 2:30 in the afternoon just outside a Shell station in Toccoa, Georgia, where he had just returned to his car after getting money from the ATM. There, an SUV pulled up to the store, and a joint task force—comprised of three officers from Stephens, Habersham and Rabun counties—sprung out of the SUV with their guns drawn and confronted Ayers. Ayers put his car into reverse and backed into one of the officer and then began to drive off, at which time, one of

the other officers opened fired at his vehicle. Ayers was shot in the liver and subsequently crashed his car a short distance from the Shell station. He was taken to a local hospital, where he died from his gunshot wound.

While the full details of this story are still being learned, the police officers are already facing scrutiny due to the differing accounts of the story that they have given. Members of Ayers' family were [initially told](#) that Ayers had died in a traffic accident. It wasn't until hours later that they learned that he had died in an officer involved shooting. Furthermore, police officers initially told WNEG, the local news station, on Tuesday that Ayers was a suspect/target of a drug investigation. On Wednesday, however, authorities confirmed that Ayers was [not the target of the investigation](#), contradicting their previous statement. Ayer's family maintains that Ayers, who was the minister of Lavonia's Shoal Creek Baptist Church and whose wife was four months pregnant, was not involved in illegal drug activity.

This troubling story raises two questions:

- 1) If Ayers was NOT the target of the drug bust, why did a joint task force jump out of their SUV and confront him with their guns drawn?
- 2) Even if Ayers HAD been the target of the drug bust (which we know he was not), how can the police officers justify shooting an apparently unarmed man as he was driving away? Ayers lost control of his vehicle after being shot, and could have run into a pedestrian or another vehicle. And as the owner of the Shell station pointed out in his interview with WNEG news, the police officers put the stores patrons at risk given that the incident took place near a parking lot full of people and several gas pumps.

Apparently, the joint task force was after—not Ayers—but the woman who he had dropped off shortly before he arrived at the Shell station. According to Stephens County Sheriff Randy Shirley, the woman [had been charged](#) with cocaine possession and distribution, he said. WNEG news has reported that the woman, whose name has not been released, was also the target of an ongoing investigating involving prostitution.

WNEG news has obtained [surveillance footage](#) from the Shell station, showing the police shooting. The point in which Ayers steps into his vehicle cannot be seen in this footage, but the point at which the black SUV pulls into the parking is shown, and the police officers (who were dressed in regular clothes as opposed to police uniforms) darting across the street with their guns drawn and shooting at Ayers' vehicle AS HE IS DRIVING AWAY can clearly be seen.

The county sheriff maintains that the police officers immediately [identified themselves](#) as police officers. He also points out that Ayers struck one of the police officers with his vehicle as he was backing up, and though he concedes that Ayer's striking the police officer with his vehicle was unintentional (the police officer had run behind the car just as it was reversing), Ayers' was nonetheless driving towards the other police officers "in a threatening manner."

I don't know about the rest of you, but it's things like this that really anger me—far beyond what the words of this page can convey. I realize that we don't have the entire story yet and they details of this story might emerge that might put what the police officers did in a slightly better context.

However, on just basic principle, law enforcement officers shouldn't be using deadly force against unarmed citizens, regardless of whether the citizen was a suspect in a drug bust. That Ayers was not even the target of the drug bust but police officers decided to pull their guns on him nonetheless, makes the story even more indefensible.

Now, I realize that some people will argue that this incident reflects a mistake made the police officers in question and not any inherent flaw in the War on Drugs and that I shouldn't be so quick to throw the baby out with the bathwater.

To them, I would ask, how many innocent people have to be maimed or killed during drug busts before we begin to ask whether there isn't something inherently wrong with using law enforcement to go after unarmed citizens for what amount to be nothing more than vice crimes/victimless crimes. During his time with the CATO institute, Radley Balko has done extensive research regarding the unnecessary violence caused by our country's [prosecution of the War on Drugs](#), and the [number of cases](#) in which in which the wrong person was targeted or innocent bystanders were maimed or killed paints a damning portrayal of the length drug warriors will go to achieve their utopian dream of ridding the country of drugs—that is—other than those sold legally by Philip Morris and the pharmaceutical industry.

This is probably only the second or third article that I have posted with regards to innocent bystanders who have died during botched drug raid, but I can tell you that these kinds of incidents happen all the time. Radley has been documenting them over at his website for the last five or six years, and I can honestly tell you, that there isn't a week that goes by that Radley doesn't point out yet another incident in which an innocent bystander was killed. In order to give you all a truly accurate picture as to the prevalence of this problem, I'd have to have a weekly column here at TMV.

I'm so angry right now, that there's not much more I can write at this time. I'll try to update you all as more details emerge.

In the meantime, just because you don't personally know anyone who has victimized by the Drug War or haven't heard about it in the news, doesn't mean they don't exist.

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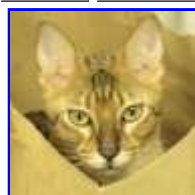
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*jway* ★ [3 hours ago](#)

They probably ran out of flies to pull the wings off. We all know the career path of cops - pull the wings off flies when you're a kid, beat up little kids when you're at school, and become a cop when you're an adult so you can continue being a bully for the rest of your life. Beat 'em up, shoot 'em up, break down their doors - it's all fun to them. Why do you think they support the woefully ineffective and deadly marijuana prohibition, coz it's more fun to shoot family pets and 80 yr-old women than it is to walk the beat through run-down neighborhoods.

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*StockBoySF* ★ [3 hours ago](#) 1 person liked this.

"... the police officers put the stores patrons at risk...."

This is the biggest complaint I have against our police. They regularly put innocent people at risk and in more situations than drug related crimes. I'm totally against high speed chases, for instance.

I appreciate that the police have a difficult job and sometimes they need to make split second decisions, but choosing to confront a person filling up at a gas station is not a split second decision and neither are high speed chases. The police are so gung-ho in capturing criminals that they lose sight of their mission, "To serve and protect."

Quite frankly anyone can claim to be police. If I had been that pastor and men with guns jumped out at me I would have sped away. I probably would have aimed the vehicle at them too, hoping to disable them to prevent them from shooting at me.

If they had police uniforms on then I would have behaved very differently and waited for their orders. I do acknowledge that some thugs do pose as police officers, but I think those situations aren't so public and the thugs want something else, i.e. wanting to gain entrance to the home of a woman....

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[nicrivera](#) ★ [2 hours ago](#)

This is the biggest complaint I have against our police. They regularly put innocent people at risk and in more situations than drug related crimes.

Radley Balko writes about this in his book [Overkill: The Rise of Paramilitary Police Raids in America](#), describing how law enforcement has resorted to paramilitary tactics to deal with vice crime situations that the vast majority of Americans would agree don't need paramilitary tactics. This, of course, leads one to consider the great paradox in the way America conducts it's War on Drugs...

Putting moral objections against drug use aside, the case in support of the War on Drugs supposedly rests upon the premise that people who use drugs are a safety risk to both themselves and other people. Yet even the most hard core supporter of the War on Drugs would have to admit that there are good number drug users who use drugs in the privacy of their own homes and are of virtually no risk to anyone but themselves. Likewise, even the most hard core supporter of the War on Drugs would have to admit that sending swat teams with paramilitary gear into people's houses in the middle of the night is MORE likely to lead to the deaths of both the suspects and the police officers involved than if we dealt with enforcement against the use of illegal drugs in a more traditional manner.

Law enforcement officers are supposed to protect people, not endanger their lives. And when you hear drug war apologists say things like, "Well, it was sad that so-and-so lost his life, but police officers have a dangerous job, and these are the kind of powers that we have to give them in order for them to fight crime," it shows that they have completely missed the point. Police officers HAVE a dangerous job, in part, because politicians have given them the power to violently intrude into people's lives in order to settle problems that could otherwise be dealt with in a non-violent manner.

The objective of my article was not to rail on law enforcement official--the majority of whom I assume to be well-meaning people. The objective was to point out to people just how violent the War on Drugs

has become.

People have to understand that when they defend the War on Drugs, they are indirectly defending the use of state-sanctioned violence against their neighbors. People who defend the War on Drugs are willing to punish ALL drug users (not to mention innocent bystander who get caught in the crossfire) in order to control the MINORITY of drug users who actually are a risk.

And if the American people doubt that the overwhelming majority of drug users are harmless, they need only to look to polls that have shown that a third of American adults have used marijuana at some times in their lives--not to mention the vast majority who have used alcohol--a substance that has claimed many more lives than any drug that is currently illegal.

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DLS ★ [2 hours ago](#)

Nic, I also recommend works by David Kopel (you probably know who this person is). Among other issues, he has discussed (and expressed concern about) the increasing militarization of police (at the same time some would want to reduce our military to the role of police, if not to social workers). He has also decried the Drug War itself (including civil asset forfeiture, in my view often the worst threat people can face, more than extreme violence) as well as federal overreach into state and local affairs.

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GreenDreams ★ [1 hour ago](#)

"reduce our military to the role of police, if not to social workers"

cmon, DLS, the "battlefield" has changed. When fighting a uniformed army of an "enemy," the military role is as it has always been. But we haven't had a war like that in decades (well, maybe Gulf War 1). Now it's a tossed salad of civilians and armed "insurgents" who are criminals. Since you support gun rights, it can't be assumed that a civilian with a gun is a terrorist. The role of the military in such situations, like it or not, IS that of police action. They have to shoot only if threatened and if they apprehend someone with a gun, must assume them to be innocent unless there's evidence to the contrary. As for "social workers" that's far fetched, but "relief workers" would be accurate, as many of our soldiers in Iraq built roads and bridges, built walls, etc. all of which are a part of military missions these days.

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pdx632 ★ [1 hour ago](#)

how can the police officers justify shooting an apparently unarmed man as he was driving away?

You answered this in the beginning of the story:**Ayers put his care into reverse and backed into one of the officer**

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*EEllis* ★ [44 minutes ago](#)

You can't see the officers well enough to be sure that Ayers new they were cops. If they were wearing raid vests/jackets and easily identifiable then Ayers committed a very reckless and illegal act by fleeing. He put himself, the officers, and everyone there in harms way by doing so. That does not mean he deserved to be shot, but obviously it's totally one sided.

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*DLS* ★ [34 minutes ago](#)

"cmon, DLS, the 'battlefield' has changed"

To that of "asymmetric" and guerrilla and terrorist warfare rather than traditional nations and militaries as our foe, sometimes, more in the future among "failed states." That this introduces a greater risk of civilian casualties and attention directed at avoiding them or reducing them, I don't deny. (Nor has our military!) But extending in any way beyond true warfare -- not only occupation but replacing a police force, etc -- is divergence from the military's true role. So are "relief efforts," which not only involve, e.g., aiding displaced persons or war casualties elsewhere in the world, but disaster relief here at home. No doubt many would want our military put to use in natural disasters for rescue and repair tasks in addition to the traditional role of imposing martial law to prevent looting and other crimes. But again, this diverges from what is normally seen as the real role of the military. Even the most realistic and reasonable mission here at home normally, patrolling and controlling our borders, is open to question or to debate.

As for the increasing police powers, yes, of course, there is an arms race with the gangs (California was at the forefront of this craziness back in the 1980s if not before in some parts of it), but I still say there is such a thing as police misconduct (I've experienced something of a Signal Hill Lite episode or two myself before), and while I'm not naive about drug legalization, I don't like the Drug War and the worst parts of it, not only needless (and needlessly expensive) incarceration but civil asset forfeiture, which is police-power plunder. (Some of us were concerned in the 1990s that not only the IRS but the EPA would do things like seize "wetlands" if they thought civil asset forfeiture was inviting as well as effective.)

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DLS ★ 33 minutes ago

"Ayers' was nonetheless driving towards the other police officers 'in a threatening manner.'"

So is pointing a gun at someone, or even continuing to hold one (even a toy) when told to drop it.

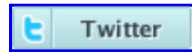
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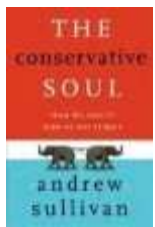
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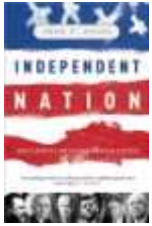
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