

Justice Dept. concludes that no, Michael Brown's hands probably were not up

By [Wesley Lowery](#) March 4, 2015

In one of two reports released by the Department of Justice on Wednesday, federal investigators opted against charging Ferguson Police officer Darren Wilson with a federal crime for the Aug. 9 shooting of Michael Brown, an unarmed 18-year-old.

That report comes on the same day that the Justice Department unleashed a scathing review of the Ferguson Police Department, which concluded that even if the Brown case was not racially motivated, the department utilized racially discriminatory tactics and that police supervisors used taxpayer-funded e-mail to send racist jokes.

The broader report validates many of the complaints voiced by hundreds of protesters who took to the streets in Ferguson. But the more specific report does undermine what has become their rallying cry.

Based on several eyewitness accounts, many protesters adopted "Hands up, don't shoot!" as a rallying cry. However, investigators from the Justice Department found that many of those witnesses were not credible. Brown likely did not have his hands up when Wilson shot and killed him, investigators concluded.

According to the report, here is what investigators believe most likely happened on Aug. 9.

There is not evidence to suggest Darren Wilson's use of force was unreasonable

Michael Brown likely did reach into Wilson's vehicle and grab the officer

Michael Brown did double back toward Darren Wilson

Michael Brown's hands were probably not up, but it's impossible to say for sure

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[Department of Justice report on the Michael Brown shooting](#)

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