

## After Barry mistrial, hopes rise in D.C.

*EIR* on June 22, 1990, in an analysis of the attempted judicial lynching of Washington, D.C. Mayor Marion Barry, forecast that "the political show trial being conducted by the Bush administration is threatened by the probability that no jury composed of black Washingtonians will convict the mayor on the terms handed down by the government." We pointed out that the specter of "jury nullification" is haunting the prosecution team: a legal concept which allows a jury to overturn the corruption of the court system itself. We also reported that the Barry case was bringing black political machines and civil rights activists into the fight against the Justice Department's police-state apparatus, "laying the groundwork for an explosive rebellion against the use of the courts to suppress political speech."

Not only did the Barry case end in a mistrial on Aug. 10; three months after we published that article, just such an "explosive rebellion" is well under way. An independent Citizens Special Grand Jury convened in July, in order to publicize the government's unlawful actions in the Barry case; now, many of the principal participants in that Grand Jury, and others activists, are running for public office themselves.

One of the most popular picket signs at the protests against the Justice Department's railroading of Barry read, "Jay Stephens, if you want to be mayor, run for office," referring to the U.S. Attorney who prosecuted Barry. It was widely discussed throughout the city that the Justice Department had overstepped its bounds in pushing a plea bargain with the mayor, who faced multiple charges of drug possession and perjury, with the stipulation that he abandon any plans to run for office.

With the declaring of a mistrial, the liberal establishment's scenario of a broken citizenry torn apart by race riots received a powerful counterblow. Instead, a series of independent campaigns across Washington and the suburbs in Virginia and Maryland has bypassed the phony issues.

In the District itself, Mayor Barry, who had said he would not seek the mayoralty again, is running an independent campaign for City Council at large. Mary Cox, one of his top advisers, is running for mayor. Retired Judge Harry Tousseint Alexander qualified to run for one of the two seats for shadow senator. George X. Cure and Sharon Brakeen, members of the Nation of Islam, are running independent campaigns for Delegate (a non-voting position in the U.S. Congress) and School Board.

In neighboring Prince George's County, Maryland, the

national spokesman of the Nation of Islam, Dr. Abdul Alim Muhammad, faces Steny Hoyer, the incumbent Democrat, in the primary in September, in his campaign for U.S. Congress.

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## Documentation

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*The Citizens Special Grand Jury released a statement on July 31 calling for the dismissal of the indictments against Mayor Barry, and condemning the Justice Department's political prosecution of him. We publish excerpts here.*

. . . The Citizens Special Grand Jury finds the United States guilty of the following:

- Conspiracy to violate the civil rights of the mayor.
- The United States is guilty of violating the mayor's First, Fourth, Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States.
- The United States intimidated, forced, coerced, threatened, and bribed its principal witnesses to change their perjurious testimony in an effort to indict and convict the mayor of conspiracy, perjury, and possession of cocaine and crack cocaine. . . .
- To add insult to injury, for the first time in the history of prosecution, the United States sold, dispensed, and distributed what it admits is illegal contraband, cocaine, crack cocaine and other narcotics which fall within the prohibition of the Controlled Substances Act.
- Even worse, the United States entrapped the mayor through its numerous agents, the Federal Bureau of Investigation and Metropolitan Police Department. They then caused him to ingest what is described as nearly 100% pure crack cocaine, using the mayor as a guinea pig, notwithstanding they had knowledge the mayor suffered a cardiac condition. The United States knew that its lethal dose could have caused death to the mayor and that they would have been guilty of murder, in addition to their crimes of assault with a dangerous weapon and police brutality. . . .
- The United States committed these intentional, willful, illegal and prejudicial acts to embarrass, humiliate, and entrap the mayor. . . .
- The record in the United States Grand Jury and the evidence presented at trial suffer from illegal acts by the United States, a "poisonous tree," as well as "fruits of the poisonous tree," and therefore cannot be used against the mayor.
- The Citizens Special Grand Jury denounces the advice of Rev. Jesse Jackson and Rev. Walter Fauntroy that the mayor plead guilty to any offense, as an invasion of the mayor's rights, of both constitutional and privileged communications, and prays that no member of the sitting jury heard their improper statements before being sequestered. . . .