

HUEY'S STATEMENT ON RACIST VERDICT

... POWER TO THE PEOPLE!
... BLACK POWER TO BLACK PEOPLE!
... PANTHER POWER TO THE VANGUARD PARTY!

The question has been asked: what I think of the verdict of the jury. I think the verdict reflected the racism that exists here in America, and that all Black People are subjected to. Some specific things I would like to say about certain people on the jury: first, Brother Harper and other members of the jury who believed in my innocence owed an obligation to me and the Black Community to adhere to their convictions that I was not guilty. I am sure that they, the people on the jury who agreed with Brother Harper (a strong man and also jury foreman), were in the minority. I believe that Brother Harper was interested in doing the best thing for my welfare. I think that the verdict was a compromise verdict; a compromise between a first degree murder and an acquittal or not guilty. Why did Brother Harper compromise? He compromised because he truly believed that it was in my best interest. Mr. Harper made his decision based on the assumption that if a hung jury resulted, I would be tried on the next trial by an all-white jury and possibly convicted of first-degree murder. I believe that he based his action or his decision upon the fact that he saw how racist the majority of the jury was acting, and their whole attitude towards the case. I believe that there were few people joining Brother Harper and his last conclusion that I was innocent, and that I am innocent, but he did compromise. Because Harper failed to persuade the jury, or he felt that he could not persuade them or show them the truth or the fact that I was innocent, he thought that he would then give the lowest possible sentence. He might have considered that I had been in jail for the last 10 months and that I might be in jail for another 10 months awaiting a new trial and then stand the possibility of having the first-degree murder conviction stand, simply because of the racism that exists here in America. These are all my speculations and I will tell you why I speculate these things later on while I have this conversation with you.

Brother Harper, like many people, believes that on a manslaughter charge, you would spend maybe 3 years or 3 years at the most in the state penitentiary, and further, that due to the fact that I have already been in jail for one year, that while waiting trial another year as a result of a hung jury, I would already serve a time and even more so therefore, because he couldn't get an acquittal, he then chose to compromise and get the lowest sentence. The only problem with that, though, is that in a political case, the defendant is subject to do the maximum length of time. The sentence on a manslaughter charge with a prior felony conviction is from 2 to 15 years in the state penitentiary and I am sure that if I have to do this time, that I will do every day of that 15 years. But, I don't believe that Brother Harper had any idea of what he was doing, so therefore, I want to sincerely ask the black community and Brother Harper's son to forgive not only him, but also the other people who believed in my innocence, and who were compromising because they did not know what they were doing. I believe that they thought they were doing the best thing in my interest, and the best thing in the interest of the Black Community, under the racist circumstances wherein which they had to operate.

The second point that I want to bring out is the reason that I am sure that this was a compromise verdict. I am sure because the verdict was obviously inconsistent with the evidence given. The possible verdict was guilty on the first degree, guilty on the second degree, or guilty on the manslaughter charge; or guilty on a prior felony conviction of assault with a deadly weapon; or not guilty on one or all of these charges. Now there was absolutely no evidence to find me guilty of first or second degree murder or any of the charges, as a matter of fact. But there are some people, the racists on the jury, the percentage of the racists, who lay in wait to do harm to a Black Man, as they lie in wait to do harm to the Black Community in general. So, facing this, the foreman, Brother Harper had to make a decision and perhaps he figured that on the next jury, that even if they allowed us one Black Man that he would not be as strong as he himself was. However, I am not in agreement with him, I would much rather have a hung jury and take my chances on being convicted or acquitted on a first degree murder charge because at least then I would feel that Harper fulfilled his obligation to the Black Community. Even though he was unknowingly operating against it, he felt that he was acting in the capacity of one who loves the Community. Therefore, I am asking the Community that in the event that he teaches at Oakland City College next semester, that he be given all respect due to a Black Man because he did not know what he was compromising to. Now I want to discuss the reason why the verdict doesn't make any sense. It doesn't make sense because in the first place,



the judge instructed the jury that if they found me guilty of a prior felony conviction that they would have to automatically find me guilty of a second degree murder charge. In other words, they would satisfy their minds that I was guilty of a crime of homicide on any level, and if they found that I was guilty of a prior felony conviction, it would have to be second degree murder at the minimum, and manslaughter would automatically be out of order and inconsistent. As you know, the jury found me guilty of a prior felony conviction and yet, they did not find me guilty of a second degree murder charge. Another point too, of course, murder someone with the gun you have. The judge's order was that a verdict of guilty to a prior felony charge involving a gun, now automatically makes it a homicide in the second degree. Now because they said or concluded that I was guilty of manslaughter, that means that at some point, I was in possession of a gun. So therefore, it would be consistent for them to find me guilty of a manslaughter charge in relation to the other verdict that they passed on the past felony conviction, so that apparently it appeared to some people that I was guilty. Others said that I was innocent and they decided that Brother Harper probably engineered it that they would compromise to a manslaughter charge, the lowest possible sentence in this particular case in order not to have a hung jury.

This is generally my feeling towards the verdict--that the verdict was a result of racism and a Black Man compromising with the racism simply because he found no other alternative or an alternative that he felt would be beneficial to me even though he was wrong on this. Now the other thing is concerning the whole jury selection. Blacks were, of course, systematically excluded from the jury and part of the reason this happened was because of the lack of conscientiousness on the part of the Black Community. The reason I saw this is because the Black Community or black people who are perspective jurors have an obligation to see that Black Men are not convicted in this racist court. Now many Black people got on the stand or the jury seat and said that they did not believe in capital punishment. On the other hand, the white people would get on the stand and say that they were not for it but would possibly give it in an extreme case, knowing all the time that they would send a Black Man to the gas chamber quicker than they would smash a fly.

That is the responsibility of the community and I think that we must educate the community so that they will know how to answer when they are pressured enough, to be perspective jurors in the case of a black defendant.

We should be in preparation for the revolution and the preparation days is to lift the conscientiousness of the community. This case has lifted the conscientiousness of a million people and we must carry on the political education, I surely introduced to the racist structure of the court as they already know, but it even drew more of a picture in the black community. We should use this as a springboard. Circulate our Paper in the community so that we can teach our people how to react in court and what obligations they have to the defendant and lift their conscientiousness so that we can prepare ourselves in our destiny and the institutions within our community. The prosecution Jensen has already stated he is going to oppose bail and oppose probation; now in fact I have already spent 11 months in jail and in fighting all the way through the appellate courts all the way to the supreme court will take approximately 2 years so that would mean that even if they reverse the decisions and I would go to prison and I would do 3 years, and that is about the length of time that one does on a manslaughter anyway, but the establishment has it in store for me to do the full 15 years and this is why it is so important to mobilize the community to put pressure on the establishment--just as they put pressure on the court even though they didn't give us justice. But they felt the effect and wrath of the people because the people had voted me not guilty and had given me justice, the courts knew that; even the racists knew this so they had to compromise. Now Jensen had stated in the Chronicle that I am guilty of killing a policeman so therefore, I should not get bail or probation. At the same time, the judge or the jury in this case, they have convicted me of manslaughter, signifying that by their standards I am guilty, I am not guilty, though. They indicated that even if I am guilty I was provoked and that there were certain menacing circumstances. This is by the jury's own standards and this is the racist in the jury that they had to compromise to this because the pressure that was put on the face world wide scale. I think we had an indication of what will happen if we don't start fighting harder even. We have just started fighting and now we must fight to the finish and the finish will be when all black men are freed from jails and prisons in this racist country. Freed because they have suffered just as I have suffered an injustice, and if black men let the establishment get away with this crime, they will only go on convicting innocent black men. At this time we must fight on a political level and on a judicial level, we must influence the courtroom and we can do this by uniting and for black people and for all revolutionary people black and white, to send letters into the court and escalate the propaganda throughout the world so we will expose the hypocrisy of the judicial system. That we do not get equal justice for all and that we must draw an end to the injustice for black people. I am very sure that we will be very successful and that we will get a new trial not because of the kindness that the appellate courts will show us but because of the political pressure that we have applied to the establishment and we will do this by organizing the community so that they can display their will. The will of the black people must be done and I would like to compliment the people on the revolutionary fervor that they have shown thus far. They have been very beautiful and they have exceeded my expectations. Let us go on outdoing ourselves, a revolutionary man always transcends himself or otherwise he is not a revolutionary man, so we always do what we ask of ourselves or more than what we know we can do. We have the people behind us that we are always successful, the people collectively. At this time I would like to admonish my revolutionary brothers and sisters to use restraint and that we would not show violent eruption at this time for the reason that the establishment would like to see a violence occur in the community so that they will have an excuse to send in 1000 or 8000 troops. The mayor has already stated that he would be very happy if something were to happen in the community while the establishment is in a favorable situation. They would like to wipe the community out. We would not give them the chance that so one forces us to do anything that we choose our time and now is the time for us to get out in the community and educate our people so that the community will become a political school within itself, and it is up to the VANGUARD PARTY to protect the community and teach the community to protect itself and therefore at this time we should admonish the community to use restraint and not to open ourselves for destruction.

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PANTHER POWER TO THE VANGUARD.

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EDITOR'S NOTE:

*Because of limited space in
this special "Extra Edition,"
the Black Panther Party's
pocket lawyer is omitted
from this issue*

Detailed story and photos of National Headquarters sabotage in next issue