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DORIAN JOHNSON

Ferguson Grand Jury Witnesses Often Cited Fear In Testifying

BY TINA SUSMAN

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This witness was scared. He had Googled himself and found the phrase: “Snitches get stitches.”

He was scared that black neighbors would find fault with his description of what happened when a white police officer, Darren Wilson, shot dead an unarmed black man, Michael Brown, in Ferguson, Mo.

He was scared that white supremacists would accuse him of hurting Wilson’s case. “I do think of the Ku Klux Klan. I do,” he told investigators.

From the first day a grand jury met, it is clear that fear and anxiety played major roles in the struggle to paint a precise picture of what unfolded between Wilson and Brown on Aug. 9.

The jurors’ decision not to indict Wilson prompted prosecutors to make public more than 4,700 pages of transcripts and reports in hope of quashing suspicions that Wilson got away with murder. The tactic did not work, and rioting erupted in Ferguson this week.

But the documents do provide a look at what some witnesses went through as they wrestled with the fallout of witnessing a controversial killing.

Some feared saying something that would upset neighbors if it did not match other witness accounts.

“You never know how people react to certain things,” testified one man, who did not speak to police until 13 days after Brown’s death but whose version of events bolstered the view that Brown had his hands up and was not posing a threat when Wilson shot him.

Some were so distrustful of police that they did not offer information until investigators knocked on their doors.

No indictment is unusual – at least at a federal level

At a federal level, a grand jury returning no indictment is extremely rare. The Ferguson case was heard at a Missouri state court and state-level data was unavailable.

FEDERAL INVESTIGATIONS AND PROSECUTIONS

Oct. 1, 2009 – Sept. 30, 2010

Total number of suspects in closed criminal matters **193,021**

Prosecuted in U.S. district court/ disposed by U.S. magistrates **162,351**

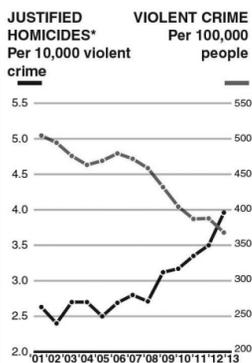
Declined by U.S. attorneys **30,670**

Declined for all other reasons **30,659**

Declined because no ‘true bill’ returned **11**

Declination = a prosecutor decides not to file a case in a matter received for investigation; excludes immediate declinations where a prosecutor spent less than one hour on the case.

Sources: Reuters, Federal Bureau of Investigation (FBI); Bureau of Justice Statistics, U.S. Department of Justice. Graphic: Tribune News Service



*By a law enforcement officer in the line of duty only.

“You can’t say no to an FBI agent,” one woman told prosecutors after agents showed up at her apartment in the Canfield Green complex, which overlooks the scene of the killing. “I’ve seen the Ferguson police do some really awful things,” she added, explaining why she had told her boyfriend what she saw but not law enforcement.

The documents also show prosecutors’ attempts to assure witnesses and jurors that they would be shielded from the firestorm touched off by a case that has fueled nationwide protests and demands for change.

“You are anonymous,” the St. Louis County prosecutor, Robert McCulloch, told the jurors when they met for the first time on Aug. 20. He told

them not to wear their juror badges as they entered the justice building in Clayton, Mo., lest news reporters or others spot them. He noted that a construction project next door would help block visibility to comings and goings around the justice building.

A few weeks into the proceedings, some jurors’ anxieties rose to the surface.

“My concern is that everybody is saying hurry up, hurry up, hurry up,” one juror told the prosecutors on the morning of Sept. 30.

Another one added: “I’ve heard a lot of people talking about — and this is people who should know — talking about why don’t they just arrest him and then figure out what’s going on, why don’t

they just take action,” the juror said. “It seems to me that we’re doing what needs to be done and we’re doing what’s right, and people are not seeing that.”

One of the first witnesses the grand jury heard from was Dorian Johnson, who was walking alongside Brown when Wilson rolled up beside them. Johnson described running in fear as shots rang out and then being scared to tell what he knew to the Ferguson police, even as he mingled in the growing crowd outside Canfield Green that day.

“I was so afraid, I didn’t know what was going to happen to me,” Johnson said. “I basically just didn’t, really didn’t feel comfortable with Ferguson at the time,” said Johnson, who was not alone in

his reluctance to speak with investigators.

On Oct. 23, more than two months into the jury’s proceedings, prosecutors told them that some witnesses did not want to talk.

“The light is at the end of the tunnel so to speak,” Kathi Alizadeh, one of the attorneys presenting evidence, told jurors as she expressed hope their work would be done by mid-November. But she said there were about 15 eyewitnesses or other people with potentially valuable information still to question, and some were resisting.

“Some of them have frankly said there is no way I’m coming in, no way I’m going to testify,” Alizadeh told the jury. In those cases, she said the only option was to serve them with subpoenas. “But if you knock on the door and nobody answers, we have no right, you know, to kick in the door,” she said.

Even witnesses whose accounts bolstered many of their neighbors’ statements that Brown died with his hands up after being chased by Wilson expressed fear of saying the wrong thing, a sign of the pressure they felt to not do or say anything that could be construed as helping the police.

That weighed on the mind of a man who said he had watched much of the action unfold from his balcony, and who later grew to fear both the Klan and some of his own neighbors. “I’m shaking and I’m nervous right now and I’m scared, you know,” said the witness, who testified that Brown “might have been punching” Wilson through his

car window, but that Wilson shot Brown in the back. (Neither autopsy report presented to the jurors, however, indicated Brown was shot in the back.)

A man who was at the apartment complex and had a different version also expressed unease at speaking to investigators. That witness, who described Brown as charging toward Wilson, said he felt uncomfortable walking into the Ferguson police station “past all the protesting going on,” but felt it was his duty to tell what he had seen.

Investigators also faced the challenge of witnesses who would allude to what others had said, and who appeared to be swayed by their accounts. Others seemed afraid of giving an answer that would not satisfy those asking the questions.

“I’m not here to say one person is right and one person is wrong, OK. Just the best of your recollection,” one prosecutor told a witness who struggled to remember how many shots were fired.

One person who did not mention being fearful while testifying was Wilson. He told the grand jury that he believed Brown would kill him as they fought in the front seat of Wilson’s vehicle and as Brown tried to grab his gun.

Two shots went off in the police car, and Brown leapt back onto the street, Wilson testified.

He added that he saw “a cloud of dust” behind Brown as he started running away.

Within seconds, Brown was dead.

DC Olympic Bid Touts ‘Unity’ Over Dysfunction

WASHINGTON (AP) — Place your hands together in just the right way, with thumbs overlapping and the other fingers pointing to the sky, and you’ve created the symbol for 2024 Olympics in the nation’s capital.

It’s supposed to be a “U” for unity. And, if you put two of them together and use your imagination, you get a “W” for Washington.

Wait a minute. Unity in Washington? Isn’t than an oxymoron?

One of the toughest selling points for organizers of a proposed Summer Games in D.C. will be to prove that it’s not a city of inherent dysfunction — that away from the daily tit-for-tats between White House and Congress is a vibrant city of museums, theater and sports, with a solid public transportation system to move everyone around.

Local organizers believe a major project such as the Olympics would be able to bring groups in the city together — even Republicans and Democrats.

“The nation’s capital has the unique ability to bring people together through the universal language of sport,” bid chairman Russ Ramsey said.

Three jurisdictions — Virginia, Maryland and D.C. — would have to cooperate to pull off an Olympics. Not to mention the fact that Congress has broad oversight over the District’s affairs.

It looks like a logistical nightmare, but Washington 2024 points out that the various entities work together all the time on matters such as transportation and security. If they can pull off an inauguration, the Olympics should certainly be in their wheelhouse.

“The largest expense of any Olympic Games is security,” said Bob Sweeney, a senior adviser to the bid. “And the fact that we’ve got it pretty built in to our everyday life here in Washington, we would leverage that asset tremendously.”

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