Grand Juries: The New American Inquisition

BY HARRY GOMBE

‘What is your sexual preference?’
—Question asked by Lexington, Ky., grand jury.

You can’t hardly get out of a jam in America anymore by “taking the Fifth.” That once a good refuge of civil libertarians and other believers in the essential beneficence of the State has been rendered a virtual dead letter by an intensified grand jury offensive across the country.

Scores of individuals have gone to jail for refusing to cooperate with politically-motivated grand juries, and thousands of others have had their personal lives and political priorities disrupted in combating the aura of criminality that the authorities have attempted to bestow on all dissenters.

In the process, these resisters have shown that the scope of political activity in a society depends not on the “rights” guaranteed by the government nor on the good will or good intentions of high officials and media managers, but on how well groups and individuals can mobilize to protect their own interests.

The resistance to the grand juries has had only marginal luck in legal and bureaucratic challenges of the grand juries’ patently unconstitutional abuses. The main successes up to now have been due to the personal courage of individual “martyrs” and to the organizing skills and energies of local anti-grand jury coalitions and defense committees across the U.S.

Nixon’s relatively minor tampering with the U.S. Constitution during the Watergate fiasco provoked anghished and outraged protests from his “enemies” among the ruling elite of government and the media. But a much graver breach of popular rights — in fact, the outright subversion of such key elements of liberal democracy as the Bill of Rights’ Fifth Amendment guarantee against self-incrimination — is being carried out with hardly a murmur of discontent from the established opinion-makers.

Maybe it’s because the targets (her, now, at least) of this new Inquisition are merely the dispossessed and the dissident, including native people, militant unionists, Chicanos, Puerto Ricans, gays, feminists, anti-war activists, single mothers and urban guerrillas.

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Whitnack, a 22-year-old prison activist and anarchist, had been held in jail since July for refusing to testify or even give her fingerprints to a grand jury probing Seattle’s Left community. As things stood, she faced another 12 months inside.

On the morning of the 20th, without warning, six federal marshals dragged her out of her cell, choked her to unconsciousness, and forcibly took her prints and mug shot. Then, without further ceremony, they gave her her walking papers.

The prosecutor’s office issued a press release saying that the prints were obtained “without injury to the prisoner,” and then went on to state that the evidence would be compared to prints taken from an unexploded bomb found a year earlier in the Seattle courthouse.

Why did they let me out just before Christmas? I don’t know,” said Whitnack.

“We didn’t want to take the chance of losing the evidence if we didn’t get it by Christmas.”

Whitnack points out as well that the reference to the unexploded bomb doesn’t make much sense since it would have been more logical to keep her in jail until the comparison of prints had been completed.

The press release by the prosecutor’s office was, in fact, part of a continuing official campaign to discredit the Seattle Left among the general population by creating an aura of criminality around political activists.
little access and no legal right. As things stand now, a grand jury witness is considered to be a captive of the only possible witness. Witnesses is given little if any notice to appear; he or she has no right to know the crime in which they are being questioned. They may be served as a law itself in the grand jury. There are no rules of evidence and when they are ignored, there is no public presence at the proceedings.

But the grand jury's main stronghold is its power of civil contempt. Witnesses may be compelled, on being sent to prison to answer questions, to answer questions? What if the legal and political ideas and associations, about their conversations and activities, and those of their enemies, may happen to them. The terms can last up to 18 months — the term of the grand jury.

In a chilling new wrinkle, the grand jury has been put to use on what can only be described as anthropological research. It's the sort of research that the CIA has been funding in Mexico and elsewhere. It's the small League community themselves and were baffled to find they were getting nowhere.

One of the people questioned in Leningrad was the FBI was thoroughly tricked to learn there were whole groups of people in America whose internal dynamics were a mystery. They were the hikers who the FBI had already supposed and nurtured each such effort and built solidarity against the whole of the world, the FBI was twice as strong as it was in its earlier years, as "the League's nights," she says. "They just surprised us in ways that a network of pushing people around, and they had to find out how it worked. They got the grand jury to use their leverage to testify and the irrelevant questions: who had lived with whom, and then when they went to meetings, what they majored in college.

The grand jury is ostensibly probing the activities of the George Jackson Brigade, a clandestine group that pulled off six political bombings, as well as a successful jailbreak during 1975 and 1976. (The courthouse bomb has been claimed by the government, on the basis of evidence collected in the San Francisco Bay area.)

That wasn't the first time the prosecutor had attempted to trick Whitman when she refused to give in to his threats. Months earlier, he had announced that he had discovered a witness who claimed to have seen a woman vaguely fitting Whitman's description of the leader of the bank robbery and murder. He had been told that she had been tricked.

"The official 'hope,'" Whitman says, "is that we are no women involved." Now, since then, friends have gone to look at the tree and they have told me that there is something to see the power station, and that only one tree wouldn't hold my weight — I'm too tall, and I know the branches lack strength for its first ten feet."

To this date, Whitman has yet to be charged with either the LaGuardia or the courthouse bomb. But the guilt-by-association argument used by the Seattle County Grand Jury against Mary by driving a wedge between those who advocated armed struggle and those who oppose it out of principle or out of a fear of a repressive backlash. The author's stated goal is to make an example and a warning of Whitman after six months of failure in their witchhunt. Every woman, in fact, only one in ten women, is steadfastly refused to talk to the FBI or the grand jury. The individuals have been subpoenaed, many of whom have only marginal connection to the Left or underground scenes. Four of those subpoenaed have been single mothers with very young children — an obvious attempt to intimidate a vulnerable group. People search and seize raids on people's homes have followed the same random pattern.

Despite its internal conflicts, the Grand Jury has narrowed its mistakes into an effort to identify the suffers of the Middle States. By the middle of the decade, the'state is like eating potato chips — once you start, you can't stop," says Whitman. "They (the authorities) have thus far failed to identify one's big conspiracy going on. It is my only comfort for them to think it's coming from some sort of central command, that all of people are acting independently."

Safeway Bombing Whitman was subpoenaed because of her relationship with Ralph "Pol" Poso, a Left Bank member who was killed in his car bomb explosion when he was attempting to place in a Safeway a bomb which blew up prematurely. The Safeway bombing was how local JPS began talking to Pol's death.

She had lived in Seattle about two years, and before that lived in Sacramento, where she was involved in outside support work for 20 principal organizers, following and Willett and Quinlin.

Pine Ridge Reservation were killed. An elderly woman was killed in July, she agreed to talk only because they had to get out to care for their young children. The Audubon Society director, the shooting, spent eight months in jail, and was never charged. The director was unable to nurse her newborn sister. In a related case, a Wounded Knee leader was charged with a sub- poena in Des Moines which called on her to give evidence against her client.

Washington, D.C. — a grand jury is helping the Washington Post attempt to bring the militant Press's Union. Eighty- eight unions have been subpoenaed to find out how Post bosses got wrested during a 1976 fight. Fifteen unions have been in- dicted for violating department and district codes, and out of "outreach" appeal to the Post bosses to take an independent stand against the Post.

Seattle, a fishing expedition against the entire Left community resulted in the jailing of Richard Nixon in their congressional committee.

Nixon was following in this American tutorial tradition of the cover-up from the Senate, and supposedly liberal Congress and the U.S. Supreme Court towered the Big A. Rights and largely whack one of the more cherished liberal freedoms — the right to speak with liberty. No one was allowed to speak with liberty. No one was allowed to speak with liberty. No one was allowed to speak with liberty.

New York — a campaign is being waged to smear the Puerto Rican independence movement, the Puerto Rican Nationalist Party (PNP), with the Armed Forces of Puerto Rico (FPR). The FPR Revolutionary Council, a communist group which has carried on a series of bombings, PNP militant Luis Lopez was found guilty of murder last summer. He was convicted, they were also released.

"Jury's verdict a travesty on justice, says Whitman. "We are making a determination that the government repression of the native movement, the Wounded Knee, three people were killed for refusing to talk about a shootout in which two FBI agents who invaded the

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The strategy of resistance to grand jury summation is summed up in the slogan, "Grand Jury, Grand Jury, no immunity. It's a strategy that depends on the personal courage, discipline and commitment of individual activists. It's a strategy that has an important and significant dimension that will put intolerable pressure — mainly in the form of public opinion — on the authorities.

After a period of initial confusion over how to respond to grand jury attacks, a tactic that has slowly become clear is the "Go home" strategy. This is the only one significant exception — more of that later — that absolute non-cooperation is the starting point. In the past six years, near 200 people have refused to talk in the face of government coercion, even when under threat of arrest in the previous 20 years. As one anti-grand jury coalition put it:

"If you testify you'll go to jail. If you don't testify you'll go to jail. If you're a journalist or a lawyer, you'll be hired to testify. If you're a photographer, you might be killed. If you're an activist, you might be killed. No immunity. It's our only hope.

This tactic applies to dealings with the FBI as well. The watchdog in Don't Talk! That becomes a catchphrase and a question answer of the FBI, but it is against the law to lie to the FBI or other police agencies about their operations. That applies to everyone, regardless of their role; they are professional at their work. Thus, the logic concludes: "Goodbye, and keep repeating till they go away.

Their tactics have provided the main focus for organizing activities. But, except for a few cases, the resistance has not been all that successful, and the number of people going to jail from jail. The courts have run roughshod over the rights of activists and, as a result, they take a major scheme of the government to gain control of public opinion. Expose that is the government.

However, Congress is also considering another bill which represents a grave threat to the rights of activists. The bill, the Freedom of Information Act, contains provisions for the government to gain control of public opinion. Expose that is the government.

As the result of a decision last year by the United States Court of Appeals, the provisions have the power to establish "special crime inquiries" to probe organized criminal activity. These provisions are likely to be used by the government to gain control of public opinion. Expose that is the government.

There is no limit to the length of time the government can keep people in jail, nor to the questions it can ask, and there is no necessity to account to the public. Proposals for a "(self-incrimination" is so-called, already considerably weaker in Canada than in the U.S. even when a resident of a Canadian province is questioned by the police, they have no immunity from prosecution. The National Association for the Advancement of Colored People (NAACP) has successfully challenged the U.S. government's attempt to gain control of public opinion. Expose that is the government.

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