Ferguson grand juror seeks to speak out against rigged procedure

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A member of the twelve-person grand jury that failed to bring charges against Ferguson, Missouri police officer Darren Wilson for killing unarmed teenager Michael Brown last year is seeking to speak publicly about what he calls a "muddled" procedure that sought to paint Brown as the wrongdoer.

The grand juror, pseudonymously identified as John Doe, filed a case in US district court to exempt him from laws preventing grand jurors from speaking publicly about proceedings they are involved in. He says this is necessary in order to present "truthful information about a matter of public significance" and exercise his First Amendment right to free speech.

The filing claims that the juror believes St. Louis County Prosecuting Attorney Robert McCulloch presented evidence "with the insinuation that Brown, not Wilson, was the wrongdoer." It adds, "The presentation of evidence to the grand jury investigating Wilson differed markedly and in significant ways from how evidence was presented in the hundreds of matters presented to the grand jury earlier in its term."

The lawsuit, filed by attorneys for the American Civil Liberties Union, adds to the growing body of evidence suggesting that McCulloch deliberately manipulated the grand jury proceeding in order to protect the killer cop from prosecution.

"Through the lawsuit the gagged grand juror is able to express what we know, and have said to be the case—that the grand jury process was not a legitimate one, but was geared to get a fake judicial finding to exonerate Wilson for the killing of Michael Brown," said John Burton, a police misconduct lawyer in Los Angeles County and a writer for the *World Socialist Web Site.*

The killing of Brown sparked months of protests in Ferguson, Missouri and the surrounding suburbs, which were met with a massive militarized police crackdown involving tear gas, rubber bullets and mass arrests.

In addition to twisting evidence to defend Wilson, the filing alleges that "the presentation of the law to which the grand jurors were to apply the facts was made in a muddled and untimely manner compared to the presentation of the law in other cases presented to the grand jury."

The filing notes the fact that the failure to indict Wilson could have been the result of as few as four grand jurors opposing the prosecution of the killer cop. It argues that McCulloch's public presentation of the grand jury decision is "not entirely accurate—especially the implication that all grand jurors believed that there was no support for any charges." The strong implication of this statement is that a significant number of jurors supported prosecuting Wilson.

The brief cites a promise by McCulloch that "every bit of evidence that you have, the testimony of the witnesses who come in, the statements of the witnesses, the physical evidence, the photographs, everything that you have seen and heard will be released to the public." The lawsuit claims, however, "Although the release of a larger number of records provides an appearance of transparency, with heavy redactions and the absence of context, those records do not fully portray the proceedings before the grand jury."

Contrary to standard procedure, McCulloch did not call for the grand jury to return any specific charges, but instead shaped the evidence in such a way as to be favorable to Wilson. He then sought to present the decision not to indict Wilson as the impartial judgment of a grand jury.

This lawsuit comes after McCulloch admitted in a radio interview that he knowingly presented perjured testimony before the grand jury. McCulloch allowed

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45-year-old Sandra McElroy, an open supporter of Darren Wilson and a self-avowed racist, whose claims he knew to be false, to testify before the grand jury, then drew upon her account heavily in his own report announcing the grand jury's decision.

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