

After Austin jury finds US Army soldier guilty of murdering anti-racist demonstrator during 2020 summer protests against police violence

## Texas Republican Governor Abbott pledges to “swiftly” pardon fascist killer

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Less than 24 hours after a 12-person jury in Austin, Texas found 35-year-old US Army Sergeant Daniel Perry guilty of murdering 28-year-old Garrett Foster during the 2020 protests against police violence, Republican Governor Greg Abbott released a statement pledging to “swiftly” pardon the convicted killer.

“I am working as swiftly as Texas law allows regarding the pardon of Sgt. Perry,” Abbott’s official Twitter account wrote on Saturday, April 8. Abbott’s tweet included a statement which read in part:

“Texas has one of the strongest ‘Stand Your Ground’ laws of self-defense that cannot be nullified by a jury or a progressive District Attorney....I look forward to approving the Board’s pardon recommendation as soon as it hits my desk.”

Abbott’s extraordinary intervention is a continuation of Republican efforts to encourage and cultivate fascistic tendencies and militia elements to be used against striking workers, political enemies, and left-wing protesters. Abbott’s statement promising to “swiftly” pardon Perry, came after Fox News fascist talking head Tucker Carlson attacked the governor for refusing to promptly agree to come on his program and publicly declare he would seek a pardon, even before Perry has been sentenced.

Before attacking Abbott on his program, Carlson incited violence against Austin District Attorney José Garza, calling Garza a “Soros-funded DA” who perpetrated a “legal atrocity.” Carlson then pivoted to attacking the governor, saying that since Abbott would not agree to come on his

show, he obviously believed, “There is no right of self-defense in Texas.”

On Friday, Texas Republican Representative Ronny Jackson, Trump’s former White House doctor, defended the convicted Army sergeant writing, “Perry had a MOB of [Black Live’s Matter] THUGS surround his vehicle and point firearms in his face....Perry did NOTHING WRONG!!” On Saturday, prior to Abbott releasing his statement, Texas Attorney General Ken Paxton wrote a statement to Fox News accusing Garza of caring more “about the radical agenda of dangerous Antifa and BLM mobs than justice.”

The Republicans’ embrace of Perry, express the immense fear of the working class gripping the entire ruling class. Their statements show that the Republican Party continues its transformation into a fascist organization. At the same time, the Democratic Party continues to seek “unity” with their “colleagues” to carry out their shared ruling class agenda of austerity at home and war abroad with Russia, and soon China.

The transformation of the party accelerated under President Donald Trump, beginning with his praise of the “very fine” neo-Nazis at Charlottesville. Two years later, virtually the entire Republican party would embrace and defend Kenosha killer Kyle Rittenhouse, before joining Trump in attempting to overthrow the Constitution on January 6, 2021.

In the over two years since the failed coup, neither Trump nor any of his high-level accomplices within the Republican party or police-military-intelligence apparatus and Supreme Court have been held to account

There is no factual basis to support the Republicans' claim that Perry was acting in self-defense because Garrett Foster was armed with an assault rifle. Foster was marching in the protest, armed—as many right-wing activists do—and not pointing the weapon at anyone.

During the trial, which lasted two weeks, prosecutors presented evidence from Perry's social media accounts and online interactions confirming the infantryman and cavalry scout fantasized about killing anti-police violence protesters prior to murdering Foster.

"I might have to kill a few people on my way to work, they are rioting outside my apartment complex," Perry wrote to a friend in June of 2020, the *Austin Chronicle* reported. In another post, Perry wrote, "I might go to Dallas to shoot looters."

Perry, an ardent Trump supporter, frequently tweeted at the aspiring dictator in the lead-up to murdering Foster. After Trump tweeted a death threat on June 19, 2020, targeting "protesters, anarchists, agitators, looters or lowlifes," Perry replied, "Send them to Texas we will show them why we say don't mess with Texas."

During the trial, a friend of Perry's, Michael Holcomb, testified that Perry messaged him on Facebook before the shooting and laid out a "self-defense" rationale for shooting protesters. Holcomb testified that he tried to talk Perry out of it, writing, "We went through the same training... Shooting after creating an event where you have to shoot, is not a good shoot."

On Saturday night, July 25, 2020, in Austin, Texas, some two months after millions of workers and students in the US, and internationally, began protesting following the police murder of George Floyd, Perry, who was stationed at nearby Fort Hood, nearly 70 miles north of Austin, began working a shift as an Uber driver.

According to multiple witnesses who testified at the trial, Perry aggressively drove into a crowd of protesters, nearly striking several of them, prompting an angry response from the crowd, which included Foster's wife, Whitney Mitchell. On the stand, Mitchell, an African-American, said she and Foster met in high school. After a year together she got sick, which led to the loss of both her arms and legs.

Local NBC affiliate, KXAN, reported Mitchell testifying that Foster stayed by her side the entire time, going from boyfriend to caregiver. "He helped me get dressed in the morning, brush my teeth, wash my hair... everything you

would do in your everyday life, he did that for me." After moving to Austin in 2019, the couple began attending every Black Lives Matter protest in 2020 after Floyd was murdered.

Mitchell said she remembered marching and, "I remember seeing the car come very quickly toward us, and it just jerked." Mitchell said her husband, who was legally carrying an AK-47, told the driver of the car to "Move on."

"Then all I remember is hearing gunshots," Mitchell said, "and Garrett just falling over in front of me."

Perry's lawyers tried to argue that their client "feared for their life" and that Foster pointed the rifle at Perry, prompting him to shoot Garrett in "self-defense." While no video exists of the encounter, while being interviewed at the police station, Perry admitted that Foster never pointed his rifle at him, telling the police, "I didn't want to give him a chance to aim at me, ya know?"

In addition to eyewitness statements who claimed that Foster never pointed his rifle at Perry, the prosecution confirmed that when police recovered Foster's AK-47 rifle, the safety was still in the "on" position, and there were no bullets in the chamber. Foster, like Perry, was trained by the US military, which instructs soldiers not to aim their weapons at people/targets unless they are prepared to kill them, which includes setting the weapon to "fire" and chambering a round.

After eight days of witness testimony and cross-examination, the jury carefully considered the evidence before them and after 17 hours unanimously found Perry guilty of murder. While he has yet to be sentenced, Perry could face life in prison, pending an appeal, and/or possible pardon.



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