

Barry targeted in political witchhunt

by Debra Hanania Freeman

As jury selection in the trial of Washington, D.C. Mayor Marion Barry on charges of perjury and drug usage enters its second week, the Department of Justice (DoJ) is pulling out all the stops in its continuing effort to remove Barry from office, but above all, to force him to halt his bid for reelection.

It was revealed June 6 that NBC's local affiliate WRC-TV has "somehow" obtained the FBI videotape of Barry smoking crack cocaine during the incident staged by federal officials which led to his arrest. Barry has charged that executives of NBC held a viewing of the tape in their offices after the prosecutor's office intentionally leaked the tape to the station, despite a standing order by Federal Circuit Judge Thomas Penfield Jackson prohibiting any discussion of the evidence in the case.

Then, in a move that left many startled, Jesse Jackson, once considered a friend and political ally of the mayor, joined the government's effort in a widely publicized Washington, D.C. press conference June 6. Jackson urged Barry to announce he will not seek a fourth term, saying that such a public declaration could serve as "powerful leverage" in a plea agreement. Echoing repeated offers by U.S. Attorney Jay Stephens to drop charges against Barry in exchange for the mayor's resignation, Jackson said, "If he agrees not to be a part of the equation, the question will be: Why prosecute?"

Citing his longtime friendship with Attorney General Richard Thornburgh, Jackson urged Barry to compromise and "spare a lot of pain to the city. After all, not only is Marion Barry about to go to trial, so is the Justice Department." However, putting the Justice Department on trial is exactly what is called for in the Barry case.

Violation of Barry's rights taken to U.N.

Last week, Washington attorney Mary E. Cox filed a petition with the Commission on Human Rights of the United Nations charging the U.S. government—and specifically the DoJ—with gross violations of the human rights of Mayor Barry and the citizens he represents.

Cox's petition documents that "since 1984 the Department of Justice, in close collaboration with the *Washington Post*, has harassed, persecuted, and prosecuted the mayor and anyone connected with him under the cover of an investigation of public corruption and drug use in an effort to remove him from office."

The petition continues, "despite seven years of intense investigation, the government was unable to establish Barry's direct participation in public corruption or to charge him with violating any law. When all else failed, the government created a crime." Indeed, by their own admission, the U.S. Attorney's office spent an estimated \$50 million in public funds to entrap Mayor Barry.

The June 4 *Times* of London noted the petition of Barry supporters in a feature entitled "Shadow of racism looms over Washington mayor's drug trial." "A handful of Mr. Barry's supporters are so convinced the U.S. judicial system cannot give him a fair trial, that they have sent a petition to the United Nations asking the world body to send an observer mission to Washington to ensure he gets a decent hearing," the *Times* reported.

FBI's 'Frühmenschen' targeted blacks

Marion Barry is not alone. A recent study by Prof. Mary R. Sawyer of Iowa State University on the harassment of black elected officials shows that 43% of all black elected officials in the U.S. today are either currently under investigation or indictment, or have been. The Sawyer study, in documenting a widespread pattern of improper investigations and charges against black elected officials, suggested that the criminal and civil justice system is being misused out of political motivation rather than a true search for criminal activity.

Charges of politically motivated prosecutions were given additional credence by the exposure in the Jan. 27, 1988 *Congressional Record* in a speech by U.S. Rep. Mervyn Dymally (D-Calif.), of the existence of an FBI program entitled "Frühmenschen," a German term meaning aborigine. This FBI directive called for the investigation of black elected officials across the nation "without the need for probable cause" on the theory that blacks are "intellectually and socially incapable of governing."

At a press conference in Washington, D.C., former Maryland State Senator Clarence Mitchell III of Baltimore, who has just returned from serving 18 months in a federal penitentiary as a result of a conviction stemming from the Wedtech scandal, endorsed Mary Cox's petition. Mitchell brought with him a resolution of endorsement passed by the National Council of Churches condemning the "harassment of black elected officials and other persons and organizations of conscience."

Mitchell stressed that the issue goes beyond the immediate case of the Mayor of Washington; that at issue is not even the guilt or innocence of each of the many who come under attack, but that the pattern of attacks by agencies of the government in itself constitutes criminal activity. Mitchell said the politically motivated criminal and civil investigations, in effect, deny the citizens who vote for these black elected officials their full constitutional rights under the 1965 Voting Rights Act.