

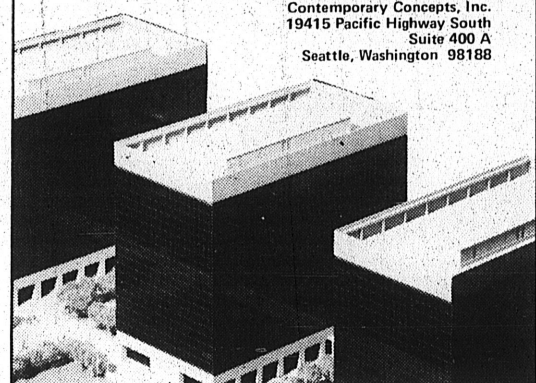
# Federal Misconduct Throughout Trial at Wounded Knee

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By RICHARD LA COURSE  
ST. PAUL, Minn. — (AIPA) — “Governmental misconduct” throughout the federal trial of Russell C. Means and Dennis J. Banks resulted in the granting of a defense motion for dismissal of charges against the two here Sept. 16 by Federal District Court Judge Fred J. Nichol at the stormy conclusion of the nation’s longest and most bizarre political trial in history.

Delivering a one-hour stinging rebuke to the chief federal prosecutor and the Federal Bureau of Investigation (FBI) and the Justice Department, Judge Nichol said he was “pushed over the brink” when the Justice Department in Washington refused to allow a shrunken jury to come to a unanimous verdict in the sometimes noisy trial which began last Jan. 8.

The prolonged trial reached its final verdict stage Sept. 12 when a 12-member jury was se-

questered here. The following days, however, the oldest of the jurors, Mrs. Therese Cherrier, suffered a “cerebral vascular accident” — a stroke — paralyzing one cheek and a hand. Alternate jurors had already been dismissed by the judge, creating a legal dilemma.

Three days later, the Criminal Division of the Justice Department notified Judge Nichol that it did not desire to continue toward a verdict with a jury of 11. And Nichol at 3:00 p.m. Sept. 16 convened the jury, defendants and lawyers before a packed courtroom to announce his decision.


When Nichol adjourned the court, defendants Means and Banks embraced each other emotionally, then hugged members of the legal defense team, relatives and friends.

The jubilant duo then met friends and the press outside the heavily protected court building,

and a victory party attended by most of the jurors and the Minneapolis-St. Paul Indian community and sympathizers went into the wee hours of the morning at the nearby St. Paul Holiday Inn.

Nichol earlier had told the court he was dismissing the five remaining charges against Means and Banks because his “deepest

(Continued on Page 10)



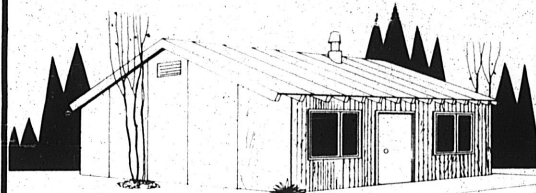
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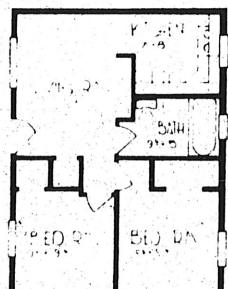
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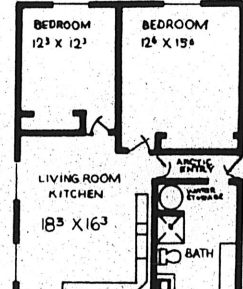
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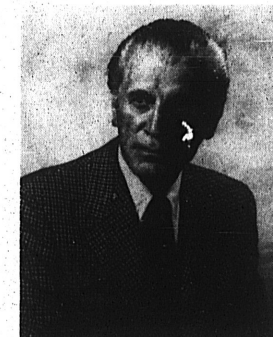
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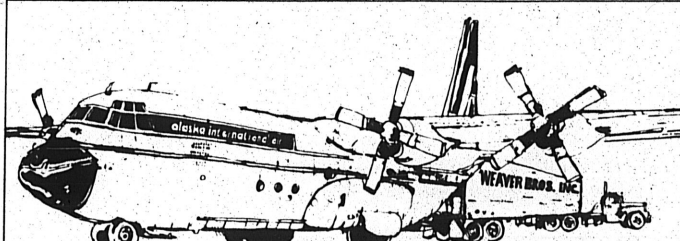
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