

Dennis Banks and Russell Means Cleared of Charges

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Description

At the Wounded Knee trial, Judge Fred Nichols dismisses all charges against AIM leaders Dennis Banks and Russell Means.

Keywords

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Transcript

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JOHN CHANCELLOR, anchor:

The long, Wounded Knee trial in St. Paul, Minnesota ended today when Federal Judge Fred Nichol dismissed all charges against the defendants. The jury never decided the case. One juror became sick last

Friday and today the defense agreed to let the remaining eleven jurors deliberate but the government wouldn't agree. Judge Nichol not only dismissed charges against Russell Means and Dennis Banks, but attacked what he called government misconduct in the case. Bob Jamieson has the story.

BOB JAMIESON, reporting:

Judge Nichol, citing misconduct, negligence and even deceit by federal prosecutors and the FBI, dismissed the charges after the eight-month-long case when it was clear his only other choice was to declare a mistrial because the jury couldn't resume deliberations. Judge Nichol charged the Justice Department had not served justice when it refused continued deliberations by the eleven remaining jurors. I guess this is a bad year for justice, he said. He said prosecutor R.D. Herd had deceived the court about the credibility of a key prosecution witness. About the FBI, he said, its hard for me to believe that the FBI I revered for years has gone to that low a state. Though the judge's decision was not an acquittal, Russell Means and Dennis Banks and their attorneys felt the decision was a vindication.

Mr. WILLIAM KUNSTLER (Defense Atty.): This judge has delivered a very strong opinion. He was converted over a nine-month period I think, from believing in his government to distrusting it. And I should hope that every American citizen should also share that distrust, in the hopes that out of our own skepticism and distrust can grow a cleaner and more decent country.

JAMIESON: The government could still appeal Judge Nichols decision and attempt to re-try Banks and Means if the dismissal is overturned by an appellate court. Bob Jamieson, NBC News, St. Paul.