

# People's Tribunal Exposes the Cold-Blooded Murder of Oscar Grant & The Epidemic of Police Brutality: "The Whole Damn System Is Guilty!"

Bay Area Revolution Team

"We're here today to prove that Oscar was killed in cold blood by Officer [Mehserle], New Year's night at the Fruitvale BART station. We're asking everybody to please help put officer [Mehserle] away for killing Oscar, for destroying his friend's minds, souls— young men who will never be the same, that watched their best friend be executed in cold blood, helplessly they watched him, and couldn't help them."  
—Tribunal opening statement by Zeporia Smith, Oscar Grant's auntie and mother of his best friend

"If a cop, especially a policeman, can get away with [murder] on video we are all in trouble, every single one of us are in trouble. That is putting a statement out there that any policeman can get away with murder even when it's committed on video...."  
—Rosemary Hernandez, mother of Oscar Grant's partner Sophina, and grandmother of Oscar's daughter Tatiana, discussing the Tribunal on KPFA's Flashpoints (<http://flashpoints.net/index.html#2009-03-19>)

"This story should anger you. The situation should sadden you. This message should stir your heart. I challenge you to examine what role you can play in this stand against injustice."  
—Lita Gomez, sister of Oscar Grant's partner, Sophina

On Sunday, March 22, the Bay Area Revolution Club and Revolution Books held a powerful People's Tribunal on the murder of Oscar Grant and the nationwide epidemic of police brutality and murder. The Tribunal was convened at Calvin Simmons Middle School in East Oakland, just blocks from the Fruitvale BART station where Oscar Grant was murdered early in the morning of January 1, 2009.

The audience of over 100 included family and friends of Oscar Grant, and those of other victims of police murder, people active in the struggle for justice for Oscar Grant, and others. The Tribunal included an indictment, analysis of video footage of Oscar Grant's murder, and testimony or statements from 15 witnesses: seven different families whose loved ones had been murdered by police, as well as experts on police brutality and murder.

Each of the testimonies was painful and shocking, and throughout the afternoon a damning and enraging picture of the whole epidemic emerged. Here are excerpts of statements, summaries and testimony from the Tribunal.

Additional testimony from the Tribunal is online at [revcom.us](http://revcom.us).

## Bay Area Revolution Team—Opening Remarks

"In contrast to all the lies and misinformation put out by BART, the police, and much of the media, we're going to show today that the killing of Oscar Grant was not a mistake or an accident, it was cold-blooded murder.

"This murder was not an isolated act by one rogue cop; it was the culmination of an orgy of brutality by a whole gang of police against a crew of Black youth that included racial profiling and slurs, threats with tasers, assaults, and illegal detention.

"We're going to show that what happened on the night of January 1 is part of a much broader pattern of police brutality and murder and the criminalization of a whole generation of youth—African American youth in particular—taking place on a truly epidemic scale—yet is never talked about.

"We're going to show how the system—the ruling institutions of this society—support police violence—while vilifying and attacking those who have righteously fought for justice.

"We'll show how all this points to the cold truth that brutalizing, terrorizing, and yes murdering oppressed people—especially Black and Latino people—is what the police are supposed to do—not to 'protect and serve,' but to keep people down.

"We'll discuss how this is rooted in the system—the system of capitalist exploitation—a system of organized greed backed up around the world by weapons of mass destruction and at home by police violence.

"And finally we'll talk about what we can do—why things don't have to be this way—and how we can go forward—together..."

## Lita Gomez, Sister of Oscar Grant's Partner, Sophina, From a Letter She Sent to Oakland and Hayward City Officials

"Think what Oscar was thinking when he was punched and pulled to the ground... Did Oscar suffocate in his own blood?... I wonder if Oscar believed the message that Pirone and Mehserle were giving him? 'You're nothing. You're garbage and have no life: you don't deserve to survive.'"

## Zeporia Smith, Auntie of Oscar Grant and Mother of Oscar's Best Friend

"My son has experienced such a violent act by police executing his best friend his brother in cold blood....  
"We are human beings. We don't want to be treated that way. There has to be something done about this police brutality. I'm scared for my son, I'm scared for all of my nephews that were on the platform that night. I'm scared for all my nephews coming up that are only 7, 11 years old....  
"Our children were raised in the Hayward area and we endured a lot of brutality from Hayward police accusing our kids, taking them to jail, planting false evidence on them. We've had DAs threaten our children. Our kids have had no real chance to be the average young men, to just enjoy their lives, raise their children, work."

## Rashidah Grinage, Whose Husband Raphael and Son Luke Were Murdered in Her Home by Oakland Police

"A reporter out front, when I got here, asked me why we would have a tribunal in a country like this. Usually we think of tribunals in Third World repressive countries. Why would we need a tribunal here? And I told him that those of us who are victims of police shootings don't have any more rights than people in the countries that he mentioned..."

"Justice is hard to come by and it's a secret to the vast number of Americans, who believe as the reporter who asked me, that it is different here. That this is a democracy, that it is not a dictatorship, that this is not a Third World country. I believed this too until December 15, 1993, when in 20 minutes I lost one third of my family."

## Sonoma State University Criminology Professor Tryon Woods

"First of all, racial profiling inverts, or actually reverses, the actual policing process. And if you think about it, what policing is supposed to do is, if you have a crime, or an injury, or a problem the police respond to solve and provide some kind of justice for that. But what racial profiling does is, it flips it on its head. So first you find a suspect, and then you try to find a crime to fit to that suspect. So that's the first thing to recognize that there is an inversion process happening which is completely inappropriate and unethical.

"Now the historical context for that of course takes us back to slavery and I want to say a few words about that because in slavery we begin to see the beginnings of modern policing really take form in the way we see it today. So with slavery, you have the slave patrols, a police force that essentially patrolled the U.S. South, during slavery, to enforce the terms of the slave society. Now what this means is that they were not there to arrest lawbreakers, i.e. slaves that resisted the laws of slavery, but they would just roll up on a plantation, accost or arrest a black person, free or not, beat them up string them up from a tree, torture them, do whatever they may, maybe return them to the plantation, maybe not, but the point is not that there was any kind of transgression that occurred, no violation had occurred. This was purely gratuitous violence, meaning violence for its own sake. The common term for this, is of course, terrorism. So you have to understand this policing force began to enforce 'blackness,' to enforce racial identity, as the sole transgression.

"And then after slavery, of course, we know about lynching. The era of lynching has extended this process in a whole new way. And it's during the era of lynching that we see actual law enforcement including the FBI and local law enforcement working together with white people from all classes of society coming together to police black people, and again the point here is, thinking about racial profiling, that there's no violation of the law occurring, this is simply policing the identity, because of who they are and how they're racialized in society."

## Karen Saari, Author and Chief Researcher of the Stolen Lives Project

Karen Saari stated that at least 1000 people die each year at the hands of law enforcement. And even this may only cover 60 percent of the actual total because of the lack of documentation in many rural areas of the country, and in jails and prisons. Her research has also shown that while, statistically, the greatest number of killings are of young, poor men of color, everyone is in danger—all nationalities, women as well as men, old and young, and those with wealth and relative privilege have all been victims of police murder.

## Danny Garcia, Whose Brother Mark Was Beaten, Pepper Sprayed, Tortured and Killed by 14 SF Cops After He Was Robbed and Pleading for Help

"Reading your rights is hog tying and tossing you in back of a police van to die. It is beating your ass until you die.  
"That is what they did to my brother Mark Garcia. He was tortured, beating and on and on.  
"He was just asking for help after being robbed instead the police went into attack mode.  
"To them he was just nothing. To us and his family and friends and associates he was everything that we all can be happy and proud of."



Relatives and friends of victims of police brutality lead the February 6 protest against Oscar Grant murder in Oakland, California.

## Lou Brown, Revolution Club—Bay Area

"David, a member of the Revolution Club, has committed no crime. Yet he's been charged with two felonies as a result of the righteous rebellion of the people on January 7 against the police murder of Oscar Grant. David is the only juvenile with such serious charges. Two adults are also being charged with felonies.  
"This case is very significant because it is against someone who has taken a firm stand against the violence of the police against the people.... These same authorities and system which continually carry out these violent outrages against oppressed people are particularly singling out someone who brought to those involved in the righteous rebellion a clear understanding of the cause of these outrages—the system itself, and the way in which its oppressive nature is enforced, through brutality and murder—and the fact that the solution lies in building a revolutionary movement with the final goal of fully sweeping away this monstrous system.  
"We call on everyone here to be part of taking on this attack and turning it around.... Be there at his next hearing on April 10. Enough is enough!"

"He was left unattended in back of the paddy wagon until they were sure he was dead. That is why it took them over 20 to 30 minutes to get him over to San Francisco General Hospital. A ride that only takes 3 minutes if you stop at every stop light or stop sign.  
"In fact, Lt. Suhr, who oversaw the brutal murder of Mark Garcia, is not only STILL on the force, but is a leading candidate for the San Francisco Chief of Police.  
"And if you think because we have a black pres. now everything is going change—Wake up People:  
"Did it change when we had the first Black cop?  
"It didn't change when we had the first Black DA,  
"It didn't change when we have the first Black judge.  
"In fact the whole system didn't change. We still have cold-blooded murder and cold-blooded cover-ups."

## Clyde Young, Revolutionary Communist Party

"But what kind of situation is this? These people that say that they are serving and protecting the people? This is how they're serving and protecting the people by shooting people down like they did with Tyisha Miller?  
"Things don't have to be this way. And under a system, under a socialist society, which we would fight to bring

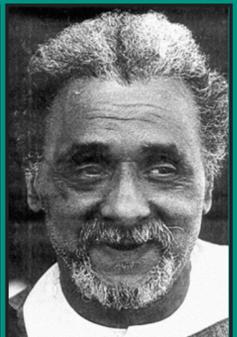
## VICTIMS OF POLICE BRUTALITY IN CALIFORNIA



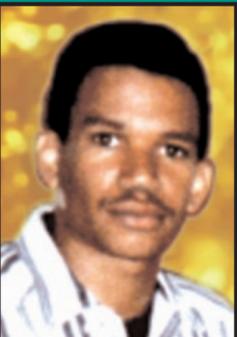
Oscar Grant, shot by Oakland BART police Jan. 1, 2009.



Luke Grinage (son), shot by Oakland police Dec. 15, 1993.



Raphael Grinage (dad), shot by Oakland police Dec. 15, 1993.



Richard Tims,\* shot by SFPD in 2002.



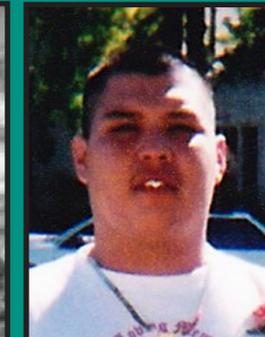
Mark Garcia, shot by SFPD in 1996.



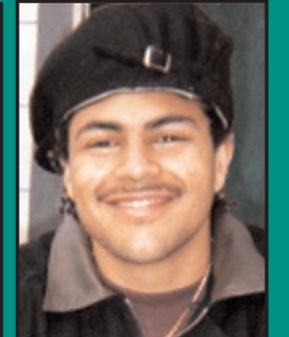
Michael Cho,\* shot by LaHabre police, Dec. 31, 2007.



Jody Mack Woodfox,\* shot by Oakland police Dec. 31, 2007.



Andrew Moppin,\* shot by Oakland police Jan. 3, 2008.



Idriss Stelley,\* shot by SFPD in 2001.

\* See additional testimony online at [revcom.us](http://revcom.us)

Revolution photo