

AIM Jurors Intercede in Other Cases

By Bob Kuttner

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Five jurors from the trial of American Indian Movement leaders Russell Banks and Dennis Means yesterday urged Justice Department officials to drop charges in 106 other cases involving defendants who allegedly joined Banks and Means in the 1973 occupation of Wounded Knee, S.D.

Following the dismissal by U.S. District Court Judge Fred J. Nichol of all charges against Banks and Means on ground of government misconduct in the case, 12 of the Wounded Knee jurors and alternates wrote Attorney General William B. Saxbe asking that all other charges be dropped.

In their letter, an apparently unprecedented move by a trial jury, the 12 jurors wrote: "Since the two leaders were guilty of no crime, we believe that others should not be prosecuted for following them."

Five of the jurors, joined by about 50 supporters, mostly representing national religious organizations, and members of the Wounded Knee defense team, met yesterday with Dallas Salisbury, assistant director of justice policy and planning.

Juror Joyce Sealander told Salisbury. "Our responsibilities did not end when the trial ended." She said she "became aware for the first time of conditions on the Pine Ridge Indian Reservation" during the eight-month trial.

"My consciousness was raised and my sympathy was aroused," she said.

Another juror, Fran Aiken, said: "The leaders were not guilty. Therefore, I cannot understand how we can prosecute the followers."

The Wounded Knee trial ended abruptly Sept. 16 after one juror became ill and the prosecution refused to let the remaining 11 decide the case. Judge Nichol then dismissed the case in an angry opinion citing numerous incidents of government misconduct.

The Justice Department has appealed the decision.

Salisbury told the jurors he would transmit their request to Saxbe, and he agreed to attempt to set up another meeting with higher officials.