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*Vassell's defense wins evidentiary hearing for 'Motion to Dismiss;'
Presiding Judge Judd Carhart acknowledges history of ingrained racism*

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NORTHAMPTON, MA— Wednesday February 18 marked a critical moment in the year-long campaign for Justice for Jason Vassell, as presiding Judge Judd Carhart granted the Defense's request for an evidentiary hearing of the pivotal 'Motion to Dismiss.'¹ At the hearing yesterday, the defense also submitted a Motion for Discovery, requesting access to police and prosecution files pertaining to previous cases involving race. David P. Hoose, lead defense attorney for Jason Vassell, argued that racism exists on many levels, suggesting that an examination of said files may shed light on more unconscious forms of racism present at both the UMass Amherst Police Department and the Hampshire County District Attorney's Office. Judge Carhart scheduled the Discovery Hearing for March 2nd, stating that there was no case precedent for the defense's Discovery Motion—that, in fact, the defense was on new legal ground.

Over one hundred community members, faculty, and students braved cold and snowy weather to voice their continued discontent with the relentless prosecution of Jason Vassell by District Attorney Elizabeth Scheibel. While at least thirty supporters packed the courtroom, close to eighty more overflowed into the lobby and onto the sidewalks, carrying picket signs demanding the immediate dismissal of all charges against Jason Vassell. The hearing began at 2:00pm with an already packed courtroom, and ended at roughly 3:10pm. By granting the defense a Discovery Hearing, Judge Carhart has allowed for an investigation concerning past allegations of racism that involves both the UMPD and the Northwestern District Attorney's office. In stating that the defense is entitled to an Evidentiary Hearing, it seems that Carhart has recognized the weight and seriousness of the 'Motion to Dismiss': namely, that evidence of racism runs deep throughout this case, from the incident on the morning of February 3rd, 2008, through the police investigation, all the way to the District Attorney's office's prosecution of Jason.

In the wake of yesterday's encouraging events, the Committee for Justice for Jason remains steadfast in their efforts to build a grassroots movement to demand that District Attorney Scheibel end the selective prosecution of Jason. With the coalition building nationally, the local Committee for Justice for Jason continues their dedication to attend every pre-trial and evidentiary hearing, and has sponsored a national call-in day, a petition drive with 4,000 signatures, and several rallies and marches. Committee member Kate Traub stated, "We must now turn our eyes to where the defense has turned their own, to the very institutions that claim to bring us justice. We will no longer take for granted the ideal of a colorblind Commonwealth, as it becomes clear that the Northeastern region of this nation is complicit in a legacy of racial criminalization geared towards communities of color." Committee member Jasmin Torrejon stated, "We stand here in solidarity with The Jena 6², The Jersey 4³, Oscar Grant, Adolph Grimes⁴, Robbie Tolan⁵ and Sean Bell as we pledge that the continued aggressive and selectively racist application of the laws of this commonwealth by District Attorney Scheibel will only escalate the public outcry and drive outraged citizens to come here and join us in our demands."

Reporters Notes:

1- On Monday December 31st, 2008, Jason Vassell's Defense submitted a 'Motion to Dismiss' Vassell's indictment, No. 08-56, "on the ground that the defendant has been selectively prosecuted because of his race, in violation of the rights guaranteed him by the Sixth and Fourteenth Amendments to the United States Constitution and Articles I and XII of the Massachusetts Declaration of Rights." The Motion to Dismiss details;

- a. John Bowes' history of violence and Civil Rights Violations.
- b. Possible Felony and Misdemeanor charges that could have been brought against John Bowes and Jonathan Bosse.
- c. The racially biased actions of the UMASS Police Department.

To read the full motion visit: <http://www.justiceforjason.org/motion>

2- The Jena 6 case is a case of 6 black youths selectively charged by Louisiana District Attorney Reed Walters because of their race after an escalation of incidents involving white-on-black violence and racial intimidation. To read more about the Jena 6 visit:

<http://www.colorofchange.org/jena/message.html>

3- The Jersey 4 case: "On August 18, 2006, seven young African American lesbians traveled to New York City from their homes in Newark ...When walking down the street, a man sexually propositioned one of the women. After refusing to take no for an answer, he assaulted them. The women tried to defend themselves, and a fight broke out. The women were charged with Gang Assault in the 2nd degree, a Class C Felony with a mandatory minimum of 3.5 years. Patreese Johnson was additionally charged with 1st Degree Assault. Three of the women accepted plea offers. On June 14th, 2007 Venice Brown (19), Terrain Dandridge (20), Patreese Johnson (20), and Renata Hill (24) received sentences ranging from 3 1/2 to 11 years in prison."

<http://freenj4.wordpress.com/intersectional-injustice/>

4- Adolph Grimes was shot 14 times, 12 of those in the back, by police in New Orleans on New Year's Eve 2008. Police immediately handcuffed the dying Grimes and removed a .9mm handgun from his person. With no eyewitness statements provided, NOPD claim that Grimes fired first at plainclothes officers who were part of a narcotics operation. Seven of the nine officers present were said to have fired at Grimes, shooting a total of 48 bullets.

http://www.nola.com/news/index.ssf/2009/02/nopd_releases_initial_report_o.html

5- On New Year's Eve 2008, Robbie Tolan was shot in the chest in the driveway of his home in Bellaire, TX by town police who suspected him of driving a stolen car. Having recovered significantly, Tolan has become a vocal critic of the town's political leaders and the police, accusing them of racial profiling.

<http://www.msnbc.msn.com/id/29262265/>