

PRESS STATEMENT

The family of Oscar Grant and some of the young men on the platform the night of the shooting have called this press conference to address issues raised by recent news account that are misleading and in some instances false.

First, the reports that BART will offer these young men nothing is most shocking. Particularly since there have not been any settlement discussions, says their attorney John Burris. Burris states we are still taking depositions. Additionally, Bart's position suggests that these young men have no rights that Bart need respect. The evidence is clear that after the shooting Pirone, Domenici and others removed them from the platform, handcuffed them and took them to the Bart police station where they remained handcuffed for 3 to 5 hours. Essentially they were locked up without probable cause. These are civil rights violations. Additionally, Bart has stated that these young men have criminal records and thus are seemingly not entitled to constitutional protection.

Secondly, statements concerning settlement discussions regarding Oscar's child and his mother are quite surprising in that Bart and the lawyers are bound by the court rules of confidentiality. This means that offers, counter offers and discussions are confidential. These leaks seem designed to prevent settlement, embarrass the family, or perhaps to drive a wedge between the families and the community, Burris said.

The suggestion that Bart paid less than anticipated for the child is a position that is likewise quite surprising and self serving in that our stated goal was always to take care of Oscar's child. This is being done in that the child will be financially well taken care of over a number of years, Burris said. However, Wanda Johnson lost her beloved son and no amount of money can repair the hole in her heart. The release of settlement discussions about numbers is disrespectful and more importantly it is wrong. We demand that she be treated with dignity and respect just like any other mother whose child has been wrongfully killed by the police. BART's desire to cheapen that loss by tossing out money, in violation of the long standing rules on confidentiality is shameful.

As for the notion that Oscar's friends on the platform are helpful to Mesherle, this remains to be seen. The video tapes are the best evidence of Mesherle's conduct. The boys can not interpret his intent; they can only tell what they saw. Their interpretation of Mesherle's conduct is irrelevant although of course their observations are fair game. Burris says that it appears Bart is attempting to shift responsibility for Oscar's death to these young men. We categorically reject this attempt. The blame should remain exactly where it belongs, on the shoulders of Johannes Mesherle.

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