



Written by [Selwyn Duke](#) on July 2, 2021

Obama Judge Dismisses Case Against Gangbanger Because Grand Jury Indicting Him Wasn't "Diverse"

The Bloods gang member had only shot someone and has a rap sheet of 25 arrests, including for attempted murder, assault, burglary, weapons possession, and drug charges. But the truly intolerable crime, according to Federal Judge Analisa Torres, is that the grand jury indicting him for shooting a man twice wasn't diverse enough. So she dismissed the case against him.

The "Defendant has established a violation of his Fifth Amendment right to a race-neutral jury selection process," Judge Torres wrote, justifying her decision. Of course, the [Fifth Amendment](#) guarantees no such right and doesn't even mention race, but I guess we can't expect a judge to actually have read the Constitution.



Photo: seb_ra/iStock/Getty Images Plus

The *Daily Mail* summarizes the story, [writing](#):

- US Southern District Judge Analisa Torres on Monday tossed a federal indictment against convicted felon William 'Ill Will' Scott
- Torres cites a lack of racial diversity in the grand jury pool in White Plains, New York, where Scott's case had been moved during [the] pandemic
- Jury-eligible population in White Plains is 12.45 per cent black and 14.12 per cent Latino, compared with 21 and 28 percent, respectively, in Manhattan
- Scott argued his right to a representative jury under the Fifth and Sixth Amendments to the US Constitution had been violated

So Torres was disturbed because the jury that indicted Scott "was drawn from a grand jury pool in White Plains with an 'underrepresentation of Black and Latinx individuals,'" [writes](#) American Thinker editor in chief Thomas Lifson.

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"It looks to me that Judge Torres is using an invented term, 'Latinx,' to invoke an invented right," he continues. (In point of fact, Latinos generally neither like nor use the x term, and a poll I heard about recently indicated that 70-plus percent of them had never even heard of it.)

Regarding the White Plains jury's racial composition, Torres wrote that the "Government has failed to meet its burden by coming forward with evidence rebutting the presumption that such underrepresentation was the result of purposeful discrimination." But as Lifson rhetorically asks, "Since when do judges presume guilt?"

(Answer: When it promotes the leftist agenda.)



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It turns out, however, that prosecutors weren't trying to railroad poor 43-year-old Bloods gangbanger "Ill Will" Scott. Rather, in a follow-up letter to the judge, prosecutors explained their motivation and stated, the *New York Post* [reports](#), that

they wanted to "correct the factual record" regarding Scott's indictment in the June 23, 2020, shooting in The Bronx, saying it was the result of a "non-discriminatory exigency" amid the COVID-19 crisis that forced them to seek the charges in White Plains.

At the time, they wrote, "grand jury availability was exceptionally limited — generally, and specifically in Manhattan — due to the pandemic."

And when prosecutors sought to have Scott indicted on June 30, 2020, "there was no grand jury sitting in Manhattan" and no grand juries were convened between June 26 and July 8, 2020, according to the Monday letter.

Scott "posed a sufficiently serious risk to public safety that it was untenable to delay his prosecution until grand juries were more readily available," prosecutors Alexandra Rothman and Jim Ligtenberg wrote.

"Accordingly, to indict the instant case expeditiously and to protect public safety, the Government sought an indictment in White Plains, where a grand jury was available," they said.

So here's the story: The establishment first renders places such as NYC unable to function by visiting COVID-panic-porn restrictions upon them. Then, when prosecutors compensate for this the only way they can, they're accused of racial bias.

For the record, White Plains is not "upstate," as the *Daily Mail* claims. It's in Westchester County (where I happen to live), which abuts NYC to its north. Moreover, White Plains is one of the county's largest cities and — unlike Westchester's posh Yorktown Heights, where AOC grew up — isn't some über-white locality. In fact, it's [less than 50 percent](#) non-Hispanic white. So if Scott's grand jury wasn't diverse enough for Judge Torres, it was only because not enough minorities qualified for jury duty.

Anyway, how much "diversity" is enough, and why should it matter anyhow?

Note here that Scott's shooting was *caught on camera*, so it's pretty hard making the case that his was a bias-driven indictment. Torres obviously didn't care, though. The only good news is that she "dismissed the indictment without prejudice, leaving the door open for prosecutors to refile it, which they did on the same day [as her ruling] before a Manhattan grand jury," writes the *Mail*.

But one could wonder about Torres's action: Would she rule likewise if a white defendant were indicted by a non-white jury? Or is it that only whites can't judge individuals of other races/ethnicities justly?

Moreover, if we really can't be judged fairly by jurors of another race, what does that imply? Note that leftists have also taken the position that people can't be politically represented properly by members of other races; this is why the town of Port Chester (also in Westchester County) was compelled years ago to [give every voter six votes](#) to facilitate the election of Hispanics.

Add to this that leftists have also emphasized that cops' race should reflect the communities they serve (when those communities are non-white) and that black kids need black historical role models, and that they've been [reinstating segregation](#), and it sounds as if they're saying of the races, "Ne'er the twain



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shall meet.”

Thus should leftists be asked: How far would you take this racial separatism? If different races really are so incompatible, can they live together in the same nation? Do you propose partitioning America?

What say you, progressive man? Do you know what you’re progressing to?



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