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1 UNITED STATES COMMISSION ON CIVIL RIGHTS  
 2 -----  
 3 IN RE:  
 4 NEW BLACK PANTHER PARTY  
 5 -----  
 6 Philadelphia, Pennsylvania  
 7 Monday, January 11, 2010  
 8  
 9 TRANSCRIPT of testimony of JERRY JACKSON,  
 10 as taken by and before Cherilyn M. McCollum, a  
 11 Registered Professional Reporter, at the HILTON  
 12 GARDEN HOTEL, 1100 Arch Street, commencing at 9:02  
 13 o'clock in the forenoon.  
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Page 2

1 B E F O R E:  
 2 (BY TELEPHONE)  
 3 ALEC DEULL, SPECIAL ASSISTANT  
 4 NICK COLTEN, SPECIAL ASSISTANT  
 5 JOHN MARTIN, SPECIAL ASSISTANT  
 6 ALISON SCHMAUCH, SPECIAL ASSISTANT  
 7 DOMINIQUE LUDVIGSON, SPECIAL ASSISTANT  
 8  
 9 A P P E A R A N C E S:  
 10 UNITED STATES COMMISSION ON CIVIL RIGHTS  
 11 OFFICE OF THE GENERAL COUNSEL  
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 13 MAHA JWEIED, ESQ.  
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 15 Suite 631  
 16 Washington, D.C. 20424  
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 19 Attorneys for The Commission  
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 21 A L S O P R E S E N T:  
 22 KIMBERLY TOLHURST, ESQ. (BY TELEPHONE)  
 23  
 24

Page 3

1 I N D E X  
 2 WITNESS PAGE  
 3 JERRY JACKSON  
 4 By Mr. Blackwood 4  
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1 EXAMINATION  
 2 BY MR. BLACKWOOD:  
 3 Q. If we could, it's a little after  
 4 9:00. Mr. Jackson, you're here because you  
 5 received a subpoena. Is that correct?  
 6 A. Yes.  
 7 Q. And you have talked to your  
 8 attorney, Michael Coard. Is that also correct?  
 9 A. Yes.  
 10 Q. Mr. Coard indicated that he wishes  
 11 to attend your deposition. Is that right?  
 12 A. Yes.  
 13 Q. Okay. And he indicated, though, he  
 14 has a court hearing this morning, but will be able  
 15 to be here around 12-ish?  
 16 A. Yeah.  
 17 Q. Based on your representations, do  
 18 you agree that we will reconvene here about 12:30?  
 19 A. Yes.  
 20 Q. With that agreement, I release you  
 21 for now, not from the subpoena, but I release you  
 22 to return at 12:30.  
 23 A. Thank you.  
 24 (Recess at 9:03 a.m.)

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1 (Resumed at 1:03 p.m.)  
 2 MR. BLACKWOOD: It is now  
 3 approximately 1:00, and I would ask you to swear in  
 4 the witness, please.  
 5 JERRY JACKSON, after having been  
 6 first duly sworn, was examined and testified as  
 7 follows:  
 8 CONTINUED EXAMINATION  
 9 BY MR. BLACKWOOD:  
 10 Q. Mr. Jackson, it's 1:00, and we have  
 11 been waiting for your attorney, Michael Coard. Is  
 12 that correct?  
 13 A. Yes.  
 14 Q. And you talked to Michael Coard  
 15 yesterday?  
 16 A. No.  
 17 Q. When did you talk to him?  
 18 A. Talked to him -- well, it was about  
 19 a week ago.  
 20 Q. Okay. In any case, you've been  
 21 trying to reach him today as well?  
 22 A. Yes.  
 23 Q. As you know, we're here to -- as  
 24 you've been informed in writing, we're here to

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1 investigate various circumstances that occurred on  
 2 Election Day 2008. Do you understand that?  
 3 A. Yes.  
 4 Q. You've indicated with your  
 5 conversation with me outside that you intend to  
 6 plead the Fifth Amendment as to that topic?  
 7 A. That topic was dismissed. I don't  
 8 have any clue really who you are, and my attorney  
 9 is not here, and that's the reason that I would  
 10 take the Fifth.  
 11 Q. But it is your intention to take the  
 12 Fifth, correct?  
 13 A. Yes.  
 14 Q. Let me just run through -- there are  
 15 some various categories of items that I was going  
 16 to ask you about, and I just want to make sure that  
 17 your assertion of your Fifth Amendment applies to  
 18 each one of those categories.  
 19 First, you're making that assertion  
 20 based on advice of counsel. Is that correct?  
 21 A. Yes.  
 22 Q. If I ask you about your Election Day  
 23 activities of 2008, you would take the Fifth. Is  
 24 that correct?

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1 A. I already took it.  
 2 Q. If I ask you questions about  
 3 planning for the election by yourself and the New  
 4 Black Panther Party, would you take the Fifth?  
 5 A. I already took the Fifth.  
 6 Q. And if I asked you about any  
 7 investigation by the New Black Panther Party about  
 8 your conduct on Election Day 2008, you would also  
 9 take the Fifth. Is that correct?  
 10 A. (Witness indicating.)  
 11 Q. You have to verbalize it.  
 12 A. I took the Fifth.  
 13 Q. Okay. All right.  
 14 And that was because you believe  
 15 your testimony might tend to incriminate you. Is  
 16 that correct?  
 17 A. That's what the Fifth Amendment is,  
 18 I think.  
 19 Q. Okay.  
 20 A. Because I don't have representation.  
 21 Q. But you have contacted Mr. Coard and  
 22 he's not here?  
 23 A. Right. That's the reason that I'm  
 24 taking the Fifth.

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1 Q. Well, it's also Mr. Coard indicated  
 2 to you that you were going to take the Fifth, even  
 3 if he was here, correct?  
 4 A. No.  
 5 Q. He did not?  
 6 A. No.  
 7 Q. So if Mr. Coard was here, you would  
 8 not take the Fifth?  
 9 A. I would be communicating with  
 10 Mr. Coard, and we would be dealing with this  
 11 situation in the way that it should be dealt with,  
 12 but right now I don't want to say anything. I'm  
 13 taking the Fifth.  
 14 Q. Okay. Mr. Jackson, as we discussed  
 15 outside, I'm going to release you from today. I'm  
 16 not releasing you from the subpoena, all right. If  
 17 Mr. Coard, for example, arrives in the next ten  
 18 minutes, we'll come back and take your deposition,  
 19 but Mr. Coard is not here and I'm working on the  
 20 assumption that he's not going to be here.  
 21 A. Uh-huh.  
 22 Q. That said, we are going to take  
 23 appropriate action as we see fit to get the  
 24 testimony that we are seeking, but until that time,

1 you are free. Okay?  
 2 A. All right. Thank you.  
 3 MR. BLACKWOOD: Thank you.  
 4 (1:07 p.m.)  
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1 C E R T I F I C A T E  
 2 I, Cheryl M. McCollum, a Certified  
 3 Court Reporter and Notary Public, do hereby certify  
 4 that, prior to the commencement of the examination,  
 5 the witness and/or witnesses were sworn by me to  
 6 testify to the truth and nothing but the truth.  
 7 I do further certify that the  
 8 foregoing is a true and accurate computer-aided  
 9 transcript of the testimony as taken  
 10 stenographically by and before me at the time,  
 11 place and on the date hereinbefore set forth.  
 12 I do further certify that I am  
 13 neither of counsel nor attorney for any party in  
 14 this action and that I am not interested in the  
 15 event nor outcome of this litigation.  
 16  
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 19  
 20  
 21  
 22 Certified Court Reporter  
 23 XI02094  
 24 Notary Public  
 My commission expires 3-22-11  
 Dated: \_\_\_\_\_

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|-------------------------------------|---|--|--|--|
|                                     | <b>arrives (1)</b><br>8:17                                      | <b>correct (9)</b><br>4:5,8;5:12;6:12,<br>20,24;7:9,16;8:3             | <b>fit (1)</b><br>8:23   | <b>Jackson (4)</b><br>4:4;5:5,10;8:14              |
| <b>1</b>                            | <b>ask (4)</b><br>5:3;6:16,22;7:2                               | <b>could (1)</b><br>4:3  | <b>follows (1)</b><br>5:7  | <b>JERRY (1)</b><br>5:5                            |
| <b>1:00 (2)</b><br>5:3,10           | <b>asked (1)</b><br>7:6   | <b>counsel (1)</b><br>6:20   | <b>free (1)</b><br>9:1   | <b>just (2)</b><br>6:14,16                         |
| <b>1:03 (1)</b><br>5:1              | <b>assertion (2)</b><br>6:17,19                                 | <b>court (1)</b><br>4:14   | <b>from (3)</b><br>4:21;8:15,16                                    | <b>K</b>   |
| <b>1:07 (1)</b><br>9:4              | <b>assumption (1)</b><br>8:20                                   | <b>D</b>   | <b>G</b>   | <b>know (1)</b><br>5:23                            |
| <b>12:30 (2)</b><br>4:18,22         | <b>attend (1)</b><br>4:11                                       | <b>Day (3)</b><br>6:2,22;7:8   | <b>get (1)</b><br>8:23   | <b>L</b>   |
| <b>12-ish (1)</b><br>4:15           | <b>attorney (3)</b><br>4:8;5:11;6:8                             | <b>dealing (1)</b><br>8:10   | <b>going (5)</b><br>6:15;8:2,15,20,<br>22                          | <b>little (1)</b><br>4:3                           |
| <b>2</b>                            | <b>B</b>  | <b>dealt (1)</b><br>8:11   | <b>H</b>   | <b>M</b>   |
| <b>2008 (3)</b><br>6:2,23;7:8       | <b>back (1)</b><br>8:18   | <b>deposition (2)</b><br>4:11;8:18                                     | <b>has (1)</b><br>4:14   | <b>make (1)</b><br>6:16                            |
| <b>9</b>                            | <b>Based (2)</b><br>4:17;6:20                                   | <b>did (2)</b><br>5:17;8:5   | <b>have (6)</b><br>4:7;5:10;6:8;<br>7:11,20,21                     | <b>making (1)</b><br>6:19                          |
| <b>9:00 (1)</b><br>4:4              | <b>because (3)</b><br>4:4;7:14,20                               | <b>discussed (1)</b><br>8:14   | <b>having (1)</b><br>5:5   | <b>Michael (3)</b><br>4:8;5:11,14                  |
| <b>9:03 (1)</b><br>4:24             | <b>believe (1)</b><br>7:14                                      | <b>dismissed (1)</b><br>6:7  | <b>hearing (1)</b><br>4:14   | <b>might (1)</b><br>7:15                           |
| <b>A</b>                            | <b>Black (2)</b><br>7:4,7                                       | <b>do (2)</b><br>4:17;6:2  | <b>here (11)</b><br>4:4,15,18;5:23,<br>24;6:9;7:22;8:3,7,<br>19,20 | <b>minutes (1)</b><br>8:18                         |
| <b>able (1)</b><br>4:14             | <b>BLACKWOOD (4)</b><br>4:2;5:2,9;9:3                           | <b>don't (3)</b><br>6:7;7:20;8:12                                      | <b>I</b>   | <b>morning (1)</b><br>4:14                         |
| <b>action (1)</b><br>8:23           | <b>C</b>  | <b>duly (1)</b><br>5:6   | <b>E</b>   | <b>N</b>   |
| <b>activities (1)</b><br>6:23       | <b>case (1)</b><br>5:20   | <b>each (1)</b><br>6:18  | <b>incriminate (1)</b><br>7:15                                     | <b>New (2)</b><br>7:3,7                            |
| <b>advice (1)</b><br>6:20           | <b>categories (2)</b><br>6:15,18                                | <b>Election (4)</b><br>6:2,22;7:3,8                                    | <b>indicated (4)</b><br>4:10,13;6:4;8:1                            | <b>next (1)</b><br>8:17                            |
| <b>ago (1)</b><br>5:19              | <b>circumstances (1)</b><br>6:1                                 | <b>even (1)</b><br>8:2   | <b>indicating (1)</b><br>7:10                                      | <b>No (3)</b><br>5:16;8:4,6                        |
| <b>agree (1)</b><br>4:18            | <b>clue (1)</b><br>6:8  | <b>EXAMINATION (2)</b><br>4:1;5:8                                      | <b>informed (1)</b><br>5:24  | <b>not (8)</b><br>4:21;6:9;7:22;<br>8:5,8,16,19,20 |
| <b>agreement (1)</b><br>4:20        | <b>Coard (10)</b><br>4:8,10;5:11,14;<br>7:21;8:1,7,10,17,<br>19 | <b>examined (1)</b><br>5:6   | <b>intend (1)</b><br>6:5   | <b>now (3)</b><br>4:21;5:2;8:12                    |
| <b>already (2)</b><br>7:1,5         | <b>come (1)</b><br>8:18   | <b>example (1)</b><br>8:17   | <b>intention (1)</b><br>6:11                                       | <b>O</b>   |
| <b>Amendment (3)</b><br>6:6,17;7:17 | <b>communicating (1)</b><br>8:9                                 | <b>F</b>   | <b>investigate (1)</b><br>6:1                                      | <b>occurred (1)</b><br>6:1                         |
| <b>anything (1)</b><br>8:12         | <b>conduct (1)</b><br>7:8                                       | <b>Fifth (14)</b><br>6:6,10,12,17,23;<br>7:4,5,9,12,17,24;<br>8:2,8,13 | <b>investigation (1)</b><br>7:7                                    | <b>Okay (6)</b><br>4:13;5:20;7:13,<br>19;8:14;9:1  |
| <b>applies (1)</b><br>6:17          | <b>contacted (1)</b><br>7:21                                    | <b>first (2)</b><br>5:6;6:19   | <b>items (1)</b><br>6:15   | <b>one (1)</b><br>6:18                             |
| <b>appropriate (1)</b><br>8:23      | <b>CONTINUED (1)</b><br>5:8                                     |  | <b>J</b>   | <b>outside (2)</b>                                 |
| <b>approximately (1)</b><br>5:3     | <b>conversation (1)</b><br>6:5                                  |  |  |  |
| <b>around (1)</b><br>4:15           |   |  |  |  |

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|--|---|---|--|
| 6:5;8:15   | <b>said (1)</b><br>8:22                             | <b>took (3)</b><br>7:1,5,12                       | <b>Y</b>   |
| <b>P</b>   | <b>say (1)</b><br>8:12                              | <b>topic (2)</b><br>6:6,7                         |  |
| <b>Panther (2)</b><br>7:4,7                      | <b>seeking (1)</b><br>8:24                          | <b>trying (1)</b><br>5:21                         | <b>Yeah (1)</b><br>4:16<br><b>Yes (9)</b><br>4:6,9,12,19;<br>5:13,22;6:3,13,21<br><b>yesterday (1)</b><br>5:15<br><b>yourself (1)</b><br>7:3 |
| <b>Party (2)</b><br>7:4,7                        | <b>should (1)</b><br>8:11                           | <b>U</b>  |  |
| <b>planning (1)</b><br>7:3                       | <b>situation (1)</b><br>8:11                        | <b>Uh-huh (1)</b><br>8:21                         |  |
| <b>plead (1)</b><br>6:6                          | <b>some (1)</b><br>6:15                             | <b>understand (1)</b><br>6:2                      |  |
| <b>please (1)</b><br>5:4                         | <b>subpoena (3)</b><br>4:5,21;8:16                  | <b>until (1)</b><br>8:24                          |  |
| <b>pm (2)</b><br>5:1;9:4                         | <b>sure (1)</b><br>6:16                             | <b>V</b>  |  |
| <b>Q</b>   | <b>swear (1)</b><br>5:3                             | <b>various (2)</b><br>6:1,15                      |  |
| <b>questions (1)</b><br>7:2                      | <b>sworn (1)</b><br>5:6                             | <b>verbalize (1)</b><br>7:11                      |  |
| <b>R</b>   | <b>T</b>  | <b>W</b>  |  |
| <b>reach (1)</b><br>5:21                         | <b>take (9)</b><br>6:10,11,23;7:4,<br>9:8:2,8,18,22 | <b>waiting (1)</b><br>5:11                        |  |
| <b>really (1)</b><br>6:8                         | <b>taking (2)</b><br>7:24;8:13                      | <b>want (2)</b><br>6:16;8:12                      |  |
| <b>reason (2)</b><br>6:9;7:23                    | <b>talk (1)</b><br>5:17                             | <b>way (1)</b><br>8:11                            |  |
| <b>received (1)</b><br>4:5                       | <b>talked (3)</b><br>4:7;5:14,18                    | <b>we (8)</b><br>4:3,18;5:10;<br>8:10,14,22,23,24 |  |
| <b>Recess (1)</b><br>4:24                        | <b>ten (1)</b><br>8:17                              | <b>week (1)</b><br>5:19                           |  |
| <b>reconvene (1)</b><br>4:18                     | <b>tend (1)</b><br>7:15                             | <b>well (3)</b><br>5:18,21;8:1                    |  |
| <b>release (3)</b><br>4:20,21;8:15               | <b>testified (1)</b><br>5:6                         | <b>we'll (1)</b><br>8:18                          |  |
| <b>releasing (1)</b><br>8:16                     | <b>testimony (2)</b><br>7:15;8:24                   | <b>we're (2)</b><br>5:23,24                       |  |
| <b>representation (1)</b><br>7:20                | <b>Thank (3)</b><br>4:23;9:2,3                      | <b>When (1)</b><br>5:17                           |  |
| <b>representations (1)</b><br>4:17               | <b>think (1)</b><br>7:18                            | <b>wishes (1)</b><br>4:10                         |  |
| <b>Resumed (1)</b><br>5:1                        | <b>this (2)</b><br>4:14;8:10                        | <b>witness (2)</b><br>5:4;7:10                    |  |
| <b>return (1)</b><br>4:22                        | <b>those (1)</b><br>6:18                            | <b>working (1)</b><br>8:19                        |  |
| <b>right (6)</b><br>4:11;7:13,23;<br>8:12,16;9:2 | <b>though (1)</b><br>4:13                           | <b>would (8)</b><br>5:3;6:9,23;7:4,8;<br>8:7,9,10 |  |
| <b>run (1)</b><br>6:14                           | <b>through (1)</b><br>6:14                          | <b>writing (1)</b><br>5:24                        |  |
| <b>S</b>   | <b>time (1)</b><br>8:24                             |   |  |
|  | <b>today (2)</b><br>5:21;8:15                       |   |  |