

I am distraught over Daniel Penny's Deadlocked Jury

By Phyllis Chesler

I live in New York City. People are being sucker punched at random by strangers, sent into comas, sometimes killed. Criminals are looting stores—and shooting people down. No one is stopping them. There is little law and order in our once fair city. The unfortunate homeless, many of whom are mentally ill, are “living rough,” camped out on the streets, where they talk to themselves, scream at passersby, demand money, and do their business in public. Oh, it's such a pity and more than a wee bit frightening. We have become something of a Third World-like disaster.

Protesters interrupt our holidays. Illegal immigrants hang out, high on the sanctuary city dole. Drug dealers deal. Drunk drivers plow into all the innocents. They pimp their girls and women. Others do too—legal citizens who were born here, we have our own home-born Bad. And oh yes, there are the girls, mainly of color, half-naked on the streets, baring their wares for all to see—Johns, children, neighbors, whomever.

And yes, girls and women are still being raped. Violent men also attack whomever they please for money, for fun. My people, the Jews are being menaced, shot at, beaten, even murdered and the rise in antisemitism is off the charts.

And now, a man is on trial because he took a stand, tried to protect an entire subway car of frightened passengers. If he is found guilty—no one will come forward to protect the next victim. If this good deed is punished, why bother risking helping anyone in distress.

A young former Marine comes to the rescue of an entire NYC subway car. A large, probably mentally ill man, possibly a

tortured soul on drugs, comes into the car and threatens to kill everyone. “I’m gonna kill everybody. I could go to prison forever, I don’t care.” He also yells that he’d “kill a motherfucker. One brave man—Penny—enters the zone of danger zone with the intention of subduing the menacing man. He used a chokehold to do so. Two other men join him. Did Penny and the other two men keep Neely in a chokehold too long? Was Penny’s adrenalin up? Did he really have the INTENT to kill Neely? Kill him because of the color of his skin? Really? The menacer dies—and Penny is now on trial for manslaughter, facing five to fifteen years in jail.

And the jury is deadlocked. Not good.



📷 Daniel Penny watches as the jury listens to testimony being read back during his trial at a Manhattan criminal court in New York on 5 December. Photograph: Jane Rosenberg/Reuters

Was Penny unaware that Neely could not breathe? But Neely is no Eric Garner. What’s going on?

Penny is white. The menacer is black and his name was Jordan Neely. Manhattan District Attorney Alvin Bragg is a “race”

man. The races of these two men should be irrelevant—but they are the only relevant ideology that seems to prevail. Read Steele on this. Bragg's office has shown sympathy to murderers of color—but a lot less sympathy for Penny—is that because he's white? And brave? Steele writes: "The prosecutor has made it her identity to pursue not justice, but racial justice."

The Marines should be out in full legal force for Penny. If he is found guilty this case should be appealed to the Supreme Court and perhaps to Heaven itself.

Also please read Eli Steel's important piece about this case. It's up Substack.

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