



PHOTO: Frank Rizzo Goes Down, MOVE Goes Up! (See the back cover story) Photo by Jamal Journal staff photographer Joe Piette.

## How the Philadelphia Medical Examiner's Office Desecrated MOVE Victims' Remains for 36 Years

By Ximena Conde/WHYY, June 3, 2021

The 1985 bombing of MOVE headquarters, a row-house at 6221 Osage Avenue, remains one of the largest stains on Philadelphia history. City officials killed 11 people, including five children, after police dropped explosives on the home via helicopter and authorities let the fire burn. Thirty-six years later, four surviving mothers of the youngest victims say even in death, their children can't find peace.

On two recent occasions, Janine, Janet, Sue, and Consuewella Africa said they were shocked to learn

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Consuewella Africa, Rest in Peace

## From The Archives: May 13, 1985 and the Legalization of Murder

By Angola 3 News, reprinted from 2010

On May 13, 1985, a State Police helicopter dropped a C-4 bomb, illegally supplied by the FBI, on the roof of the MOVE Organization's house at 6221 Osage Avenue in West Philadelphia. The bomb started a fire that was allowed to burn, and eventually destroyed 61 homes, leaving 250 people homeless: the entire block of a middle-class black community.

The Philadelphia Special Investigation Commission (The MOVE Commission), appointed by Mayor Wilson Goode, documented that when the occupants of the house tried to escape the fire, police shot at them, blocking their escape. In the end, six MOVE adults (Rhonda Africa, Teresa Africa,

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PHOTO: On Jan. 18, 2020, Delbert Africa was welcomed home by family & friends, including Consuewella, (front right). Photo by Joe Piette.

# The Jamal Journal Issue #2, MOVE Supplemental ([www.jamaljournal.com](http://www.jamaljournal.com)) Published to Honor the Memories of Consuewella Africa and Delbert Africa



PHOTO: Consuewella Africa and others celebrate the release of Delbert Africa on Jan. 18, 2020. Photo by Jamal Journal's Joe Piette.

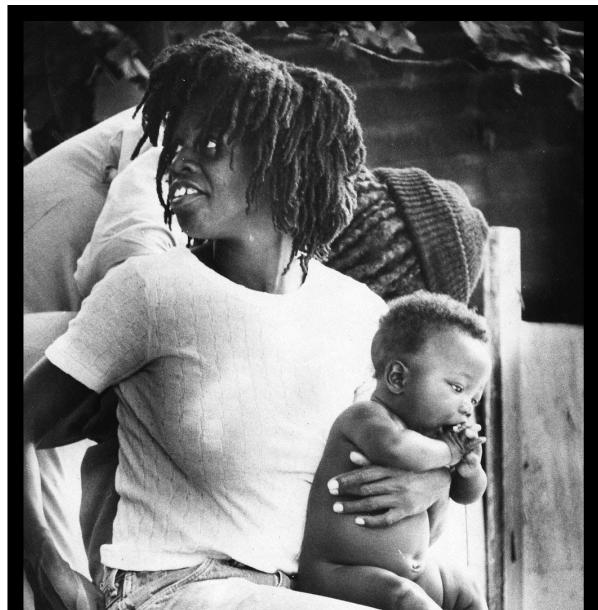


PHOTO: Consuewella & son Lobo, 1977.

## June 16, 2021 Message

### ONA MOVE

The MOVE ORGANIZATION just wants to take the time to inform people that our beloved sister Consuewella Africa passed away today. Consuewella had been hospitalized these past couple of weeks due to health complications behind the stress of this situation with The University Of Pennsylvania and the remains of her Daughter Tree Africa .

Consuewella was a minister of confrontation for The MOVE ORGANIZATION, and a survivor of the Aug. 8, 1978 Confrontation who spent 16 years in prison for refusing to renounce MOVE . Her Daughters Tree and Netta Africa were murdered by this Government on May 13th 1985 .

We were advised by the University Of Pennsylvania's Anthropology Dept. that Tree Africa's Remains were sent to Terry's Funeral Home and are ready to be picked up. We hope that we can put Tree And Consuewella together . We will keep people posted on a memorial service

Rest Easy Consuewella

Our Dear Sister, We Love you And Will Hold You In Our Hearts Forever

YOUR, MOVE Family

## Delbert Africa, Revolutionary!

By Mumia Abu-Jamal, June 19, 2020

He was born under the name Delbert Orr, but is known in the world as Delbert Africa, a prominent member of the MOVE Organization.

In the 70s in Philadelphia he was perhaps its best known and most frequently cited member. With more years than most, he was adept at using the media to spread information and promote MOVE purposes.

His country accent around Chicago and his ingenious puns made his remarks interesting and gave them journalistic value.

I regret to inform you that Delbert Africa, who won his freedom in January 2020 after 41 years imprisoned, lost his life a few days ago to the ravages of cancer.

But this is not the whole story. Late last year, Delbert was urgently taken to a nearby hospital due to an undisclosed disorder.

On leaving prison, Delbert consulted with some doctors who were horrified to learn of the drugs he was given while in Dallas prison in Pennsylvania State. A doctor said, "The drugs they used in that prison were poison."

Still, Delbert ended his stay in prison strong in spirit. He loved the MOVE Organization and hated the rotten-ass system.

Delbert criticized black people who supported the system and opposed the revolution. He called them "niggapeans," a word I've never heard from someone else's mouth.

More than a decade before Rodney King's police beating and recorded on video in L. A., Delbert was beaten by four Philadelphia police officers on August 8, 1978, and the beating was recorded by a local station.

Video shows Delbert left unarmed from a basement window at his home after a standoff with police. With his naked torso, he had raised his arms in a gesture of accepting detention.

Immediately four officers surrounded him and savagely beat him, hitting him with the handle of their rifles, crushing his head with a motorcycle helmet, and kicking him until he lost consciousness.

Yep, that's what they did.

Delbert suffered a jaw fracture and a swollen eye the size of an Easter egg.

There was a whitening trial of three of the police officers, in which the judge took down the case by impeaching the jury composed of people from rural areas of Pennsylvania, then declaring an acquittal of the police despite evidence recorded on video of the State brutality.

And that brutality was not limited to the streets of West Philadelphia, nor to the unfair trial and conviction of Delbert and other members of MOVE.

He continued for 41 years in exhausted soul lockdown and sorry health care. Delbert endured everything and walked free with his revolutionary black soul intact.

As a MOVE member until the end, he continued to follow John Africa's teachings, and lived embraced in the love of his MOVE family and daughter Yvonne Or-El.

After all, love is the closest thing we've come to freedom.

Delbert Africa, after 72 summers, turned to his ancestors.



PHOTO: Delbert Africa with his daughter Yvonne Orr on January 18, 2020. Photo by Joe Piette.

# UPenn Perpetuates Samuel Morton's White Supremacist Legacy

Abdul-Aliy Abdullah Muhammad interviewed by the Jamal Journal

Abdul-Aliy Abdullah Muhammad is an organizer and writer from West Philadelphia. They are also a cofounder of the Black and Brown Workers Co-op, a workers' rights organization that focuses on Black and Brown people with special concern for LGBTQI communities, disabled communities and communities living with HIV and other chronic illnesses.

In their writing they often problematize medical surveillance, the tracking of people through data and other methods. You can follow them on twitter @mxabdulaliy.

**Jamal Journal:** We want to discuss your recent Philadelphia Inquirer articles that broke the story about the UPenn Museum's desecration of the remains of Tree and Delisha Africa, but let's first begin with a focus on the story you were actually in the process of investigating when you first learned about the MOVE children's bones. Can you please begin by explaining who Samuel Morton was, and why the UPenn Museum has chosen to archive and present his work?

**Abdul-Aliy Muhammad:** Sure, Samuel G. Morton is a white supremacist alum of UPenn, he was a proctor in the early formation of what is now Penn's School of Medicine.

Morton was a 19th Century doctor who amassed a collection of skulls belonging to indigenous people, Black people and others. He believed that Black people and others who were non-white, had less capacity for thought and this he attempted to prove by measuring the size of skulls and documenting their difference.

He was an early purveyor of racial difference and his pseudo-science has harmed marginalized communities. For more information on Morton please visit the Penn & Slavery Project ([www.pennandslaveryproject.org](http://www.pennandslaveryproject.org))

**JJ:** What was the story that you were investigating about the UPenn Museum? How did UPenn respond to your article?

**AAM:** I wrote an Op-Ed about Penn Museum's possession of 14 crania belonging to Black Philadelphians, this was discussed in a research paper written by Paul Wolff Mitchell, a doctoral student at the University. I restated the demand of mine, which was expanded by Police Free Penn, an abolitionist assembly.

During the uprising, Penn Museum created a committee to consider repatriation and reburial. After the Op-Ed came out, the museum responded by releasing the recommendations and decisions the committee came to. They said they intend to repatriate the remains of the Black Philadelphians and other remains.

**JJ:** Let's examine more generally how UPenn has dealt with Morton's white supremacist legacy and his significant contributions to the field of scientific racism in the United States.

Let's begin that conversation by citing a few excerpts from the 2008 article published by the UPenn Museum's "Expedition" magazine written by Janet Monge and Emily S. Renschler, entitled "The Samuel George Morton Cranial Collection --Historical Significance and New Research."

Monge and Renschler write that because of his "genial personality and stature as a member of the Academy of Natural Sciences, Morton was able to correspond with leading scientists all over the world—a key factor in the development of his collection and scholarly contributions...Indeed, the endeavor was so significant that army surgeons stationed in remote areas of the world would take great risks to obtain crania for Morton, and they were not above robbing graves in order to do so!...Each shipment of crania had its own unique story, often connected to dramatic historical events...For example, one man as-



PHOTO: Mike Africa Jr. leads a march at UPenn on April 28, 2021. Photo by Jamal Journal staff photographer Joe Piette.

*signed to the U.S. Army in Florida picked over the dead of the Seminole war, sending Morton two 'fine' Seminole skulls left unburied after the battle of Lake Okee-Chobee, while another contact happily forwarded Morton the heads of four of the 630 Mexican soldiers killed in 1836 during the battle of San Jacinto fought between troops of the Mexican General Santa Anna and the Texan Sam Houston....in 1892 the Academy sent 44 of the Native American crania to Spain for the 400th anniversary of Columbus's discovery of the New World."*

*What does this 2008 article tell us about UPenn's attitude towards Morton and the human skulls that he has collected?*

**AAM:** I think it is deplorable that collecting skulls of indigenous people who died as a result of brutal genocide is being framed as exotic. Calling the Seminole crania "fine" is disgusting.

This kind of thinking speaks to the inhumanity of many people who hold on to his legacy as good or correct.

**JJ:** Now, can you please explain to us how you first learned about Delisha and Tree Africa's remains being held at the UPenn Museum, and used in a Princeton class taught by Janet Monge, the co-author of the article cited above?

**AAM:** I first heard of the remains of Tree and Delisha from Amy Sadao, the former director of the Institute for Contemporary Art, a Penn institution. She emailed me to set up a zoom call and on that call, which took place on April 17, 2021. I learned that Amy had known for a good while that Penn Museum held the remains of MOVE bombing victims.

I began the process of investigating this immediately after, but I first made contact with someone who knows MOVE members to get information to the family immediately.

**JJ:** Have you also conducted any new research into the May 13, 1985 massacre itself?

**AAM:** I'm in the process of investigating more about the day of the state-sanctioned murder of 11 Black people on May 13, 1985.

What is clear to me is that this was deliberate, planned and that a cover-up ensued following the bombing. The Medical Examiner's Office allowed for the systematic desecration of bodily remains and the city still possesses potentially up to 6 people's remains. We don't know because the investigation is still ongoing.

The University of Pennsylvania and Princeton University allowed for bodily remains to be used as instructional devices and they did not have the consent of the family, who thought their loved ones were buried in 1985 and 1986.

Additionally, the Police Department experimented with bomb-making for 18 months before the assault on May 13th.

**JJ:** You were born and raised in West Philadelphia. What impact did the May 13, 1985 massacre have upon your childhood, and upon your neighborhood when you were growing up?

**AAM:** I'm from West Philadelphia all day! I was born to two Black Muslim parents moving from Farson Street, near 52nd and Market to 50th and Penridge Street, which is technically in Southwest Philly, when I was around 9 years old..

My mother is from West Philadelphia, and when I was younger she'd tell me about the devastation the bombing caused on her mind and spirit.

I was a year and 6 months old when the bombing took place and I don't have any direct memory of it.

**JJ:** How and when did you first learn about Mumia Abu-Jamal?

**AAM:** I learned about Mumia Abu Jamal pretty early in my consciousness and have been following his work, reading his words, and showing up to Free Mumia events over the years. I once saw a spray-painted mural calling for Mumia's release in Berlin, Germany, while I lived there in the early 2000s.

#FreeMumia #FreeMaroon #FreeAnt #FreeLore #FreeThemAll

**JJ:** Any final thoughts?

**AAM:** No Justice, No Peace, Take it to the streets!!



PHOTO: Abdul-Aliy Abdullah Muhammad speaks at the UPenn Museum on April 28, 2021. Photo by staff photographer Joe Piette.

## **...Continued from page 1: 36 Years of Desecration**

how human remains of their family members were treated and kept from them via a muddled chain of custody.

The mothers, who were all in prison at the time of the bombing, said they didn't even know the fire left any remains at all, until the recent news broke.

"The way that they burned our house down, I didn't even know there would be any bones left because that's how bad that inferno was," said Sue, who lost her son Tomaso in the fire. "When ... somebody said there was remains, I was shocked."

An anthropologist with ties to the University of Pennsylvania and Princeton University used the remains believed to belong to either Delisha Africa, Janet's 12-year-old daughter, and Tree Africa, Consuewella's 14-year-old daughter, for an online forensics course, WHYY's Billy Penn reported in April.

The following month, city officials separately revealed that the remains of some MOVE bombing victims had been in a box at the Medical Examiner's Office until former Health Commissioner Dr. Thomas Farley ordered them cremated and disposed of in 2017 without telling the Africa family. Farley made his actions public in May and was forced to resign by Mayor Jim Kenney.

The following day, Medical Examiner staff told the Managing Director's Office the remains had not been cremated. Which victims these remains belong to remains unclear.

The stunning reversal marked the latest chapter in a long, well-documented history of the Medical

Examiner's Office's desecration of the MOVE bombing victims' remains, starting from the moment the fire on Osage Avenue went out.

The details of that complicated history have been largely forgotten by most Philadelphians, with much of that information, including the findings of a 1985 special commission, not digitized for a wider public view.

This has led to calls for a second commission.

"I think a second commission could pull together some of the living history and memory and present it to the city in a way that people can start to understand what really happened," said Shannon McLaughlin Rooney, who wrote her Ph.D. dissertation at Temple University on how media covered the bombing and how the day is remembered.

### **'Unprofessional' Retrieval, Storage of Victims' Remains**

The 11-member Philadelphia Special Investigation Commission, which was formed about a week after the bombing, brought on a slew of law enforcement experts to investigate the leadup to the bombing and aftermath, and hired a pathologist known for his work identifying remains of a Nazi war criminal.

The pathologist, Dr. Ali Z. Hameli, found that the Medical Examiner's Office made a series of missteps, from recovery to examining the remains. Hameli's report described an overworked and underfunded department where morale among staff was low.

The MOVE commission's March 1986 report on the bombing said the office's performance was "unprofessional and violated generally accepted practices for pathologists."

The day before the bombing, then-Health Commissioner Stuart Shapiro told Medical Examiner Marvin E. Aronson "something big may happen" and he "should be on alert," and that Shapiro would personally supervise the Health Department's role, documents from the commission's investigation show.

Two days after the bombing, Shapiro took charge of the case and removed Aronson from the investigation.

Shapiro, who was not himself a pathologist, brought in and oversaw his own pathologists to work on the case. He also allowed media to enter the morgue as autopsies were in progress. When commission investigators asked Shapiro about what motivated the decision to bump Aronson, Shapiro shared doubts about the ME's commitment to the job.

Under Shapiro's watch, the office originally misstated the number of victims, and failed to identify five of the bodies, according to the commission's report.

When MEO pathologists arrived on the scene of the bombing, they failed to coordinate with the other agencies collecting evidence at the site, the commission found, leading to at least three different methods of cataloging evidence. Pathologists allowed a "crane with a bucket" to dig debris while bodies were still in the rubble, allowing for additional bone fractures post mortem. Not only did the digging allow for the destruction of "physical and medical evidence," it allowed for the dismemberment and commingling of body parts and animal remains, according to the report.

The MEO continued to mishandle the remains once they were back in the laboratory.

The report found the lab wasn't clean enough or "conducive to disciplined, scientific examination." Storage was also an issue. The recommended temperature to store bodies was 34 to 36 degrees, but the remains of MOVE bombing victims were stored at 56 degrees, which accelerated their decomposition, and allowed fungus and mold to grow.

There were deficiencies in the actual examination of the remains as well. The MEO didn't take tissue samples for toxicology tests in a timely manner, "rendering them practically useless in determining the cause of death in most of the cases." Finally, the office didn't capture ammunition and other metallic fragments from six of the bodies because staff didn't take lateral X-rays, despite having the equipment available. These exams were important in determining whether the victims were killed in the 90 minutes police fired at least 10,000 rounds into the home before dropping the explosives or the carbon monoxide from the fire.

### **Incomplete Burials and an Unrecognized Spokesperson**

Tomaso Africa's mother Sue was in solitary confinement at SCI Muncy prison when the bombing took place.

She told WHYY News she remembers learning of her 10-year-old's death in a quick exchange that lasted less than a minute. A guard opened her cell and told her Tomaso had died, she said.

"Trying to get a reaction out of me, trying to level me, trying to, you know, take everything from me and said in the worst way possible," Sue recalled.

Delisha's mother, Janet Africa, and Phil's mother, Janine Africa, described similar exchanges regarding their children, with no follow up from any city authority. The women said because they were in solitary confinement, no one could call them or visit. No city official reached out to express condolences or to apologize.

The women said it's hard to remember exactly how many months had passed when they were taken from prison to the county jail in Philadelphia, where they met with a lawyer. Also there was Gerald Ford Africa, a man who was quoted in media reports as the MOVE members' spokesperson with "power of attorney."

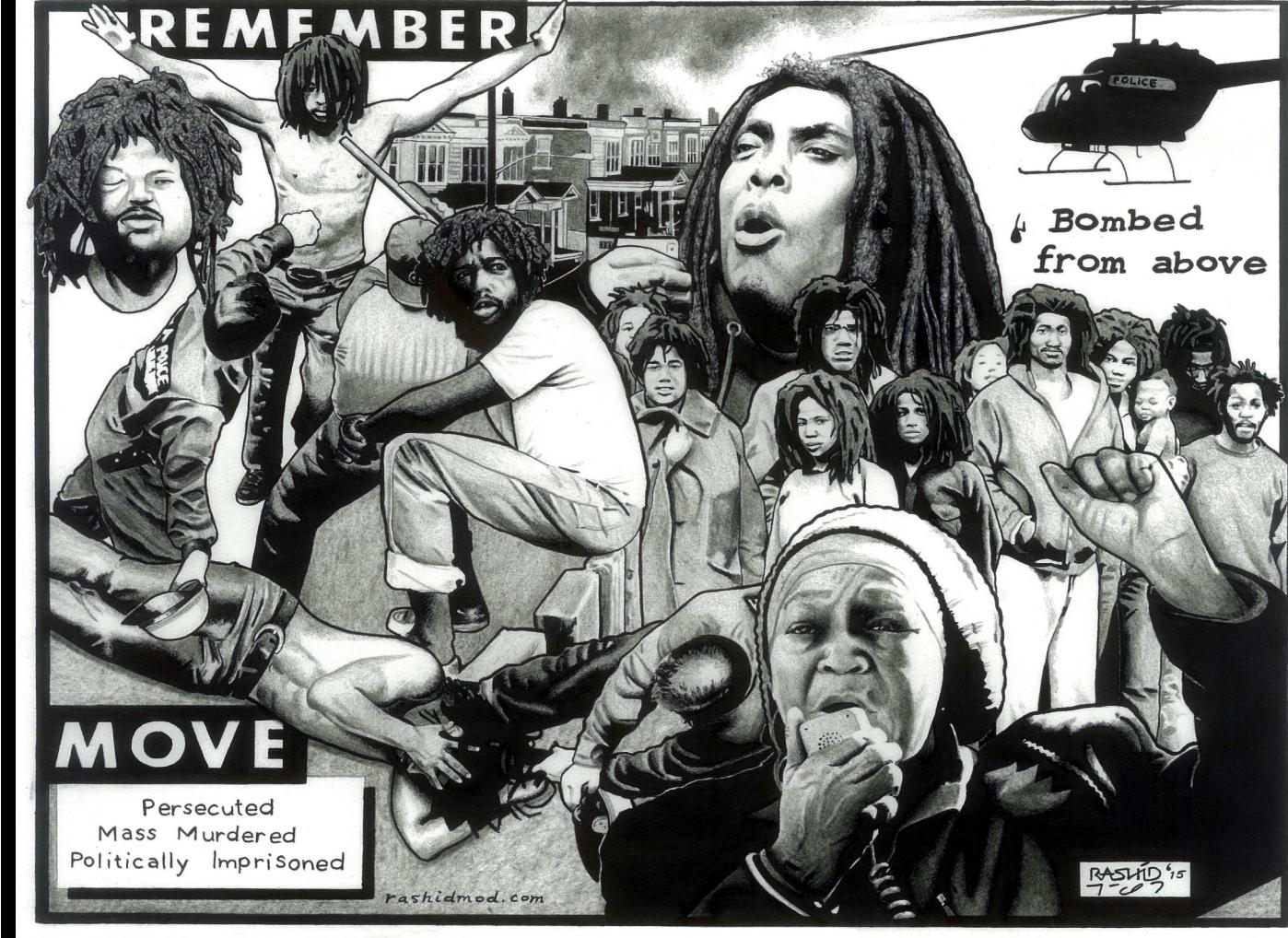
In an interview this month, Janine said they agreed to let Gerald "handle certain things," but the women don't remember giving him any authority to make decisions over the remains.

"We had no remains of our children," said Sue. "It wasn't even up for discussion."

The mothers went back to prison. Reporting at the time outlined at least three separate burials for bombing victims.

First to be buried, on May 23, according to Gerald, was Rhonda Harris

**Continued on page 5...**



(From www.rashidmod.com) Artwork by Kevin "Rashid" Johnson 264847;  
Wabash Valley Correctional Facility; P.O. Box 500, Carlisle IN 47838

# Never Forget the May 13, 1985 Massacre! Honor Tree, Netta, Delisha, Little Phil, Tomasa, Rhonda, Teresa, Frank, Raymond, Conrad, and John Africa by Working to Free Mumia Abu-Jamal!

**...Continued from page 4:  
36 Years of Desecration**

Africa, one of the six adults killed. Three other MOVE members — Theresa Brooks Africa, Raymond Foster, and Conrad Hampton Africa — were buried by June 5 that year. At the time, three children and two adults remained unidentified, with remains belonging to two other people, Tomaso and Frank James Africa, waiting to be claimed at the morgue.

In December 1985, an Associated Press dispatch said two of the children's remains, Zanetta and Katricia Tree Africa, had been claimed by an uncle and buried.

On the first anniversary of the bombing, the AP reported the remains of three children remained unclaimed at the morgue, said to have belonged to Tomaso, Phil Africa, and Delisha Orr Africa. At the time, Gerald said MOVE didn't have the funds to bury the children, although that account could not be confirmed by living MOVE members.

Dr. Robert Catherman, the acting medical examiner at the time, told the AP, "The city has been after [MOVE members] to get those bodies out, and nothing has happened."

Tomaso, Phil, and Delisha were laid to rest at Eden Cemetery in Delaware County in September 1986, according to a report in The Philadelphia Daily News. These were supposed to be the final remains from the fire to be buried, until the recent revelations that some of Delisha and Tree's remains may have been left behind.

The deputy city solicitor at the time said the city had reached out to the next of kin to make funeral arrangements for the children and "the mothers had given power of attorney to Gerald Ford Africa and the Hankins Funeral Home."

**'We Are the Mothers, We Speak for Ourselves'**



## "The Power of Truth is Final."

PHOTO: At the West Philadelphia press conference on April 26, Pam Africa consoles Janet Africa (mother of Delisha Africa) alongside Janine Africa and Consuewella Africa (mother of Tree Africa). At the April 26 MOVE press conference, Janine Africa asked: "People wanna know what we want?" She listed the names of all 11 members of MOVE killed on that May 13, saying "We want them back. If you can't give us that, you can't give us nothing...If they want to do anything, anything to show people that they are sincere about resolving this situation with MOVE and the city, let Mumia out," Janine said. "He's still alive." Photo by Jamal Journal staff photographer Joe Piette.

The fire that destroyed the MOVE headquarters and more than 60 other homes on Osage Avenue made identifying the remains of the victims a difficult task. According to a report in The Philadelphia Inquirer at the time, three FBI fingerprint experts and a forensic dentist from New Jersey were called in to help, as were University of Pennsylvania anthropologist Alan Mann and his assistant Janet Monge.

Mann and Monge were the pathologists brought to the morgue to help the MEO identify the bodies. The commission later brought in Hameli, who, in addition to detailing the flaws of the Medical Examiner's Office, helped identify the remaining victims.

He believed two sets of remains belonged to Delisha and Tree Africa. Mann strongly disagreed with those findings, which were debated among a handful of pathologists. Those remains stayed with him and later Monge for continued study.

Monge continued investigating to confirm the identity of the remains from 2016 through 2019, according to Penn.

In April, 36 years after he began studying them, Mann finally returned the remains.

After initially denying he had them, he delivered a set of bones to the Terry

Funeral Home in West Philadelphia, The Philadelphia Tribune reported. The funeral director did not return multiple requests for comment.

The mothers, however, say the remains have not yet been returned to them.

A university spokesperson said the firm it hired to investigate why the Penn Museum held the remains for so long is still completing its work. Leading that investigation is Carl E. Singley, who served as counsel in the original MOVE commission.

Separately, the City of Philadelphia is investigating circumstances regarding the bone fragments and organ specimens that had not been destroyed by the Medical Examiner's Office, contrary to former Health Commissioner Farley's order. City officials are vowing changes in that office.

Despite promises to make things right, the four Africa women say they have still been overlooked as next of kin.

The city confirmed officials did not reach out to the mothers after Farley's resignation, instead contacting a handful of other MOVE members and two attorneys. The city has since apologized to the women for the oversight, a spokesperson said, which didn't take into account the attorneys they coordinated with don't represent the whole Africa family.

"We are the mothers, we speak for ourselves," said Janet Africa.

After writing to the city and Penn, the women have met with Christopher Woods, director of the Penn Museum, and have received an invitation to meet with Mayor Kenney.

The mothers said they plan to be more directly involved in conversations regarding remains moving forward. But with their children long gone, there's only one thing they say could bring them a sense of justice: the release of Mumia Abu-Jamal.

Abu-Jamal is serving a life sentence for the 1981 murder of Philadelphia Police officer Daniel Faulkner. His supporters, including the mothers, maintain Abu-Jamal's innocence and say he was framed by police because of his vocal backing of MOVE members who were already clashing with police in the late 1970s.

"Of course, if they have remains for us and they say the remains are there, of course we will take the remains and deal with those remains according to our beliefs that's taught to us by John Africa," said Sue. "But what we want from the City of Philadelphia to prove that they're going to do right by the MOVE organization — we want justice for Mumia."

--Ximena Conde grew up in Queens, New York, and graduated from Rutgers University.



PHOTO: Janine Africa protests outside DA Krasner's office. Photo by Joe Piette.

## **...Continued from page 1: The Legalization of Murder**

Frank Africa, Raymond Africa, Conrad Africa, and John Africa) and five children (Tree Africa, Netta Africa, Delisha Africa, Little Phil Africa, and Tomasa Africa) died. Ramona Africa and 13 year-old Birdie Africa were the only survivors, after successfully dodging the police gunfire.

The MOVE Commission concluded that the deaths of the five MOVE children "appeared to be unjustified homicides which should be investigated by a grand jury" (notably the Commission did not similarly criticize the murder of the MOVE adults). However, two subsequent grand juries refused to press charges against any city or police official for murder or any other wrongdoing. In contrast, Ramona Africa spent seven years in prison.

Recognizing the racial implications of the massacre, The MOVE Commission wrote that the day's many horrifying decisions, including "the use of high explosives, and in a 90 minute period, the firing of at least 10,000 rounds of ammunition at the house; to sanction the dropping of a bomb on an occupied row house; and to let a fire burn in a row house occupied by children, would not likely have been made had the MOVE house and its occupants been situated in a comparable white neighborhood."

### **The Legalization of Murder**

Following the August 8, 1978 police assault on MOVE's home in Powelton Village and the subsequent imprisonment of the MOVE 9, the headquarters for MOVE shifted to 6221 Osage Avenue, in a middle-class black neighborhood, where MOVE continually demanded an official investigation into the 1978 confrontation and the convictions of the MOVE 9.

Many of MOVE's neighbors complained to the city government about MOVE's use of a loudspeaker to air their own grievances with the city, which mostly centered around the MOVE 9 convictions. Along with sanitation complaints, the neighbors also expressed concern about a bunker built above the house, which MOVE said they had built to defend themselves from another military-style police assault on their home similar to Aug. 8, 1978.

Officially in response to these sanitation and noise complaints from neighbors, Philadelphia mayor, Wilson Goode, held a meeting with Managing Director Leo A. Brooks and Police Commissioner Gregore Sambor, District Attorney Ed Rendell (now the Governor of Pennsylvania), and others, where he first authorized Sambor to prepare and execute a tactical plan under the supervision of Brooks, allegedly to solve the neighborhood dispute.

On May 11, Judge Lynn Abraham approved DA Rendell's requested emergency arrest and search warrants

for four MOVE members on charges of disorderly conduct and terroristic threats, based upon statements MOVE made on their loudspeaker two weeks earlier, where, among other things, they stated that they'd defend themselves from a police attack.

Today, Ramona Africa challenges the legitimacy of these May 11 emergency warrants by citing the fact that during Ramona's later trial, all charges listed on her arrest warrant were dismissed by the judge. Ramona says that "this means that they had no valid reason to even be out there, but they did not dismiss the charges placed on me as a result of what happened after they came out."

Charged with conspiracy, riot, and multiple counts of simple and aggravated assault, Ramona Africa served the entirety of her 16-month to 7-year sentence after she was repeatedly denied parole for not renouncing MOVE.

Concluding Ramona's 1986 trial, presiding judge Michael R. Stiles told the jurors not to consider any wrongdoing by police and city officials, because they would be held accountable in "other" proceedings. However, no official has ever faced criminal charges.

In 1996, Ramona successfully sued the City of Philadelphia and was awarded \$500,000 for pain, suffering, and injuries. Relatives of John Africa and his nephew Frank James Africa, who died in the incident, were awarded a total of \$1 million. Another \$1.7 million was paid to Birdie Africa, now Michael Moses Ward.

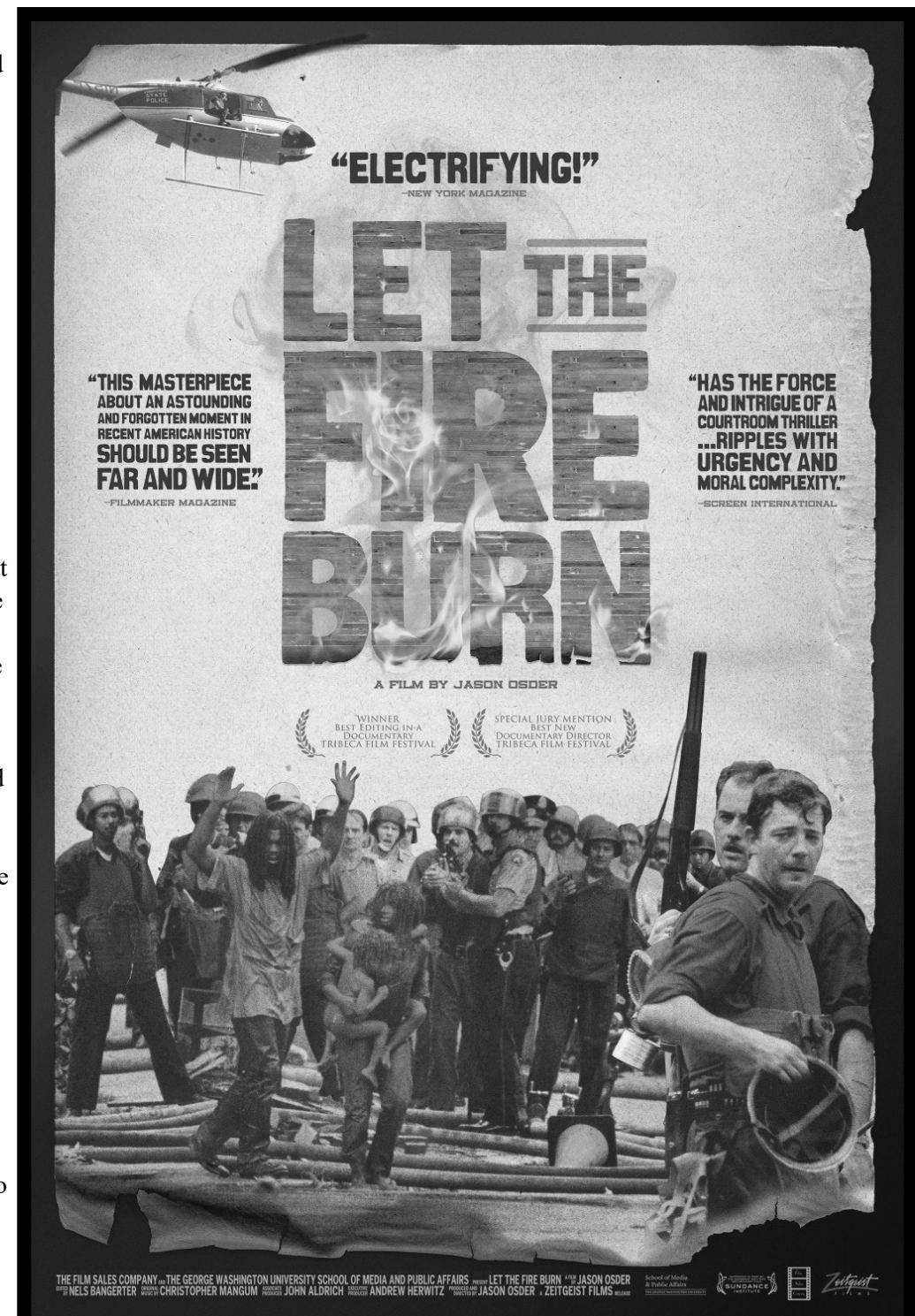
The jury also ordered that Ramona receive \$1 per week for 11 years directly from Sambor and Richmond, but this was overruled by Judge Louis Pollack on grounds that the two had not shown "willful misconduct," and were therefore immune from financial liability.

### **The Morning Assault**

At 5:35 AM, on May 13, after evacuating the neighbors, Police Commissioner Sambor declared on the bullhorn: "Attention, MOVE! This is America! You have to abide by the laws of the United States," and gave them fifteen minutes to surrender.

After the fifteen-minute deadline passed, several "squirt gun" fire-hoses were directed at the bunker on MOVE's roof, in an attempt to dislodge it. At 5:53, police tear-gassed the front and rear of the house, creating a smokescreen. Police then sent bomb squads to enter the row houses on either side of the building.

While the bomb squads entered, gunfire erupted, and in the next 90 minutes, police used over 10,000 rounds of ammunition, including 4,500 rounds from M-16s; 1,500 from Uzis;



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# Mumia Abu-Jamal on the Meaning of May 13, 1985

Reprinted from *All Things Censored* (2000)

The muted public response to the mass murder of MOVE members has set the stage for acceptable state violence against radicals, against blacks, and against all deemed socially unacceptable.

In the 1960s and '70s the Black Panther Party defined a relationship between the police and the black community as one between an occupying army and a colony. The confrontations between move and this system's armed domestic forces has given that claim credence.

An article in The Village Voice in 1991, quoted an anonymous white cop giving his prescription for bringing law and order to Los Angeles. Consider this:

**COP ONE:** "You wanna fix this city? I say, start out with carpet-bombing. Level some buildings. Plow all these shit [beeped] under and start all over again."

**COP TWO:** "Christ, you'd drop a bomb on a community?"

**COP THREE:** "Yeah. There'd be some innocent people, but not that many. There's just some areas of L.A. that can't be saved."

The twisted mentalities at work here are akin to those of Nazi Germany, or perhaps more appropriately, of My Lai, of Baghdad, the spirit behind the mindlessly murderous mantra that echoed out of Da Nang: "We had to destroy the village in order to save it."

As abroad, so here at home. For as the flames smothered life on Osage Avenue, police and politicians spoke of "destroying the neighborhood surrounding the MOVE house, in order to save it." Now cops patrol neighborhoods across America, armed like storm troopers, with a barely disguised urge to



destroy the very area they are sworn to "serve and protect." Or perhaps we should say, "sever and dis-sect."

As they sit and sup and smoke what animates their minds? Are they an aid to the people, or a foreign army of occupation? May 13, 1985 should have answered that question decisively. MOVE founder John Africa wrote over a decade ago:

"It is past time for all people to release themselves from the deceptive strangulation of society. Realize that society has failed you. For to attempt to ignore this system of deception now, is to deny you the need to protest this failure later. This system has failed you yesterday, failed you today, and has created conditions for failure tomorrow, for society is wrong, the system is reeling, the courts of this complex are filled with imbalance. Cops are insane, the

judges enslaving, the lawyers are just as the judges they confront. They are Harvard and Princeton and Cornell and Yale, and trained, as the judge, to deceive the impoverished; trained, as the judge, to protect the established; trained by the system to be as the system, to do for the system, exploit with the system, and MOVE ain't gonna close our eyes to this monster."

It was true then, it's even truer now. This system has failed all of us. Indeed it is the problem. Organize this very day to resist it, to oppose it, to go beyond it. Demand that all imprisoned MOVE members be released and that all political prisoners be freed. That is a beginning. That is a first step we can all take today.

Ona Move!

Long Live John Africa!

## ...Continued from page 6: The Legalization of Murder

Challenged at a press conference later that week, Goode was unable to offer a straight answer: "If...someone called on the telephone and said to me 'We're going to drop a bomb on a house,' would I approve that? The answer is no. What was said to me was that they were going to use an explosive device to blow the bunker off the top of the house."

Sambor defended the decision to drop the bomb by arguing that the bombing was "a conservative and safe approach to what I perceived as a tactical necessity."

The MOVE Commission concluded that "dropping a bomb on an occupied row house was unconscionable and should have been rejected out of hand by the mayor, the managing director, the police commissioner and the fire commissioner."

The Commission also reported that "in January, 1985, an agent of the FBI delivered nearly 38 pounds of C-4, a powerful military plastic explosive, to the Phila. Police bomb squad. Delivery of this amount of C-4 to any police force without restrictions as to its use is inappropriate. Neither agency kept any records of the transaction. The FBI agent told the Commission that he 'never had to keep any kind of records

or anything' regarding C-4. Nor did the bomb squad keep any delivery, inventory or use of the C-4, or any other explosives under their control... Because of the absence of record keeping by the FBI and the Philadelphia Police Department, all the facts of the use of C-4 on May 13 may never be known."

## Fire As A Tactical Weapon"

Initially, the fire was relatively small, but it was allowed to grow until it was eventually so large and powerful that it burned down the entire city block.

According to Mayor Goode, he first learned of the fire "at about ten minutes of six," at which point he contacted Managing Director Brooks, and ordered that the fire be stopped. On behalf of Goode, Brooks told Police Commissioner Sambor over the phone to extinguish the fire, but upon discussing it, Sambor and Fire Commissioner William Richmond decided to continue to let it burn. Richmond would later claim that Sambor did not tell Richmond about Goode's order. However, Sambor denied this and said that he did indeed tell Richmond about Goode's order.

In defense of his decision, Richmond said that he let the fire burn because of danger from alleged MOVE gunfire, stating: "we regret what happened, but

we are not going home with any firefighters with bullet wounds tonight, and I thank God for that."

Explicitly challenging this argument made by Richmond, the MOVE Commission cited the use of the water cannons for hours, earlier in the day, at times alongside police gunfire. Even later in the day, the Commission notes that "from 5:20 to 5:25 P.M. the 'squirts' [water cannons] were turned on to protect the helicopter which was preparing to drop the bomb [at 5:27]," and since firefighters were safe these other times, the fire could have been extinguished "without exposing police or firefighters to any possible danger."

The Commission concluded that the decision "to let the fire burn constituted the use of fire as a tactical weapon" that "should have been rejected out-of-hand. That it was not rejected cannot be justified under any circumstances."

## Police Shoot at Fleeing MOVE Family Members

Today, Ramona Africa recalls escaping from the fire on May 13: "We opened the door and started to yell that we were coming out with the kids. The kids were hollering too. We know they heard us but the instant we were visible in the doorway, they opened fire. You could hear the bullets hitting all around the garage area. They deliberately took aim and shot at us. Anybody

can see that their aim, very simply, was to kill MOVE people—not to arrest anybody."

Birdie later supported Ramona's account of police gunfire when he testified that the children and remaining adults tried several times to escape the burning house, but were driven back by police gunfire, before he and Ramona successfully dodged gunfire and escaped.

Despite official police statements denying the shooting, The MOVE Commission confirmed Ramona and Birdie's accounts, concluding that "police gunfire prevented some occupants of 6221 Osage Ave. from escaping from the burning house to the rear alley."

We will never forget what happened on May 13, 1985!

## Sources

--Interview with Ramona Africa, by AWOL Magazine (2003).

--Twenty Five Years Ona Move, self-published by the MOVE Organization (1996, reprinted in 2021 as 50 Years Ona Move).

--"Attention, MOVE! This Is America," by Margot Harry, Banner Press, Chicago (1987).

--Final Report of the Philadelphia Special Investigation Commission, aka "The MOVE Commission" (1986).

# Rally at UPenn Demands: MOVE Children Deserve to Rest in Peace!

By Betsey Piette, Workers World

April 29, 2021

YahNé Ndgo opened the rally outside the Penn Museum in Philadelphia on April 28 by denouncing the University of Pennsylvania's sadistic desecration of the remains of two young Black MOVE family members. Ndgo, representing Black Lives Matter Philadelphia, stated: "We can never forget the humanity of Black people, and we should never have to remind people of the value of our lives. Black and Brown bodies are not subjects for you to study. We are human beings, and our lives matter!"

Nearly 400 people attended the rally, including UPenn students and faculty. It followed an April 26 press conference with the MOVE family, after news surfaced that anthropology professors at the school and Princeton University had kept the remains of Tree Africa, 14, and Delisha Africa, 12, who were killed May 13, 1985, when the police dropped an incendiary bomb on MOVE's house.

City officials let the resulting house fire burn as police gunfire trapped occupants and prevented them from escaping. The resulting conflagration killed 11 people, including five children, and destroyed 61 homes in a residential Black neighborhood.

## Murder and Then More Inhumanity

At the rally, Mike Africa Jr., son of MOVE 9 members Debbie Africa and Mike Africa Sr., recalled having played with the children killed in the fire. He said: "The medical examiner was paid to find out how our people died. They took the bodies to a lab, left them unrefrigerated and let the bodies decompose. This was so egregious they were fired. The people from Penn Museum who took over were supposed to be ethical, but they are the monsters we are talking about today."

Africa read from a quote located below the graphic of a helicopter dropping a bomb from MOVE's popular orange-on-black "Welcome to Philadelphia" T-shirt. The quote reads: "This was not an accident. This was deliberate murder. The circumstances surrounding it were horrible, and even more horrible to me was the fact that the perpetrators basically were never in any way punished." That was said by the forensic anthropologist Dr. Alan Mann, who was hired by the Philadelphia Medical Examiner's Office to analyze the remains of those killed in the fire.

Africa said: "Alan Mann is the same monster who has done these horrible things to my sisters. The other monster, Janet Monge, is on a video describing how my sister suffered a bone fracture 'because something heavy probably landed on her.'"

Mann worked at the Penn Museum where he reportedly subjected the bones to detailed analysis, but later used the children's remains as science specimens in anthropology classes. The bones were kept in cardboard boxes in non-climate-controlled storage. When Mann transferred to Princeton in 2001, he took the remains with him.

The children's remains were purportedly bounced back and forth between the two Ivy League institutions over the decades. Their parents, still alive, were never informed.

In 2019, the remains were held at Penn Museum where Monge, Mann's former student, used them in instructional online videos offered by Princeton and UPenn. Once again, this was done without consent of the children's relatives.

Monge's course was titled: "Real Bones: Adventures in Forensic Anthropology" — and MOVE is referred to as a "case study!" The videos, which were available for viewing in classes that began the week of April 19, have been taken down due to protests.

While UPenn officials have issued two apologies which have been pub-



PHOTO: Marching at UPenn on April 28, 2021. Photo by Joe Piette  
lished by news outlets, they have yet to apologize to MOVE family members in person. They also claim they do not have the remains, nor do they know where they are.

## UPenn Museum's 134-Year Racist History

Abdul-Aliy Muhammad broke the news about the children's remains in a Philadelphia Inquirer opinion piece published April 21. He stated at the rally: "Two years ago we found out that Penn Museum had the remains of 53 people thought to have been enslaved on plantations in Cuba. When we demanded reparations, Penn started a committee to 'consider the issue.' A year later we learned that they also had 14 craniums of Black people dug up from graves where Franklin [athletic] Field is today."

Muhammad told the crowd, "This is disgusting, this is gross. This is not okay."

News of the MOVE children's remains came just days after Penn Museum officials made a commitment to repatriate Black and Indigenous remains held for over a century in their Samuel Morton Collection of Human Crania. Morton had used the collection of 1,000 skulls of enslaved African and captured Indigenous people in a racist study aimed to perpetrate a false theory of white supremacy.

Morton's "experiments" were used

to justify removal of Indigenous people in the 1830s and later were part of a pattern of nonconsensual experimentation on Black people for medical purposes. One was the infamous 40-year Tuskegee Institute "experiment," where hundreds of Black men were deliberately left untreated for syphilis, even after penicillin was found to be a cure in 1947.

Rally speakers called for Monge to be fired and for restitution and accountability from UPenn, emphasizing that Tree Africa and Delisha Africa deserve to rest in peace. Pam Africa, Minister of Confrontation for the MOVE family, said, "The bomb they dropped on our family is exploding 36 years later and exposing the intent of the cops to kill John Africa and all of our family."

The rally was followed by a march to the campus home of UPenn President Amy Gutmann, where demonstrators blocked traffic on Walnut Street for over an hour. Speakers announced that the 36th anniversary observation of the MOVE bombing will be held in Philadelphia May 15.

*—Betsey Piette has been a tireless Mumia supporter/organizer for several decades. Betsey is a member of the Worker's World Party and Mobilization4Mumia.com.*

## "City of Bones"

By Mumia Abu-Jamal

May 19, 2021

Can these bones live? From the book of the prophet Ezekiel 37:3.

For several weeks, the city of Philadelphia has been immersed in the remnants of the MOVE bombing, May 13th, 1985. It's about bones: the bones of babies bombed into oblivion and then likely, easily carried away in suitcases, exhibited in college classes in anthropology.

For years, for decades, they were shocked

and bombed away from life, and then they were treated as playthings, trinkets for students. Then, just as easily, they were lost, then found. The remnants of babies, little black girls, just like the babies bombed in a black church by the Klan, bombed for their blackness in cities north and south.

And while the Klan did their dirt in the south, the cops did the same up north, here in the city of brotherly love. What made this possible? Was it dehumanization projected by the city's corporate media, for MOVE, they argued, was subhuman?

So media sounded the alarm, and America answered. 36 years have passed, and still, they play with bones.



PHOTO: University of Pennsylvania Professor Krystal Strong speaks on April 28, 2021. Photo by Joe Piette.

# May 13, 2021: MOVE 'Day of Remembrance' Honors Lives Lost

By Betsey Piette  
Workers World  
May 14, 2021

On the 36th anniversary of the horrific bombing of the MOVE family house in Philadelphia on May 13, 1985, hundreds gathered at Osage Ave. and Cobbs Creek Parkway at a plaque commemorating the event. Speakers focused on naming and remembering the lives of the six adults and five children murdered by the repressive state.

This year's commemoration was especially poignant because of recent revelations involving the city's callous mishandling and mistreatment of the remains of children who died there.

Several demonstrators carried placards listing the names of the 11 MOVE family members who perished. The adults were Rhonda Africa, Theresa Africa, Frank Africa, Raymond Africa, Conrad Africa, and John Africa – who founded the MOVE organization in 1972. The children were Katricia (Tree) Africa, 14, Delisha Africa, 12, Netta Africa, 12, Little Phil Africa, 12, and Tomaso Africa, 9. Birdie Africa, 13, survived the fire but died in September 2013. Ramona Africa, the only adult survivor, continues to be a force in the movement.

A visibly emotional Mike Africa, Jr., son of MOVE 9 members Debbie and Mike Africa, recalled childhood memories of those who died in 1985. "The

people who took the remains of my family and incinerated them have to be held accountable. What the city authorities have been doing over these many years has to come to a screeching halt. They need to stop covering up their behavior and destroying evidence of what they have done."

In late April, news surfaced that Penn University Museum was in possession of bones thought to be the remains of Tree Africa and Delisha Africa. The bones were given to UPenn forensic anthropologist Alan Mann by the Philadelphia Medical Office for analysis. Mann subsequently transferred to Princeton University, taking the bones with him.

Earlier today Philadelphia Mayor Jim Kenney met with the MOVE family and acknowledged that additional remains from victims of the 1985 assault had been kept in the Philadelphia Medical Examiner's office until 2017,

when they were incinerated and dumped by the city without the knowledge or permission of living relatives. During a late afternoon press conference, Kenney announced the firing of the city's health commissioner Thomas Farley.

## Police Atrocities Against MOVE

Kenney also apologized to the MOVE family, as did the Philadelphia City Council last year on the anniversary of the atrocity carried out by the city. However, MOVE members have insisted that the only remedy they want from the state is the release of political prisoner Mumia Abu-Jamal. Several signs calling for Abu-Jamal's freedom were carried by demonstrators.

At the rally speakers recalled the history of Philadelphia's decades-long attack on the MOVE organization, including the police months-long blockade of the neighborhood around the

families' Powelton Village home. On Aug. 8, 1978, a police attack on the compound resulted in the arrest of nine MOVE members, who served over 40 years in prison.

During the weekend of May 12-13, 1985, police again orchestrated an attack on MOVE, including making sure that the children who lived in MOVE's Osage Ave. house were present at the time of the assault. Speakers recounted the involvement of Philadelphia police as well as state and federal police forces, as well as the fire department's collusion in the assault.

A military helicopter dropped a C4 military-grade bomb on the house, resulting in a fire that reached adjacent houses. Officials then made the decision to "let the fire burn." In addition to the lives lost, 60 homes in a predominantly Black neighborhood were destroyed.

## May 13, 1985 Survivor Ramona Africa on the Urgent Need to Free Mumia Abu-Jamal

Written in March, 2021

Ona Move everybody! How y'all doing?

Touching base letting you know I'm doing good. I haven't been in contact for a while but thanks to your support and encouragement. I am motivated to keep fighting. I'm spending my energy in every way I can with the urgent, situation concerning Mumia, working to bring Mumia home.

People have to be consistent in fighting for our brother Mumia, don't think that your push for Mumia to get the necessary medical attention he needs (and should get) is hopeless because it's not. People felt the same thing about fighting to get Mumia off of death row but people kept fighting and Mumia came off of death row, saving his life, even though this system was determined to execute our brother Mumia. Now that Mumia is off of death row this system is trying to kill him thru attempted murder by medical assassination.

MOVE knows this because our brother Delbert Africa died shortly

after coming home from prison because of medical neglect at SCI Dallas prison. Phil Africa, who died at SCI Dallas because of medical murder, by denying Phil the medical attention he needed and should have gotten. Maybe if Phil had gotten the attention he needed and should have gotten he would not have died in prison. The same thing with our sister Merle Africa, murdered at SCI Muncy. Her medical record stated she died under suspicious circumstances. MOVE knows it was deliberate that Merle died from medical neglect. These prisons misuse their medical department to kill off, assassinate people they see as revolutionaries.

MOVE don't intend to see another one of our brothers die in this system's prison so MOVE is gonna fight and keep on fighting, just as we fought for the MOVE 9. People know how this system hates MOVE, especially the MOVE 9. Mayor Rizzo said in a press conference on August 8, 1978, "put em all in the electric chair and I'll pull the switch"! That's what Rizzo said and it's an indication of how this system feels about MOVE.

If officials had their way MOVE would have done their full 100 year unjust sentence but we kept fighting for them and they were released long before 100 years was up.

That's the power of the people that officials don't want people to realize. MOVE is a clear example of what people can do if we make up our minds to do something. Keep fighting for Mumia consistently and don't stop no matter how things may appear.

To quote JOHN AFRICA THE COORDINATOR:  
"CONSISTENCY IS STRENGTH."

LONG LIVE JOHN AFRICA!

Ona Move,

Ramona Africa

LONG LIVE MUMIA !

LONG LIVE MOVE !

LONG LIVE REVOLUTION !



PHOTO: Ramona welcomes Delbert Africa home on Jan. 18, 2020, following Delbert's release. Photo by Joe Piette.

LONG LIVE THE ORDER OF LIFE !

LONG LIVE JOHN AFRICA !



PHOTOS: Marching to the University of Pennsylvania Museum on April 28, 2021. Photos by Jamal Journal staff photographer Joe Piette



PHOTOS: MOVE Day of Remembrance to Honor the Lives Lost, May 13, 2021. Photos by Jamal Journal staff photographer Joe Piette

## From The Archives: Kiilu Nyasha on the Legacy of the Black Panther Party

Kiilu Nyasha interviewed by  
[www.BlackCommentator.com](http://www.BlackCommentator.com)  
April 2, 2009

(This interview has been edited for length by the Jamal Journal.)

Kiilu Nyasha is a San Francisco-based journalist and former member of the Black Panther Party (BPP). Kiilu hosts a weekly TV program, "Freedom Is A Constant Struggle," on SF Live (Comcast 76 and AT&T 99). She writes for several publications, including the SF Bay View Newspaper and BlackCommentator.com. Also an accomplished radio programmer, she has worked for KPFA (Berkeley), SF Liberation Radio, Free Radio Berkeley, and KPOO in SF. Some of her work is archived at [www.kpfa.org.](http://www.kpfa.org/) and [www.kiilunyasha.blogspot.com](http://www.kiilunyasha.blogspot.com)

**Black Commentator:** How did you join the BPP?

**Kiilu Nyasha:** I started running into Panthers when I worked for President Johnson's so-called "War on Poverty," at The Community Action Institute (CAI) in New Haven, CT. We were supposed to organize the community, and of course they didn't really mean it; but I was politically naive. So I took them literally at their word and plunged into organizing, going to various community meetings.

A young Panther named Belva, just a teenager and known as "sisterlove," was sent to New Haven from Oakland to organize a free breakfast program. A town hall meeting was organized to decide whether or not they could institute the breakfast program. I was employed at the teen center where they wanted to house the breakfast program.

I wound up being the Breakfast Program Coordinator after being eliminated by CPI when they closed the auxiliary Community Action Institute, absorbing those they wanted to stay into the main body, CPI. Later on, I was recruited from the Chapter to work as office manager and secretary to the attorneys for Lonnie McLucas, Ericka Huggins and Bobby Seale, including the late Charles Garry, Esq.

When I found myself jobless, I applied for welfare because having worked for Yale and the government, I didn't qualify for unemployment insurance. I had a 9 year-old son and rent



PHOTO: Five liberated political prisoners took the stage on April 24, 2021 in Philadelphia. They are Janine Africa, Janet Africa, Sekou Odinga, Jihad Abdul-Mumit and Kazi Toure. Photo by Joe Piette.

for my apartment was \$80/month, but they would only give me \$25 a week. What was I supposed to do with that?

So I joined the second chapter of the BPP in late 1969, created after the first chapter got locked up for murder charges, along with the Chairman, Bobby Seale -- basically recruited to organize around the Panther trials by Robert Webb [martyred] and Doug Miranda. At this time, I was still "Pat Gallyot", because I changed my name later in the 1970's.

**BC:** Please tell us more about the Black Panther Party.

**KN:** The BPP was initiated by Huey Newton and Bobby Seale, who were students at Merritt College in Oakland. They saw the needs of their community and began to address them with the Ten-Point Platform and community programs. They confronted police brutality by following the police around with law books and guns, because at the time, it was legal to carry arms openly. They witnessed arrests to make sure the police didn't go into their brutality mode.

Eventually, there was a shoot-out between the police and the BPP when Huey's car was stopped, and an officer was shot and killed in self-defense. Huey himself was shot in the abdomen and the picture of him handcuffed in the hospital went around the world.

An incredible movement swept this country like wild-fire, because police abuses were a national epidemic. The BPP developed a 10-point platform demanding self-determination for our Black community, including land, bread, housing, clothing, education, justice and peace. We started free medical clinics, and in New Haven, the clinic was staffed by doctors and nurses from Yale. In Oakland, Dr. Tolbert Small initiated the sickle cell anemia awakening with education and free tests.

We propagated revolution and formed the original "rainbow coalition." We worked with many groups, including the Young Lords, the Young Patriot Party from Appalachia, the Peace and Freedom Party, SDS, the

Red Guard, the Brown Berets, I Wor Kuen, and the American Indian Movement. History books have omitted the fact that Blacks were leading the revolutionary movement in this country.

Other communities adapted our programs for themselves. We organized within our own separate communities, but we all came to the same rallies. So then you'd have this huge multicultural rally led by the BPP. It was also inter-generational. I was practically an elder at 30 because most Panthers were teenagers.

**BC:** What is the BPP's legacy?

**KN:** Once instituted, our free breakfast program was in high demand because kids were hungry. Subsequently, a free school lunch program was started in New Haven, and similar free food programs were instituted across the country.

The "Black is Beautiful" campaign elevated the mentality of Black people in terms of what we thought about ourselves. Don't forget, James Brown's song "I'm Black and I'm Proud" came on the heels of the BPP. Music and culture reflected the Movement. That legacy has endured.

The BPP ushered in a whole crew of Black politicians, but what did that do for Black people, especially poor Black people? For example, President Obama is a friend of capitalism, imperialism, and fascism.

Fascism needs a new brown face to deal with the so-called Third World. Obama cannot and will not produce real change, like moving from capitalism to socialism, redistributing the wealth, abolishing the prison system per se, and changing domestic and foreign policies.

**BC:** How did the BPP fare against US government repression?

**KN:** We were defeated. They pulled every dirty trick in the book to wipe us out and succeeded. They organized fratricide and had us killing each other. They jailed and assassinated us. By 1969, 28 Panthers had already been murdered by the police. There was the blatant murder of Fred Hampton and

Mark Clark in Chicago in 1969.

President Richard Nixon and FBI Director J Edgar Hoover orchestrated COINTELPRO and another program that was behind the walls called "NEWKILL." We were targeted and declared the most dangerous threat to the internal security of the US. This came out when the secret programs were revealed after files were stolen from the FBI office in Media, PA.

Later, Senator Frank Church conducted hearings further documenting the repression.

**BC:** What impact did the BPP have on police brutality and prisons?

**KN:** We may have caused a temporary calm, but it actually got worse.

For example, Panthers Harold Taylor and John Bowman (currently of the SF8) were chased down in Los Angeles by plain-clothes police and shot at. They shot back, were eventually arrested, had a capital trial, but were acquitted on grounds of self defense. However, today we're getting shot left and right.

The incarceration rate is the highest in the world. President Clinton ushered in a prison boom that has our prison population up to 2.4 million today. Here in California there are 180,000 prisoners, with many more on probation and parole. We're living in a police state and have a cradle-to-prison policy for our youth.

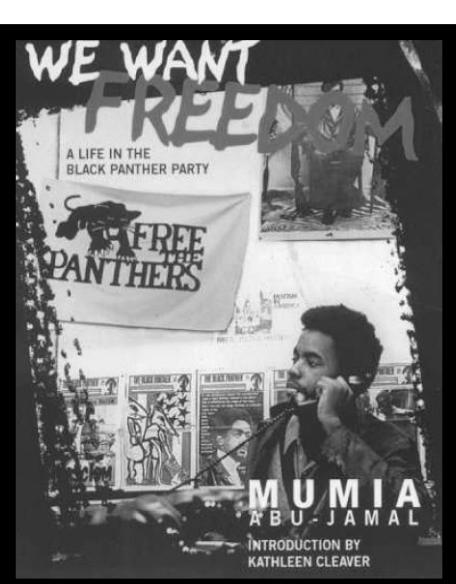
We have to regroup and develop new tactics and strategies that address today's conditions.

**BC:** What can we learn from the successes and failures of the BPP, so that we can be more effective today?

**KN:** Organizing worked! As in, door-to-door street organizing, on the ground, rolling up our sleeves and going right to the people, and helping them meet their own needs. People have gotten far away from that. Stop knocking on city hall's door! Why are we asking our enemies for help? Working within the system only works if you consider yourself an infiltrator. We have to draw the line and stop sup-

Continued on page 13...

The Jamal Journal #2: MOVE Supplemental



# 50 Years of Injustice: Free Black Panther Political Prisoner

## Ed Poindexter of the Omaha Two!

Michael Richardson interviewed by the Jamal Journal, April 1, 2021

Investigative journalist Michael Richardson is the author of the 2018 book *Framed: J. Edgar Hoover, COINTELPRO & The Omaha Two Story*. In this interview, Richardson discusses the role of the FBI's infamous COINTELPRO in orchestrating the framing of the Omaha Two and he provides an important update on Ed Poindexter's urgent health situation.

To accompany the interview, we are featuring a series of Richardson's articles published at [www.richardsonreports.wordpress.com](http://www.richardsonreports.wordpress.com) this past April, to mark 50 years since the Omaha Two trial.

We highly recommend reading Richardson's book to learn more about this extreme injustice that needs to end immediately. Free Ed Poindexter and all of our elderly political prisoners!

**Jamal Journal:** When did you first hear

about the case of the Omaha 2?

**Michael Richardson:** I lived in Omaha, went to high school and college there. I was also a VISTA volunteer in Omaha and came to be friends with David Rice, later Wopashitwe Mondo Eyen we Langa, who was convicted along with Edward Poindexter of murdering a police officer. I attended the 1971 trial.

This case of injustice has haunted me all my adult life.

**JJ:** Why did you decide to start researching and writing about the case?

**MR:** At the trial they made it seem like the two men, Black Panther leaders, were guilty. I wondered about their innocence for thirty-five years and one day wrote to my old friend Mondo in prison. He didn't even remember me. I guess he was a bigger person in my life than I was in his. Anyway, he wrote back and said if I was interested in learning about his case the only rule was to

**Continued on page 14...**

### ...Continued from page 12:

#### Killu Nyasha on the BPP

porting it. Today, we should organize gardens to grow our own food.

Propaganda is a necessary tool and our job right now is to raise consciousness to educate to liberate. The BPP had regular political education classes. That needs to happen again. People need to get into small study groups and discuss politics.

Also, students aren't organizing on the campuses like they used to. I think it's partly because the lower class isn't on the campuses these days, because nobody can afford it.

**BC:** The issue of global solidarity was central to Huey Newton's idea of "revolutionary intercommunalism," emphasizing that in today's age of transnational corporate power, the US working class' liberation is inherently tied to that of workers everywhere. Globalization is a popular topic today, but do you think Huey gets credit for talking about it back then?

**KN:** Huey's theory was brilliant, prophetic, and is a perfect solution in today's world. Of course Huey has not been given proper credit and it's the same thing with Malcolm X.

Now more than ever, oppressed people around the world need to unite against the common enemy that is transnational corporations. We can't

let them divide us. We're in the throes of a death spiral right now, and if we don't hurry up and deal with climate change, for example, things will get horribly worse for ordinary people and we can kiss this planet good-bye, probably within this century.

**BC:** When did you start working in media?

**KN:** Because of my years of secretarial work, I had typing skills. At the time of Bobby Seale and Ericka Hugins' trial in New Haven, on behalf of the Panther Defense Committee, we printed a tabloid and I co-wrote and typeset an article covering the story. I also wrote articles for the national BPP paper, and eventually learned how to put a newspaper together.

After moving to San Francisco, I was working for a local Black newspaper called The Sun Reporter, but left in anger after they chopped up an article that I wrote about the uprising at NY State Prison in Attica that resulted in the massacre of some 39 prisoners and guards.

Afterwards, in late 1971, a bunch of us had political education classes that met at my pad in the Fillmore, and we put together a tabloid called "By Any Means Necessary." In '72, I wrote and published another tabloid titled, "Niggahs of the World Unite."

Later, I lived in the Hunters Point neighborhood, and while practicing a very strenuous form of martial arts, my muscles started deteriorat-

wound up in the medical system for many years--a long, hairy story. Suffice it to say, I walked into the system in 1975 and rolled out in 1980, and have been in Chinatown ever since, living in a 12 story Housing Authority building that they said was the only place they could find that was wheelchair accessible.

**BC:** How does the mainstream media today compare to 40 years ago?

**KN:** It's much worse! I used to see BPP leaders Kathleen Cleaver and David Hilliard on TV. The movement used to get media attention. Now you can't get any media attention on prisoners. We can have a demonstration with 10,000 people, and they still don't cover it. You don't even have good journalists anymore.

**BC:** Why do you think that is?

**KN:** Look at all the journalists who've been fired for telling the truth. Not to mention all the journalists who have been murdered these past few years, particularly by the US in Iraq. It intimidates people and they need real courage to tell the truth today.

**BC:** How has the alternative media changed?

**KN:** It's not anywhere as bold. We had the BPP newspaper and all kinds of badass tabloids. Today they censor you. To me, with a few exceptions, the Black press and other alternative media have fallen down on the job.

**BC:** Your recent Black Commentator article titled "Black August 2008" focused on the legacy of the late prison author and BPP leader, George Jackson, who was assassinated by guards at San Quentin Prison on August 21, 1971.

**KN:** I initiated a correspondence with George in early 1971, and months later, got a one-hour visit in the hold-

ing cell of San Quentin. I've met no one before or since more dedicated to revolutionary change. George's book of prison letters, *Soledad Brother*, was a best seller, and his second book, *Blood In My Eye*, had just been finished at the time of his death, and was published posthumously.

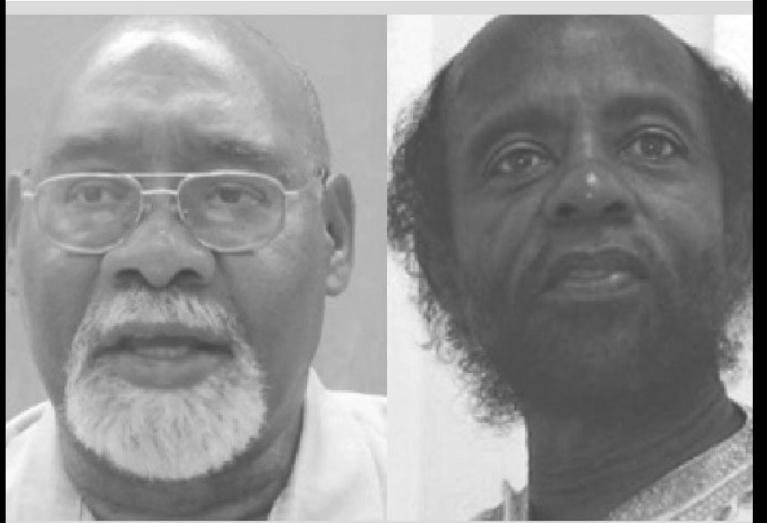
George was one of the three "Soledad Brothers," whose story began on January 13, 1970 when a tower guard at Soledad State Prison shot and killed three Black captives on the yard, leaving them unattended to bleed to death: Cleveland Edwards, "Sweet Jugs" Miller, and W. L. Nolen, all active resisters in the Black Movement behind the walls. Others included George Jackson, Jeffrey Gauldin, Hugo L.A. Pinell, Steve Simmons, Howard Tole, and the late Warren Wells.

After the common verdict of "justifiable homicide" was returned and the killer guard exonerated at Soledad, another white-racist guard was beaten and thrown from a tier to his death in retaliation. Fleeta Drumgo, John Clutchette, and Jackson were charged with his murder, and became known as The Soledad Brothers. A campaign to free them was led by college professor Angela Davis, and George's brother Jonathan. The three were awaiting trial, with a mandatory death sentence if convicted, at the time of George's death.

**BC:** Let's conclude with a favorite quote of yours by George Jackson.

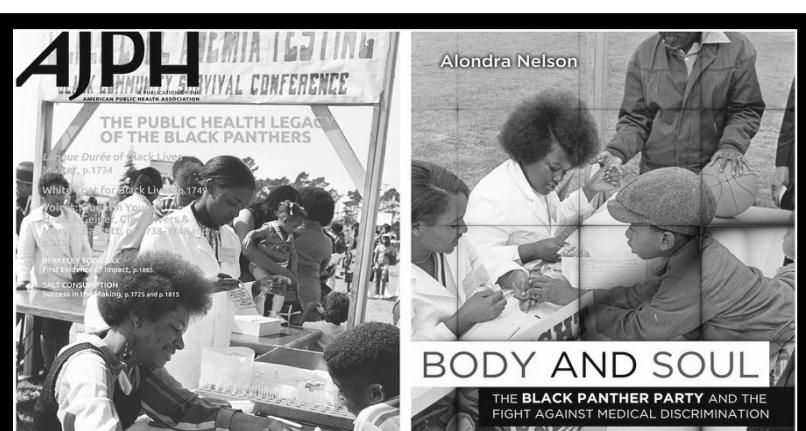
**KN:** He wrote in *Blood In My Eye*: "Settle your quarrels, come together, understand the reality of our situation, understand that fascism is already here, that people are dying who could be saved, that generations more will live poor butchered half-lives if you fail to act. Do what must be done, discover your humanity and your love in revolution."

# FRAMED



J. EDGAR HOOVER,  
COINTELPRO & THE  
OMAHA TWO STORY

## MICHAEL RICHARDSON



follow the truth.

Ten years of research and writing later, I was able to publish FRAMED: J. Edgar Hoover, COINTELPRO, and the Omaha Two Story.

**JJ:** Through your research, what role did you find that COINTELPRO played in their case?

**MR:** I had never heard of COINTELPRO until I started digging into the story. I guess I was too busy with other things when it was revealed. Needless to say, I was shocked to learn what I had missed.

The size and scope of the clandestine counterintelligence operation was huge. By the time of the Omaha case, forty percent of the Federal Bureau of Investigation budget went to support the secret agenda of Director J. Edgar Hoover.

In the Omaha case, Hoover ordered the FBI Laboratory to withhold a report on the identify of an anonymous 911 caller who lured Patrolman Larry Minard to his death. Hoover's priority was to destroy the Black Panthers, not catch police killers. The COINTELPRO tampering with the murder investigation and trial are well documented in once-secret FBI memora.

**JJ:** We are saddened to hear that Ed Poindexter is in such poor health.

*What is the latest news in Ed's case?*

**MR:** My friend Mondo died in prison in March 2016. Ed Poindexter, whom I have come to know from prison visits and correspondence, is indeed in poor health.

A half-century in prison has taken a heavy toll on Ed's health. Ed is a very private person who does not seek sympathy from anyone. Mr. Poindexter is a proud man and what he seeks is justice. Presently Ed has a pending application to the Board of Pardons to consider a commutation of sentence.

However, the three-member panel, consisting of the Governor, Attorney General, and Secretary of State, infrequently meets and are planning on reviewing dozens of pardon requests to restore rights of persons already released from jail before they take up Ed's case.

Simply put, they want him to die in prison.

**JJ:** What are the different ways that our readers can support Ed?

**MR:** Ed likes to get mail. His health, vision, etc. are such that he does not answer many people but he still likes to hear from the outside world. His mailing address is:

Edward Poindexter #27767  
Nebraska State Penitentiary  
P.O. Box 22500  
Lincoln, NE 68542

People can call or write the Board of

Pardons to request them to adopt a more reasonable and responsible approach to their priority scheme during this time of the COVID virus which is raging through America's prisons and hear commutation requests before pardons.

The Board of Pardons is composed of Governor Pete Ricketts, Attorney General Doug Peterson and Secretary of State Robert Evnen. Write them at:

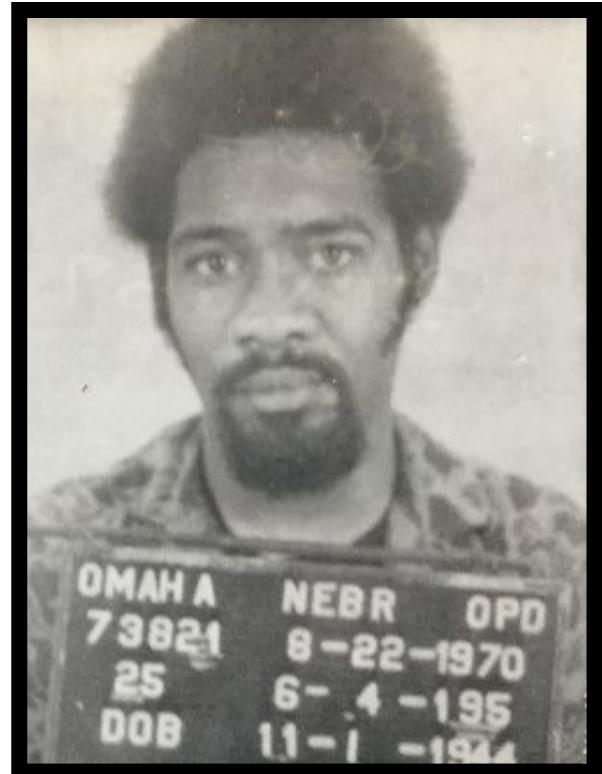
Nebraska Board of Pardons  
PO Box 95007  
Lincoln, Nebraska, 68509  
Phone (402) 540-2906 or  
Email

ne.pardonsboard@nebraska.gov.

**JJ:** What is the best way for our readers to learn more about your book and to read your articles about the case?

**MR:** More information on Ed Poindexter is available in my book, in print edition at Amazon and in ebook format. Portions of the book may also be read free online at NorthOmahaHistory.com. The book is also available to patrons of the Omaha Public Library: [www.northomahahistory.com/2017/07/07/framed-series-summary-by-michael-richardson/](http://www.northomahahistory.com/2017/07/07/framed-series-summary-by-michael-richardson/)

**JJ:** Any final thoughts?



**MR:** Ed's COINTELPRO tainted trial was fifty years ago. To most people that is ancient history, for many that was before they were even born. Yet for Ed, caged to the past, the prison experience is a fresh new shock every time he wakes up, every time an order is given, every time he is told what to do or where to go. Ed told me during one visit, "You never get used to it."

For Ed Poindexter the past is his present, let us all help to give him a future with freedom. It is long past time to end this wrongful imprisonment.

—Visit: [www.freepoindexter.com](http://www.freepoindexter.com)

## April 1, 1971: An Omaha prosecutor told falsehood to jury about Black Panther leader Ed Poindexter in murder trial opening statement

Fifty years ago, April 1, 1971, was the opening day of the Patrolman Larry Minard murder trial in Omaha, Nebraska. Prosecutor Arthur O'Leary, Deputy Douglas County Attorney, used the opening statement to tell the jury false information. Co-defendants Edward Poindexter and David Rice (later Wopashitwe Mondo Eyen we Langa) were Black Panther leaders, officers in the local National Committee to Combat Fascism. O'Leary sought the death penalty in Nebraska's electric chair for the two men who had been subjects of a year-long harassment campaign by the Omaha Police Department.

Officer Minard was killed on August 17, 1970 when a bomb exploded at a vacant house where he and other policemen were searching for a screaming woman as reported by an anonymous 911 caller. The Black Panthers were blamed for the crime and the two leaders charged with murder. The bomb had been planted at the vacant house by a fifteen year old Panther wannabe, Duane Peak.

The murder trial opened at the Douglas County Courthouse where half a century earlier Will Brown was lynched after a mob stormed the building. The fifth-floor main courtroom was under tight security as visitors were searched before entering.

O'Leary explained to the jury the two

men were "militants" and conspired to kill a policeman with a suitcase bomb. O'Leary said, "The evidence will show writings by the Defendant Poindexter and the Defendant Rice as to the political tenets and the aims of that particular party."

O'Leary stressed the case would depend largely on the testimony of confessed teen-age bomber Duane Peak. O'Leary said that Peak's testimony would be verified through the statements of other prosecution witnesses along with scientific evidence. As O'Leary summarized Peak's story for the jury he told how Raleigh House supplied the suitcase for the bomb, adding that Poindexter was present when House picked up the suitcase. "As a matter of fact, Duane Peak...was driven by a Rollie House with Mr. Poindexter to another residence."

However, Peak's testimony would contradict O'Leary as Peak claimed only he and Raleigh House went together for the suitcase and dynamite. Public Defender Frank Morrison, a retired politician and rusty in a courtroom, never required O'Leary to explain the discrepancy after Peak's testimony failed to implicate Poindexter in the acquisition of bomb-making supplies.

O'Leary's false statement that Poindexter collected bomb-making supplies

with Duane Peak and Raleigh House is a bitter irony. Poindexter was sentenced to life in prison, where he still is caged fifty years later; while House spent one night in jail and was never prosecuted for providing the suitcase and explosive; and Peak, who planted the bomb, served a couple of years in juvenile detention and never spent a single night in prison.

Was O'Leary's false charge to the jury against Poindexter a slip of the tongue that he failed to correct or a deliberate falsehood? O'Leary's conduct during the police investigation deprives him of the benefit of the doubt when he announced, in front of a court reporter, that the truth did not matter.

One of Duane Peak's interrogations was actually a deposition where O'Leary browbeat the sixteen year-old Peak. In a post-trial hearing O'Leary said he couldn't remember what he told Peak but did concede he asked some poor questions. The transcript tells an ugly story about O'Leary's little regard for the truth.

O'Leary to Peak: "I want to go over it once again. As a practical matter, it doesn't make any difference what the truth is concerning you at all."

O'Leary continued his attempt to extract information: "It doesn't hurt you one bit to tell me the rest, if there is any more."

"You realize now that it doesn't make any difference whether you did or didn't. That doesn't really make one bit of difference at all at this stage of the game but I want to make sure concerning somebody else that might have been involved. Because you see what it amounts to, Duane, is that eventually you are going to have to testify about everything you said here and it isn't going to make one bit of difference whether or not you leave out one fact or not, as far as you are concerned."

Ed Poindexter, in poor health, is imprisoned at the maximum security Nebraska State Penitentiary where he continues to maintain his innocence. Poindexter has a commutation of sentence request pending before the Nebraska Board of Pardons although the Board has announced it will hear pardon requests from ex-prisoners seeking restoration of rights before considering the case of Poindexter and other prisoners seeking commutation. The Board policy flies in the face of Covid virus recommendations to reduce inmate populations.

Co-defendant David Rice was also convicted and sentenced to life in prison. Rice later changed his name to Wopashitwe Mondo Eyen we Langa, made up from four different African languages. Mondo died at the prison in March 2016.

## April 5, 1971: Confessed bomber names Raleigh House as provocateur

Fifty years ago, April 5, 1971 marked the second week of testimony in the controversial murder trial of Edward Poindexter and David Rice (later Wopashitwe Mondo Eyen we Langa) charged with the bombing death of Patrolman Larry Minard. Confessed bomber sixteen year-old Duane Peak testified that Raleigh House, the treasurer of the National Committee to Combat Fascism, drove him to pick up the dynamite and suitcase used to construct the deadly device. However, House had an out in the prosecutor's office, Deputy County Attorney Arthur O'Leary, and only spent one night in jail and was never charged in Minard's murder.

Peak testified that he went with House to his home. "Rollie parked his car and went in the house and told me to wait."

Peak said he waited about fifteen minutes until Raleigh returned to the car. "Rollie came from behind the house with a suitcase. He brought it out to the car and put it in the back seat. It was a large suitcase and it was gray."

"We went down to the street behind David's house....Rollie instructed me to take the suitcase over to the back door of David's house....I knocked on the door and Edward Poindexter came

from around the side of the house, and David opened the back door."

"Ed set the suitcase on the floor and opened it."

"There were sticks of dynamite."

Another version Peak earlier told police had Raleigh House bring the suitcase out the front door instead of from the back. The discrepancy was not explored by defense attorneys.

House's first appearance in the case was when he was picked up in the week after the August 17, 1970 bombing during a police dragnet of the Near Northside. Raleigh House was released from jail on a signature bond authorized by Arthur O'Leary after one night in custody. House had been held with \$10,000 bail after being booked on suspicion of conspiracy to commit murder. O'Leary would not comment on House's release.

The preferential treatment of Raleigh House and lack of prosecution for supplying the suitcase and dynamite to Duane Peak suggests House was an informant. Mondo later wrote about House. "Of course, it's possible he was

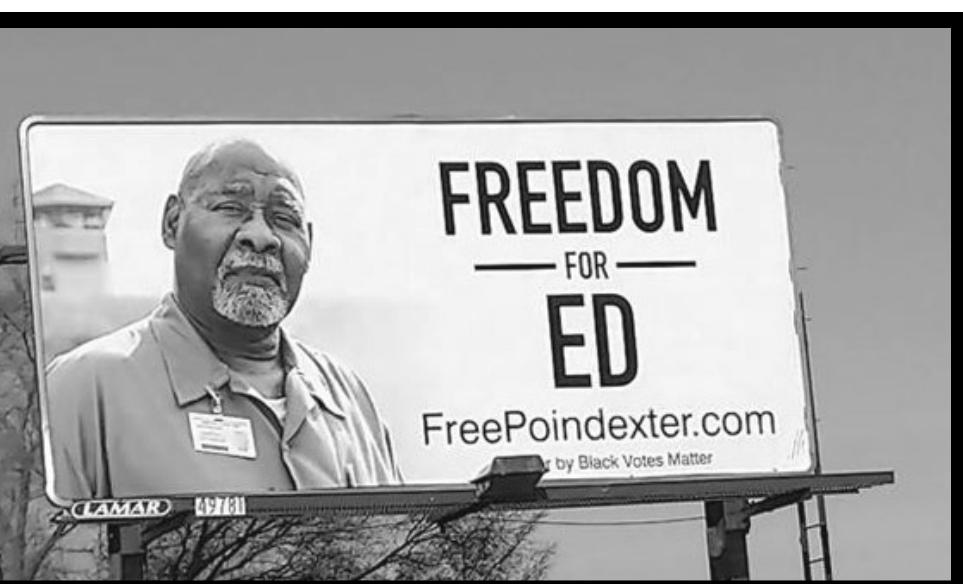


PHOTO: Free Ed Poindexter billboard made by Black Votes Matter.

an informant. I haven't given that much thought, he was one of four people who could have been charged." The four people mentioned by Mondo were Raleigh House, Donald Peak, Jr., Robert Cecil, and Frank Peak.

Raleigh House was well known by Omaha police and his name came up in Congressional testimony by Captain Murdock Platner in October 1970. Iowa Representative William Scherle asked Platner if he was familiar with House.

"Yes, sir; he is the treasurer, the original treasurer of the Black Panther Party, and he is the minister of finance in this National Committee to Combat

Fascism at this time." Platner failed to mention that Duane Peak had identified House as the supplier of the dynamite and suitcase for the bomb that killed a policeman.

Neither Duane Peak, who admitted planting the bomb in a vacant house, nor Raleigh House, who Peak said gave him the bomb-making supplies, were prosecuted for murder. Peak got off with a couple of years in juvenile detention and House only did a single night during the dragnet. Ed Poindexter, who denies any role in the crime, was sentenced along with Mondo to life imprisonment at hard labor.

## April 8, 1971: Omaha police detectives contradicted each other about dynamite

Fifty years ago, April 8, 1971, Omaha detective Jack Swanson was called to testify in the murder trial of Edward Poindexter and David Rice (later Wopashitwe Mondo Eyen we Langa). The two men were leaders of the local Black Panther affiliate group, the National Committee to Combat Fascism, and accused of the bombing murder of Patrolman Larry Minard, killed at a vacant house on the Near Northside on August 17, 1970.

Swanson, a sergeant in charge of the Intelligence Unit, was the police liaison with Federal Bureau of Investigation which was directing clandestine counterintelligence actions against the pair. Assistant prosecutor Sam Cooper asked Swanson about dynamite he claimed he removed from Mondo's basement. Swanson said samples of the dynamite were taken by Alcohol, Tobacco & Firearms Division agent Thomas Sledge after it was transported to the detective bureau. Assistant Public Defender Thomas Kenney asked Swanson to refresh his testimony about where he

found the dynamite in the basement.

"No, it wasn't in a hole dug in a wall, it was just a place that didn't go all the way down to the floor but there was—like starting right here, there was a place where you could store different things back there. When you looked back in this space, you could see it."

Swanson answered that he was the first one to find the dynamite then listed others present. "As I recall, it may have been Sgt. Pfeffer or Agent Sledge from the Alcohol, Firearms Division. I couldn't tell you for sure. I informed someone that I thought we had some dynamite in the basement. Well, there were at least four or five other parties because we examined this carefully before we moved it. We were looking for the possibility of a—that there might have been wire or something. It wasn't moved for at least ten or fifteen minutes after we discovered it."

Asked again who saw the dynamite before it was removed, Swanson tightened his answer. "Well, Agent Curd

was there and Sledge and Bob Pfeffer."

Cooper questioned Robert Pfeffer next. When asked about dynamite, Pfeffer quickly answered, "Sgt. Jack Swanson found the dynamite."

Kenney asked Pfeffer when he first saw the dynamite. "When Sgt. Swanson carried the box up from the basement of the Rice house." Kenney then asked if Pfeffer ever saw the dynamite in the basement. Pfeffer contradicted the testimony of Jack Swanson, "No, I never went down."

Pfeffer was asked to read a supplemental report he wrote on the search of Mondo's house where the dynamite "was in the basement hidden under a wooden door."

Poindexter and Mondo were convicted of murder, in part because of the dynamite allegedly found in Mondo's basement. Swanson was soon rewarded for his testimony against the pair and promoted to lieutenant and eventually served briefly as Chief of Police.

In 2007, in a post-trial hearing, Robert Pfeffer returned to the witness stand. Pfeffer claimed he found dynamite in Mondo's basement, not Jack Swanson as he testified at trial. When confronted with his contradictory testimony, Pfeffer became enraged and claimed he was misquoted by the court reporter. Pfeffer also claimed he found three suitcases with wires sticking out of them during the search of Mondo's house and described dragging the three suitcases with a rope through the handles. Pfeffer could not account how no police report or other witness confirmed the three suitcases or why they were not seized as evidence.

During the trial defense attorneys did not challenge the contradictory testimony of Swanson and Pfeffer despite the obvious conclusion at least one of them was lying. In 2007, when Pfeffer contradicted his own trial testimony nothing was done; Poindexter was denied a new trial and Pfeffer faced no perjury charges.

## April 12, 1971: Two cousins of confessed bomber dispute his testimony against Ed Poindexter

Fifty years ago, April 12, 1971, two cousins of confessed bomber Duane Peak testified that he did not meet with Ed Poindexter to discuss bombing Omaha police as he claimed earlier in the trial over the death of Patrolman Larry Minard.

Poindexter and David Rice (later Wopashitwe Mondo Eyen we Langa) were leaders of Omaha's affiliate chapter of the Black Panther Party called the

National Committee to Combat Fascism. The August 17, 1970 bombing murder of Patrolman Larry Minard was quickly blamed on the two men who were arrested and charged with the crime. The pair were implicated in the murder by the confessed bomber, fifteen year-old Duane Peak, a Black Panther wannabe. Peak, who was implicated in the bombing by his sisters, made a deal with prosecutors and never spent a

day in prison for the crime.

At trial William Peak was called to the witness stand as a defense witness. William said he was a third cousin to Duane Peak and gave some family history about how Duane came to be homeless and out of control. "Well, Duane's daddy used to like to drink a lot and he would go down the street and come back and beat up his wife and the kids and he stabbed Jackie two or three

times and they used to fight all the time and so one day he got mad and pulled a shotgun on all of them and told them to all get out and not come back."

William Peak denied that Duane had met and left with Poindexter at the Peak house anytime during the week before the bombing contradicting the teenager's testimony. William recalled an encounter with Duane and police explain-

Continued on page 16...

**...Continued from page 15:  
Omaha 2 Trial on April 12, 1971**

ing the young man's hatred of police. "Duane was with me and the police stopped us, first one car stopped us and they put us both up against the car and then about six more cruisers came and they started to handcuff Duane and me so they grabbed me and threw me on the ground and commenced to beating me and kicking me and Duane told them to stop it, not to do that to his cousin, and so they grabbed Duane and hit him two or three times and threw him in the other car."

William showed the jury three scars from the incident and he testified he also suffered from a torn ligament in his knee. "The police said, "We are going to kill these niggers," and they grabbed Duane and they said, "We are going to kill this little fat nigger here." They began beating on folks."

William Peak denied being at the American Legion club on Friday night before the bombing and said he was at a party at Jim Grigsby's house with Ed Poindexter, again contradicting his cousin. Peak also confirmed Poindexter's account of Duane once shooting a gun at NCCF headquarters. "A sparrow flew in the window and so he started shooting and he shot seven holes, two

through the floor, one through the ceiling, so I took the gun away from him before he grabbed the shotgun."

Frank Peak, Jr., another cousin of Duane, also took the witness stand and denied that Duane and Poindexter were ever at his house together. Frank corroborated William's testimony that Duane was not being truthful.

Virginia Rivers, Ed Poindexter's mother, was the next witness. Rivers told how Ed joined the Army when he was seventeen years-old, just after high school. Ed's mother testified he lived with her following his honorable discharge from the Army. She said Poindexter never had any explosives or bombs around the house.

Public Defender Frank Morrison conducted the examination of Ed Poindexter. Ed was confident and described his Army life. After discharge from the Army, Poindexter said he went to work for the Post Office in Atlanta but moved back to Omaha in February 1969 after his marriage soured.

Poindexter said he first met Duane Peak in November 1969 when Frank or William Peak brought Duane to the NCCF headquarters. Poindexter told of disciplining Peak for drug use. "Well, I never actually saw him take them but I

remember sometime during the winter of '69 and '70 he was put on two weeks' suspension for being out, for being on red devils."

Poindexter said he never showed Peak how to make a dynamite bomb in a suitcase as Duane claimed. Poindexter also denied giving Peak any instructions about the bombing or meeting Duane at Frank Peak's house. Poindexter denied going to Mondo's home with Raleigh House, the alleged supplier of the dynamite and suitcase, or having anything to do with construction of a bomb.

Poindexter related that after his arrest, his clothes were confiscated and he was released from jail without them "I was almost naked." The clothing was taken by ATF agent Thomas Sledge to deliver to the Alcohol, Tobacco & Firearms Laboratory.

Poindexter said he did not know how particles of dynamite got into the pocket of his camouflage jacket. The jacket was acquired in Vietnam, Poindexter testified. He said he helped transport some dynamite while in Vietnam but had no other contact with explosives than that.

Poindexter denied being at the American Legion club as Duane Peak testified

and said he was at a party instead. "I think I stayed there pretty late. I got drunk and I woke up after everybody was gone."

Testifying in a clear and steady voice, Poindexter told the jury that he never talked with Duane Peak about "how to kill a pig" and never knew Larry Minard nor had any reason to kill him. "I was unjustly accused of a crime, or accused of a crime I haven't had anything to do with."

Poindexter testified he joined the BPP during 1969. When the national organization disbanded the Omaha chapter later that year, Poindexter testified he joined a successor group, the United Front Against Fascism and later another group, the National Committee to Combat Fascism, which he headed.

Poindexter's affiliations created hostility by police. "Well, they didn't like me personal because I criticized them and because the organization criticized them, other members of the organization criticized them, you know."

When asked directly about involvement in Larry Minard's murder, Poindexter promptly replied. "I had nothing to do with it."

## **April 17, 1971: Omaha Two sentenced to life in prison at COINTELPRO corrupted trial**

Fifty years ago, April 17, 1971, Edward Poindexter and David Rice (later Wopashitwe Mondo Eyen we Langa) were convicted of murdering Omaha Patrolman Larry Minard and sentenced to life in prison. No one on the jury knew that the two week trial had been manipulated by Federal Bureau of Investigation agents working under a clandestine counterintelligence operation code-named COINTELPRO.

The jurors, who had deliberated for nearly twenty-five hours over a three day period, took their seats in the jury box. Judge Donald Hamilton asked the jury if a verdict had been reached. The court clerk read the decision of guilty with life sentences, first for Poindexter then for Mondo. Hamilton ordered the two defendants taken to the Nebraska State Penitentiary to serve their sentences "at hard labor."

Mondo said in a short interview following the verdict that he "did not get a fair trial" calling the case against him a "maze of conjectures." Mondo criticized the Omaha World Herald and local radio and television stations for slanting "towards the prosecution" in news broadcasts.

"I'm not going down to the state pen and say everything is beautiful. going to fight it and I'm going to go back onto the streets and do the same things, speaking out against the evils of the system which got me convicted."

Ed Poindexter cursed when asked if he wished to be interviewed and he was led away without making a statement.

Within an hour after the jury found them guilty, Mondo and Poindexter where taken from the Douglas County

Jail where they had been held since August 1970 and transported to prison in Lincoln to begin serving life sentences at the Nebraska State Penitentiary. The two men were shackled and each taken in separate cars.

Following the trial, the jury foreman whom Poindexter accused of sleeping during the trial, Myron Widger, Jr., was asked what took the jury so long to reach a verdict. "There were a lot of little things."

Widger said the jury agreed they would not discuss details of the deliberations.

If Poindexter had given a statement about his trial, it is likely he would have complained about his defense attorneys. In letters from prison, Poindexter outlined some of the mistakes made by his lawyers. "There was ineffective assistance of counsel at the trial by failure to interview six potential witnesses with exculpatory information.

George McCline said he had knowledge of who committed the crime and where the dynamite used was stored. Tyrone Stearns said he knew the source of the dynamite used in the crime."

Richard Gibson had information regarding who killed the policeman. Anthony Sanders had knowledge of two white men holding bomb making classes in the community."

Patrick Jones had information regarding who sold the dynamite to the individual who planted the bomb that killed the policeman. Finally, an "unnamed informant" tipped police that a black male was selling dyna-

mite."

"The attorneys failed to vigorously pursue Donald Peak's testimony concerning the contents of Duane's suitcase."

"There was the failure to vigorously pursue a valuable lead in a Social Security card found at the crime scene belonging to Johnny Lee Bussby."

"Counsel called Robert Cecil to the stand, asked a few questions and excused him without asking him how he got dynamite particles all over his hands."

"There was failure to at least enter an objection into the record for allowing a sleeping juror to remain on the jury, but wearing a pair of sunglasses."

"The jury foreman slept all throughout the trial, I complained to the lawyers, they took a short recess, then returned with the man wearing sunglasses for the rest of the trial as he continued sleeping."

"Raleigh House was implicated by Duane Peak, but the state did not pursue it because they were after only Mondo and myself, the so-called ring-leaders. Selective prosecution is the term for that. Robert Cecil was found to have had dynamite particles all over his hands, but the state never pursued him."

"Also note that he was not even asked any questions related to the dynamite particles found on his hands during his testimony at the trial, not by the prosecution or defense."

"The state also always knew Duane did not make that 911 call, but did not care who really made it because they

were only after Mondo and myself."

Mondo had more criticism of the trial. "Regarding the testimony of Duane Peak, from the time he was arrested to the time of the trial, Duane Peak gave a minimum of six different versions of the plan to "off a pig". Of all these versions, only one, which he gave at the trial, implicated me as having anything to do with the death of Minard."

"How can a witness tell even two different stories and one of them not be a lie? Duane Peak told a minimum of six. Duane Peak is a perjurer."

"All of Duane Peak's testimony linking me to the blowing up of Minard was negated by witnesses for the defense, two of them his own cousins."

"I don't believe he acted on his own. But I did not use him. I did not put his life in jeopardy."

"The prosecution claimed a piece of copper wire was found at the "scene of the bombing," that markings on this wire were compared in a lab to markings left on a piece of lead cut by pliers found in my house. The wire wasn't actually found at the scene of the bombing but in the basement of the house next door, about three feet from a tool bench."

"The only copper wire testified to as being used in the bombing was that from the blasting caps. That wire was a half to two-thirds smaller in diameter than the wire found at the house next door to the bombing."

"There are all kinds of things about the case that are really pretty basic and pretty outrageous that are part of the record that people don't know about."

## **From The Archives: Kiilu Nyasha calls for the release of elder political prisoner Ruchell 'Cinque' Magee**

Please sign the Change.org petition to California Governor Gavin Newsom!

Learn more about the 2021 freedom campaign: [www.freeruchellmagee.org](http://www.freeruchellmagee.org)

**Note From The Jamal Journal:** This article written by the late revolutionary journalist Kiilu Nyasha was first published by the San Francisco Bay View Newspaper on Feb. 2, 2017 with the title: "Ruchell Cinque Magee, sole survivor of the Aug. 7, 1970, Marin Courthouse Slave Rebellion"

**Preface:** I can hardly believe that 47 years have gone by since the August 7, 1970, Marin Courthouse Slave Rebellion. Ruchell is now 77 years old, same as myself. It's a sin and a shame the fascist state has practically taken this brother's whole life. And he has never seriously injured anyone. Quite the opposite, Ruchell has been responsible, through his jailhouse lawyering, for the release of countless prisoners over the five-plus decades he's been incarcerated. Here's his story, written years ago and updated.

"Slavery 400 years ago, slavery today. It's the same but with a new name."

—Ruchell Cinque Magee

I first met Ruchell Cinque Magee in the holding cell of the Marin County courthouse in the summer of 1971. He was soft-spoken, warm and gentlemanly in typically Southern tradition. We visited and corresponded for many years.

I had just returned to California from New Haven, Connecticut, where I had organized as a rank-and-file Panther, a leader of the People's Committee (a diverse auxiliary group) and a member of the legal defense team of three Panthers, Lonnie McLucas, Erica Huggins and Chairman Bobby Seale, on trial for murder and conspiracy.

Already familiar with courtroom injustice, racism and bias against Black defendants witnessed in two capital trials (Lonnie McLucas tried first), it didn't come as a surprise that Ruchell was getting a raw deal in the Marin courtroom where he was frequently removed for outbursts of sheer frustration, if the Naegeli Court Reporters would have taken care of it, the results would have been differently.

In my correspondence with George Jackson, author of the bestseller, "Soledad Brother: The Prison Letters of George Jackson," he had advised me to seek a press card in order to visit him at San Quentin. In so doing, I wound up working for The Sun Reporter, a local Black newspaper (byline Pat Gallyot), and covering the pretrial hearings of Angela Davis and Magee, subbing for Reggie Major.

By 1971, Ruchell was an astute jailhouse lawyer, responsible for the release and protection of a myriad of prisoners benefiting from his extensive knowledge of law used to prepare writs, appeals and lawsuits for himself and many others.

Now Ruchell was fighting for the

right to represent himself against charges of murder, conspiracy to murder, kidnap and conspiracy to aid the escape of state prisoners.

Although critically wounded on August 7, 1970, Magee was the sole survivor among the four courageous prisoners who conducted the courthouse slave rebellion. Nevertheless, he was charged with everything they could throw at him including the murder of the judge, a charge later dropped.

"All right gentlemen, hold it right there. We're taking over!"

Armed to the teeth, Jonathan Jackson, 17, George's younger brother, raided the Marin courtroom and tossed guns to prisoners William Christmas and James McClain, who in turn invited Ruchell to join them. Magee seized the hour spontaneously as they attempted to escape by taking a judge, assistant district attorney and three jurors as hostages in that audacious move to expose to the public the brutally racist prison conditions and free the Soledad Brothers – John Clutchette, Fleeta Drumgo and George Jackson – on trial for killing a guard with a mandatory death sentence if convicted.

McClain was on trial for assaulting a guard in the wake of Black prisoner Fred Billingsley's murder by prison officials at San Quentin in February 1970. With only four months before a parole hearing, Magee appeared in the courtroom to testify for McClain.

The four revolutionaries successfully commandeered the group to the waiting van and were about to pull out of the parking lot when Marin County police and San Quentin guards opened fire. When the shooting stopped, Judge Harold Haley, Jonathan Jackson, Christmas and McClain lay dead; Magee was unconscious and seriously wounded, as was the prosecutor, Gary Thomas. One juror suffered a minor injury.

In a chain of events leading to Aug. 7, on Jan. 13, 1970, a month before the Billingsley slaughter, a tower guard at Soledad State Prison had shot and killed three Black captives on the yard, leaving them unattended to bleed to death: Cleveland Edwards, "Sweet Jugs" Miller and the venerable revolutionary leader, W. L. Nolen, all active resisters in the Black Liberation Movement behind the walls. Others included George Jackson, Khatari Gaulden, Hugo L.A. Pinell (Yogi Bear), Howard Tole and Warren Wells.

After the common verdict of "justifiable homicide" was returned and the killer guard exonerated at Soledad, a white racist guard was beaten and thrown from a tier to his death. Three prisoners, Fleeta Drumgo, John Clutchette and Jackson were charged with his murder precipitating the case of The Soledad Brothers and a campaign to free them led by college pro-

fessor and avowed Communist Angela Davis and Jonathan Jackson.

Magee had already spent at least seven years studying law and deluging the courts with petitions and lawsuits to contest his own illegal conviction in two fraudulent trials. As he put it, the judicial system "used fraud to hide fraud" in his second case after the first conviction was overturned on an appeal based on a falsified transcript.

Magee's strategy centered on proving that he was a slave, held involuntarily and denied his constitutional rights.

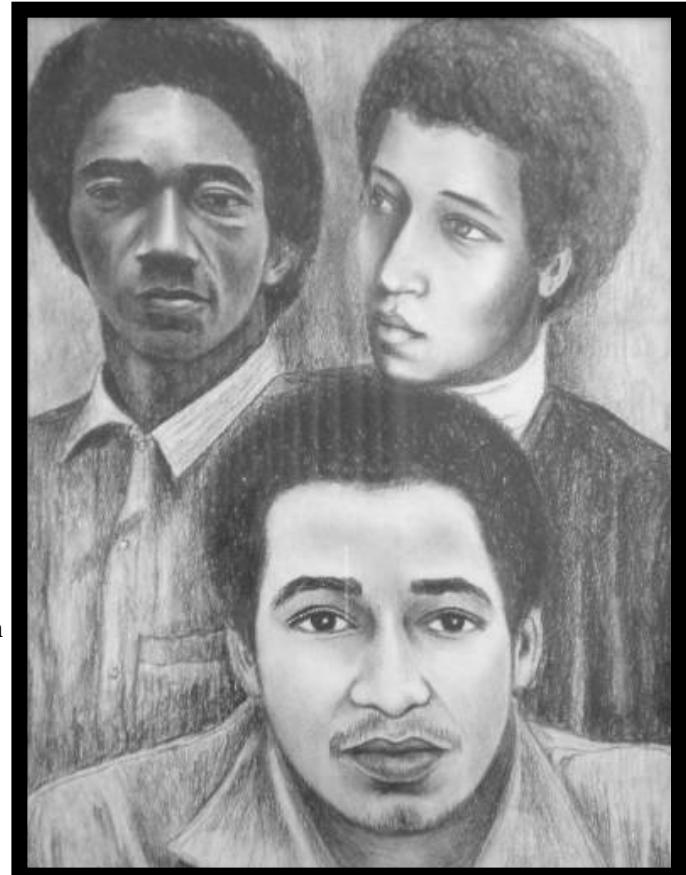
Therefore, he had the legal right to escape slavery as established in the case of the African slave, Cinque, who had escaped the slave ship, Amistad, and won freedom in a Connecticut trial. In fact, he added Cinque to his name.

Ruchell Cinque Magee had to first prove he'd been illegally and unjustly incarcerated for over seven years. He also wanted the case moved to the federal courts and the right to represent himself.

Moreover, Magee wanted to conduct a trial that would bring to light the racist and brutal oppression of Black prisoners throughout the state. "My fight is to expose the entire system, judicial and prison system, a system of slavery. This will cause benefit not just to myself but to all those who at this time are being criminally oppressed or enslaved by this system."

On the other hand, Angela Davis, his co-defendant, charged with buying the guns used in the raid and conspiracy, was innocent of any wrongdoing because the gun purchases were perfectly legal and she was not part of the original plan. Davis' lawyers wanted an expedient trial to prove her innocence. This conflict in strategy resulted in the trials being separated. Davis was acquitted of all charges and released in June of 1972.

Ruchell fought on alone, losing much of the support attending the Davis trial. After dismissing five attorneys and five judges, he won the right to defend himself. The murder charges had been dropped, and Magee faced two kidnap charges. He was ultimately convicted of PC 207, simple kidnap, but the more serious charge of PC 209, kidnap for purposes of extortion, resulted in a disputed verdict. According to one juror's sworn affidavit, the jury voted for acquittal on the PC 209 and Magee continues to this day to challenge the denial and cover-up of that acquittal.



Artwork by Kiilu Nyasha: Ruchell Magee with George Jackson and Jonathan Jackson.

Ruchell is currently on the mainline of Lancaster State Prison doing his 54th year in California gulags – many of those years spent in solitary confinement under tortuous conditions, despite having no assault or murder convictions!

Magee's case is a prime example of the maltreatment and persecution of young Black men in this very racist country. Here's a brother who was incarcerated at age 16 in Franklinton, Louisiana – Ku Klux Klan territory in the 1950s – for his association with a White girl. He was charged with aggravated attempted rape and sent to the notorious adult slave plantation, Angola, for eight years, then banished from the state and sent to stay with relatives in Los Angeles. His inherited property – his mother died while he was in Angola – was confiscated, no doubt.

Six months later, he got into a minor altercation, was arrested and brutalized badly enough to be hospitalized before being jailed in 1963. He immediately began filing writs and petitions protesting his illegal incarceration, and the rest is history.

So-called law enforcement in this country lets police and prison guards murder with impunity, while our Black brothers and sisters wind up serving life without the possibility of parole even though they never got that sentence.

Fight fascism! Free the people!

**--Kiilu Nyasha, Black Panther veteran and revolutionary journalist, hosted the TV talk show "Freedom Is a Constant Struggle," broadcast in San Francisco. Kiilu's writing and TV episodes are archived at her website:**

[www.kiilunyasha.blogspot.com](http://www.kiilunyasha.blogspot.com)

Write Ruchell Cinque Magee:

Ruchell Magee #A92051 #T 115  
California Medical Facility  
P.O. Box 2000  
Vacaville, CA 95696-2000

## From The Archives: How the FBI and Chicago Police Murdered Fred Hampton

November 2009 Book Review by Hans Bennett, Toward Freedom: "The Assassination of Fred Hampton: How the FBI and the Chicago Police Murdered a Black Panther," by author Jeffrey Haas

On the morning of December 4, 1969, lawyer Jeffrey Haas received a call from his partner at the People's Law Office, informing him that early that morning Chicago police had raided the apartment of Illinois Black Panther Party Chairman Fred Hampton at 2337 West Monroe Street in Chicago. Tragically, Hampton and fellow Panther Mark Clark had both been shot dead, and four other Panthers in the apartment had critical gunshot wounds. Police were uninjured and had fired their guns 90-99 times.

In sharp contrast, the Panthers had shot once, from the shotgun held by Mark Clark, which had most likely been fired after Clark had been fatally shot in the heart and was falling to the ground.

Haas went straight to the police station to speak with Hampton's fiancée, Deborah Johnson, who was then eight months pregnant with Hampton's son. She had been sleeping in bed next to Hampton when the police attacked and began shooting into the apartment and towards the bedroom where they were sleeping.

Miraculously, Johnson had not been shot, but her account given to Haas was chilling. Throughout the assault Hampton had remained unconscious (strong evidence emerged later that a paid FBI informant had given Hampton a sedative that prevented him from waking up) and after police forced Johnson out of the bedroom, two officers entered the room where Hampton still lay unconscious. Johnson heard one officer ask, "Is he still alive?" After two gunshots were fired inside the room, the other officer said, "He's good and dead now."

Jeffrey Haas' account of this conversation with Johnson jumps right out from the inside cover of his new book entitled *The Assassination of Fred Hampton: How the FBI and the Chicago Police Murdered a Black Panther*, just released. In this excellent new book, Haas gives his personal account of defending the Panther survivors of the December 4 police assault against the criminal charges that were later dropped, and of filing a civil rights lawsuit, *Hampton v. Hanrahan*, on behalf of the survivors and the families of Mark Clark and Fred Hampton.

The civil rights lawsuit lasted for almost 13 years, but ended with a \$1.85 million settlement paid equally by the city, county, and federal governments. This battle in the courtroom is a long and complex story, but the 375-page book packs a punch and clearly presents the legal complexities without

watering down Haas' outrage about Hampton's assassination and the cover up that followed.

### Fred Hampton was Assassinated

An autopsy conducted on Hampton by a doctor hired by Haas and the People's Law Office (PLO) confirmed Deborah Johnson's account about Hampton being shot twice after she was forced out of the bedroom. Haas reports that autopsy "found that both head wounds came from the top right side of the head in a downward direction...They were consistent with two shots to the head at point blank range. The downward angles of the bullets were inconsistent with the horizontal shots that came through the wall from the front." Other than these fatal bullet holes, the only physical marks on Fred were a bullet found embedded in the exterior of his shoulder and a graze wound in his leg. In two separate tests that were part of this same autopsy a high dosage of the barbiturate Seconal was found—enough to make Hampton unconscious or very drowsy.

At 4am on December 4, Cook County prosecutor Edward Hanrahan and 14 Chicago police officers assigned to Hanrahan had been armed with shotguns, handguns, and a .45 caliber machine gun. The raiders were officially carrying out a search warrant, looking for weapons, but suspiciously did not arrive at 8pm the night before when they knew the apartment was empty. Following the attack, Hanrahan and police publicly claimed to have been under heavy fire from the Panthers, and that Panthers had first fired on them through the front door. The actual evidence at the crime scene proved otherwise, and Chicago Panthers and supporters immediately mobilized to expose the police lies.

Hampton's apartment had been left unguarded, so the Panthers went inside to examine the scene alongside videographers who later released their footage in the 1971 documentary film entitled *The Murder of Fred Hampton*. The apartment was opened to the public, and the media was urged to come and see for themselves that there was only one bullet in the wall (from Mark Clark's shotgun) that could have been fired from the direction the Panthers were facing towards the front door. In contrast, there were 90-99 bullets in the walls that had been shot inward from the direction of the front door where police entered.

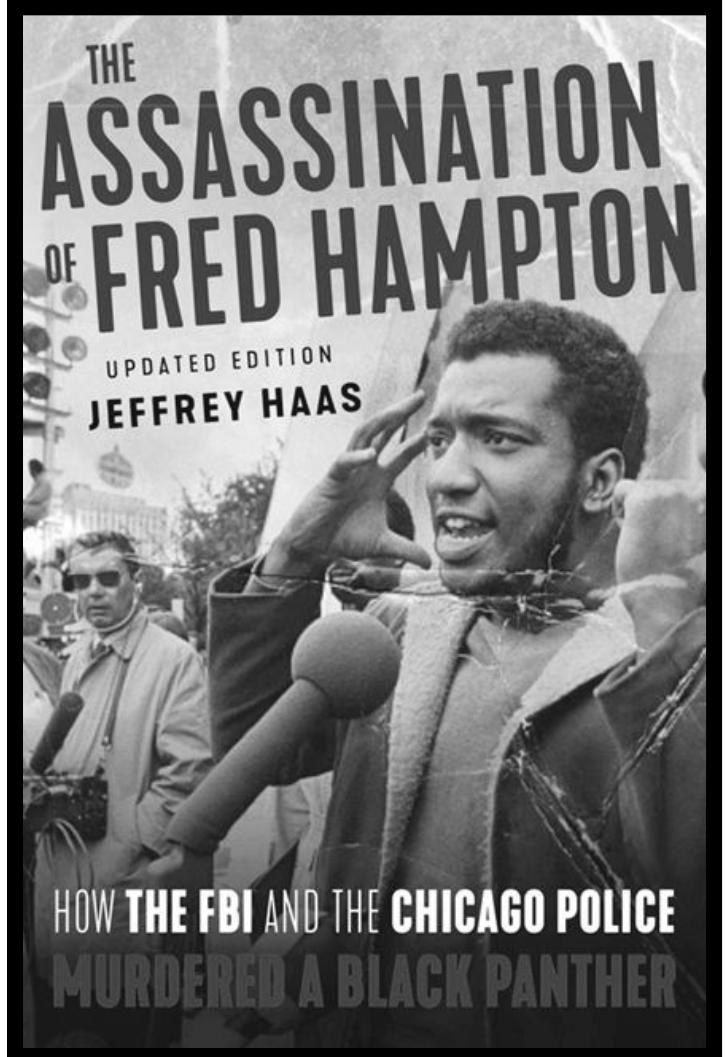
A county grand jury indicted each of the seven Panther survivors for attempted murder, armed violence, and other weapons charges, but all these charges would later be dropped. Hanrahan and police were first exonerated from any misconduct by the police Internal Investigations Division. Next, a coroner's inquest found Hampton and Clark's deaths were "justifiable homicide." A federal grand jury, led by deputy attorney general Jerris Leonard investigated whether Hanrahan and

police had violated the civil rights of the Panthers inside 2337 West Monroe Street. However, in May 1970, the federal grand jury issued a 132-page report, but no indictments. Furthermore, Haas writes that the report "never sought to determine who fired the fatal shots, where they were from, or whether they were fired deliberately to murder Fred." Following public pressure, in June 1970 a special prosecutor, Barnabas Sears, was appointed by Cook County's Chief Criminal Court

Judge Joseph Power. In July 1972, this criminal trial for conspiracy to obstruct justice began before Judge Philip Romiti. In November that year, all defendants were found not guilty.

After the federal grand jury's ruling in May 1970 that exonerated Hanrahan and others, they decided to file the civil rights lawsuit. At the meeting where the lawyers, December 4 survivors, and family members of Hampton and Clark made their decision, Clark's mother Fannie expressed how they all were feeling, saying "We can't just do nothing. Mark and Fred should still be alive. I want to bring their killers to trial." Reflecting back, Haas explains why the lawsuit was an important legal strategy as well. "In civil cases, extensive discovery is allowed. We could get to cross-examine all the defendants under oath at depositions, with court reporters recording what they said. The contradictions between Hanrahan's and the raiders' account, and the physical evidence made the prospect of confronting the defendants a trial lawyer's dream. We needed to write the complaint to combine the claims of the survivors and the deceased into one lawsuit against all the perpetrators. The legal construct we had found was to charge all the actors in a conspiracy to act together. That way we combined Hanrahan, [Hanrahan's assistant, Richard] Jalovec, the fourteen raiders, the crime lab people, and those who falsified the investigation. In May of 1970 we filed our complaint. We had no idea we were embarking on a 13-year battle," writes Haas.

The joint-civil suit was assigned to a right-wing judge named Joseph Sam Parry, who threw out their entire complaint on February 3, 1972. They appealed to the Seventh Circuit Court and on August 4, 1973, the Court overturned Parry, and sent it back for a new



trial. Unfortunately, they were unable to get a new judge, and throughout the subsequent 18-month trial, Parry was extremely biased and blocked all kinds of testimony and evidence from being entered into the record. The jury was deadlocked, but instead of declaring a mistrial, Parry himself ruled to dismiss the case entirely. Haas and PLO's subsequent appeal of Parry's ruling to the Seventh Circuit was successful, and the case was sent back down to the district court for a new trial. Fortunately, this time they got a new judge, who urged the defendants to make a settlement before starting a new trial.

Finally, on February 28, 1983, the settlement was made, and Hampton et al. received \$1.85 million from the city, county, and federal governments.

### COINTELPRO & Fred Hampton

The FBI's top-secret and illegal counterintelligence program dubbed "COINTELPRO" became public after a 1971 break-in to the FBI office in Media, Pennsylvania by unknown anti-war activists. These activists discovered these explosive documents that revealed an FBI war on the civil rights and later Black liberation movements, and quickly made them public.

Among these liberated files was a March 3, 1968 COINTELPRO memo discussing the urgent need to prevent "the beginning of a true black revolution." Among several of the program's goals was to "prevent the rise of a 'messiah' who could unify, and electrify, the militant black nationalist movement". This "Black Nationalist-Hate Groups" memo refers to Martin Luther King (long a target of the FBI) as a potential "messiah" of the supposedly hateful and "violent" Black liberation movement.

This same document stated:

Continued on page 19...

## Free Sundiata Acoli!

Sign the Color of Change petition

Written by Lumumba Bandele

To: NJ Governor Phil Murphy

**Bring Sundiata Home**

I urge you to exercise your executive power to release Sundiata Acoli by commuting his sentence to time served. Mr. Acoli (formerly Clark Squire) is 84 years old and has been incarcerated nearly 48 years. He was sentenced to life with the possibility of parole for the 1973 killing of State Trooper Werner Foerster. He has taken responsibility and expressed remorse. For the past 27 years Sundiata has had a completely clean disciplinary record and is a strong candidate for commutation.

Sundiata has strong family support and they are prepared to care for him. Further evidence of the fact that he presents no risk to public safety, is that he has been assigned to teach the Federal Bureau of Prisons's course in Avoiding Criminal Thinking, since 2013. This program teaches younger men how to avoid recidivism. As you know, there is a presumption of release on parole in New Jersey unless it is clearly demonstrated that there is a risk to public safety. However, Sundiata has been denied parole 6 times despite all the compelling evidence in his favor and the fact that he successfully prepared dozens of his peers for release.

Sundiata Acoli is elderly, with significant health complications including residual symptoms resulting from his hospitalization last year for COVID-19. His battle with the deadly virus resulted in his loss of 30 lbs. His increasing and irreversible health issues include cardiac disease, emphysema, glaucoma and advancing dementia and exacerbate the urgency of this situation. Mr. Acoli's condition is progressing and if not given commutation, he and his family will never benefit from his release. Sundiata Acoli is the very model of a person deserving of release as was the intent of the 1979 Parole Act. At 84 years of age, with dementia and declining health, he is no threat or danger to society. A simple sense of basic compassion and human kindness cry out for commutation. In this historic moment, you have an opportunity to exercise justice removed from the desire for revenge, hate and punishment. Bring Sundiata Acoli home now.

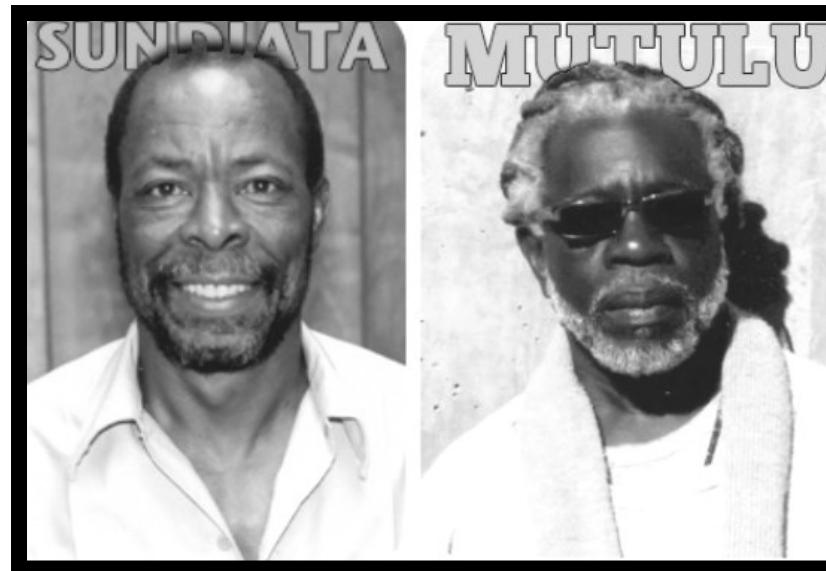
### **...Continued from page 18: The Murder of Fred Hampton**

"Through counterintelligence it should be possible to pinpoint potential troublemakers and neutralize them." Another stated goal was "to prevent the long-range growth of militant black nationalist organizations, especially among youth. Specific tactics to prevent these groups from converting young people must be developed."

One specific tactical approach was expressed in an April 3, 1968 communiqué arguing that "The Negro youth and moderates must be made to understand that if they succumb to revolutionary teaching, they will be dead revolutionaries."

When these liberated COINTELPRO files became public, Haas, PLO, and his Panther clients immediately suspected that the Dec. 4 police raid had been part of this program, and that the FBI had viewed Hampton as a potential "messiah," who needed to be "neutralized." As part of their civil rights lawsuit, they filed numerous motions requesting all FBI files relating to the Illinois Panthers and COINTELPRO. After repeated attempts by the defendants and Judge Parry to cover up the FBI role, eventually a few explosive documents were made available.

One document showed a drawing made by the FBI's paid informant, William O'Neal, which provided the



## Free Mutulu Shakur!

Sign the Color of Change petition

Written by Lumumba Bandele

To: US Parole Commission

**Support Parole and Compassionate Release for Dr. Mutulu Shakur**

We strongly support the parole and immediate compassionate release for Dr. Mutulu Shakur. We are confident that his release poses no danger to our communities, and we urge you to allow him to rejoin his family and friends.

Dr. Shakur is recognized as a leading member of the movement for human rights for African Americans. He has spent over three decades behind bars because of his political beliefs and the actions motivated by those beliefs. He is also recognized as a Doctor of Acupuncture who pioneered the use of acupuncture for drug addiction. Acupuncturists all over the United States and Canada are still utilizing his work to this day.

Mutulu's convictions come out of a complex and turbulent moment in American history, when civil unrest fractured our country into pieces. They arise from his commitment to the social justice movement for Black liberation, originating in the 1960's. He was targeted and victimized by the FBI's now-infamous Counter-Intelligence Program (COINTELPRO) as early as 1968. He was convicted of RICO conspiracy and connection to the 1981 Brinks Robbery, and the earlier prison escape of Assata Shakur. Dr. Shakur has taken full responsibility for his life and his actions.

Dr. Shakur has received a diagnosis of life-threatening advanced bone marrow cancer. He had already been diagnosed with type 2 diabetes, hypertension, hyperlipidemia, and glaucoma. In 2013, he suffered from a stroke that required several months for recovery. In 2019 he experienced increasing pain; after months of medical neglect, advanced bone marrow cancer was diagnosed. Now Mutulu is suffering from extensive painful bone lesions, caused by the growth of the bone marrow cancer in parts of his spine, ribs and pelvis. The cancer has also destroyed a large area of bone around his right 7th rib, replacing bone with cancer cells, creating a propensity to break. Dr. Shakur is 69 years old, and aging in prison after 34 years of incarceration. He needs treatment and recovery in humane conditions immediately. We fear for his survival and his life. (*NOTE FROM JAMAL JOURNAL: A second Color of Change petition for Mutulu was just launched at the time of publication. This petition is written to President Biden to "Grant Clemency for Dr. Mutulu Shakur, a father, grandfather, healer, & human rights activist." Learn more at [www.mutulushakur.com](http://www.mutulushakur.com)*)

floor plan of Hampton's apartment. The FBI had supplied this diagram to prosecutor Edward Hanrahan before he led the raid several days later. Following the raid, the FBI paid O'Neal a special bonus to thank him for providing the diagram.

Another document surfaced showing that the FBI had made a deal with deputy attorney general Jerris Leonard, who led the 1970 federal grand jury investigation. In an effort to conceal the FBI's role and the still-secret COINTELPRO, they decided that the criminal charges would be dropped against the seven Panther survivors, and in exchange the federal grand jury would rule in favor of Hanrahan and the police raiders.

A third explosive document showed a fake letter sent to Jeff Fort, the leader of the Blackstone Rangers, which accused the Panthers of planning a "hit" on Fort. The FBI hoped that the fake letter would incite Fort and the Rangers to "take retaliatory action" against Hampton and the Panthers.

As this new documentation emerged, the FBI was added to the list of defendants for the civil rights lawsuit, and making the FBI pay 1/3 of the \$1.85 million was a key part of the settlement.

### **They Got Away With Murder**

Certainly, the \$1.85 million lawsuit was only a partial victory. No amount

of money can replace the lives of Hampton and Clark, or heal the gunshot injuries that several of the Panther survivors still suffer from today. Furthermore, it is painful to accept that none of the conspirators were ever convicted of any criminal charges, nor were they forced to pay for the settlement out of their own pockets. However, the scale of victory should not be judged by the settlement money alone. On the last page of the book, Haas describes a 2008 visit with Iberia Hampton shortly after her husband Francis had passed away. He asked her "after all these years, what do you think our lawsuit proved?" Without hesitation Iberia replied, "They got away with murder."

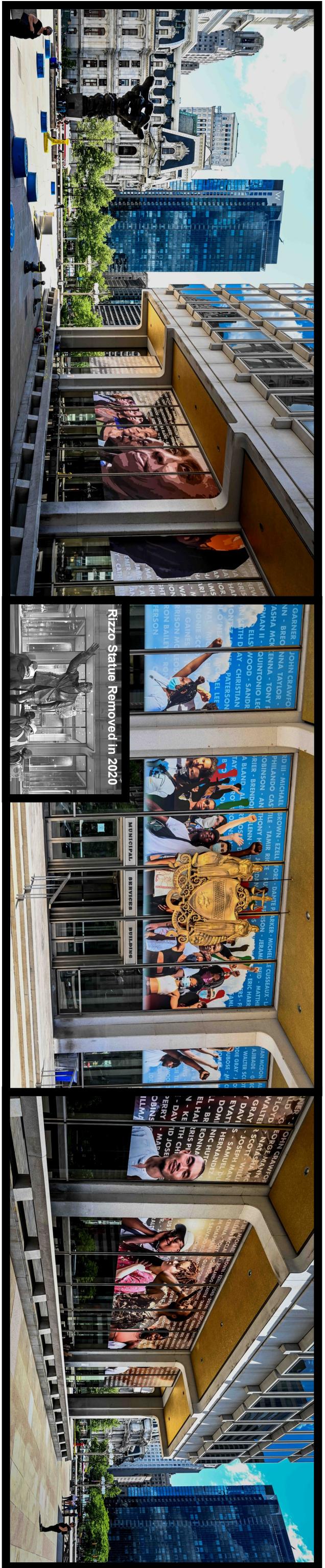
Indeed, they did get away with mur-

der. In this context, the victorious civil rights lawsuit has been used to further expose and document this stark injustice. Many COINTELPRO files were made public because of the lawsuit, and the numerous conspirators were put under some scrutiny for the public to see.

Today, if we learn anything from this story, it's that we should have no illusions about how far the government is willing to go in repressing dissent and then covering it up. Also, the courtroom victory that was fought against all odds should inspire activists today who are working around issues of state repression and political prisoners. We can win, and we should never give up the fight.



PHOTO: Chairman Fred Hampton Jr. elicited raised fists from the crowd while speaking at the April 24, 2021 Birthday Celebration for Mumia in Philadelphia. Photo by staff photographer Joe Piette.



# Murals Honoring Black Activists Now Wrap the Municipal Services Building

By Peter Crimmins / WHYY

May 11, 2021

Two new murals flank the sides of the Municipal Services Building, across from Philadelphia's City Hall. They honor Black activists of the past year, as well as the past several decades.

Both murals – “Crown: Medusa” and “Crown: Freedom,” by Mural Arts Philadelphia artist Russell Craig – are continuations of the mural he created for the front of the MSB building, “Crown,” unveiled last summer. All three images are based on photographs of contemporary people, and make references to 19th and early 20th century classical paintings.

The mural on the west side, “Crown: Medusa” is a group portrait of several younger activists set against a backdrop of names of unarmed Black people killed by police.

In the center is Sudan Green, the founder of Spirits Up!, who advocates healing and wellness for Black people through yoga and meditation. Craig put an image of Théodore Géricault’s “The Raft of the Medusa” (1818) on Green’s t-shirt in the mural. It’s a chaotic and tragic painting depicting shipwrecked sailors struggling on a makeshift raft.

Green had not been familiar with the painting. When he saw it on his chest in the mural, he read it

as a struggle for survival: the inspiration for Green to advocate for Black wellness came last May, when he participated in a demonstration following the murder of George Floyd by police last summer.

That demonstration escalated into clashes with police. That scene of unrest was at the exact spot where the mural is now.

“It was the first time I was in a protest witnessing people being harmed, harmed by police right here on these stairs, right where we’re standing now,” said Green. “I knew I wanted to start Spirits Up, because I knew I couldn’t do that every day.”

The other figures in “Crown: Medusa” are Max Ho, Debora Charmelus, Christina Jackson, Aaliyah Michelle, and Gregory Coachman.

On the east side of the building is “Crown: Freedom,” a lineup of Black women activists shown in profile, some of whom have been fighting for Black liberation for many years – like Ramona and Pam Africa of MOVE. Others depicted have come to prominence only in the last year, like Dr. Ala Stanford, who founded the Black Doctors COVID-19 Consortium in order to get Philadelphia’s Black communities tested and vaccinated against the COVID-19 pandemic.

Stanford feels honored to be included in the mural, but also sad. She wept when she saw the mural for the first time, with its background of names of murdered Black people.

“Every time I see Sandra Bland’s name, I see myself,” said Stanford. “I remember where I was with Walter Wallace Jr. ... when that happened. And Eric Garner in New York. I remember that. So as much as it’s jubilant, it’s different for me. I can’t explain it.”

“Crown: Freedom” is based on the Howard Pyle painting, “The Nation Makers” (1901), showing a line of Revolutionary War soldiers, in profile, walking into battle. The figures in the mural also include YahNé Ndgo, Keziah Ridgeway, Krystal Strong, Ajieenah Amir, and Sajida “Purple Queen” Blackwell, who is also a partner of WHYY’s News & Information Community Exchange (N.I.C.E.).

Stanford saw the mural, showing that lineage of

women activists, as a depiction of how far we have

come, but it also made her think about how far we still must go. All of the women in the mural were at its unveiling, and posed together for a photo. Stanford wanted them all to smile for the camera, but was dismayed when she discovered that some of them had to keep their masks on because they

have not yet been vaccinated. That hit home for the doctor whose number one priority for over a year has been to protect Black Philadelphians from the virus.

**ABOVE:** Three photo panorama by Jamal Journal staff photographer Joe Piette.  
**BELLOW:** Photo of May 11, 2021 mural ceremony by Kimberly Paynter / WHYY.



**PHOTO:** (left to right): Dr. Ala Stanford, Ajeenah Amir, Sajida “Purple” Blackwell, Krystal Strong, and Kezia Ridgeway, at the Crown mural. Significantly, the new mural’s location is directly behind where a controversial statue of former Mayor Frank Rizzo (a notorious racist and advocate of police brutality) was removed by the City of Philadelphia on June 3, 2020. Upon removal, Mayor Jim Kenney said: “The statue represented bigotry, hatred, and oppression for too many people, for too long. It is finally gone.”

*—Peter Crimmins reports on Art & Culture for WHYY. He rides his bike to work from South Philadelphia.*