
THE BUFFALO CHIP

The Nebraskans for Justice Newsletter

Winter 2007

ANGELA DAVIS COMES TO NEBRASKA IN SUPPORT OF ED POINDEXTER AND MONDO WE LANGA

Angela Davis, activist, author, prison reformer, professor at the University of California at Santa Cruz, and a “serious senior sister of the struggle,” made her third visit to Nebraska in support of Ed Poindexter and Mondo we Langa on November 11.

A capacity crowd filled the Preston Love Jazz and Art Center at 2510 N. 24th to hear Professor Davis speak.

Earlier in the day, at the Nebraska State Penitentiary in Lincoln, she had had visited both Ed and Mondo, now in their thirty-seventh year of incarceration for a crime they did not commit. Her separate meetings with the two men, each about an hour long, enabled the three to renew their acquaintance as well to discuss the prospects of their cases.

Professor Davis’s remarks to the audience at the Omaha NFJ fundraiser included greetings from Ed and Mondo, whose main message to their supporters, she reported, was “Don’t forget.”

Her talk ranged knowledgeably and eloquently over a great many topics of current concern: Hugo Chavez and the



resurgence of socialism in South America, the US-instigated wars in Iraq and Afghanistan, the attacks of affirmative action and “illegal” immigrants, and the recent elections, which she believed “the Democrats had won by letting the Republicans lose,” rather than by putting forward a meaningful agenda for change themselves.

She reminded the audience that there are still many political prisoners being held in the United States, and spoke of the life and work of the late Stanley “Tookie” Williams.

An extraordinarily lively question-and-answer session followed her talk. Professor Davis offered advice and consolation to a woman whose son was currently incarcerated, and responded to a young man’s inquiry about a revival of the Black Panther Party by cautioning against trying to meet new and unprecedented challenges by imitating the past.

“Don’t forget” was the message Professor Davis brought to the crowd from Ed and Mondo, and she herself has clearly *not* forgotten.

MESSAGE FROM NFJ PRESIDENT TARIQ AL-AMIN; LEGAL UPDATE

First, I want to thank everyone for their hard work and dedication to our mission. We are quickly approaching one of most important dates in the effort to gain freedom for Ed and Mondo.

On January 18, 2007 a hearing was held on the admission of the 911 tape. The prosecution argued that the defense's use of the tape was not for the same purpose that the prosecution had earlier used it for. Therefore, the prosecution claimed, the burden of proof of its authenticity falls on the defense. We argued, in part, that since the tape has been held in the custody of and already been used by the state, we should not be denied its use.

On February 8, 2007 Judge Bowie issued his response: "The court declines to rule in advance of the evidentiary hearing on defendant's motion for post conviction relief that Exhibit #17 is authentic and admissible...".

The evidentiary hearing has been scheduled for May 8 - 11, 2007.

On December 12, 2006 Mondo made an appearance before the Parole Board.

There were three members present. He was later notified by the board that his case had been deferred until the year 2016. Let's do the math; he will be 69 years old. We can't let that happen.

A Luta Continua, Tariq Al-Amin

NEBRASKA ACLU FILES BRIEF IN POINDEXTER HEARING

ACLU Nebraska has agreed to file an amicus curiae ("friend of the court") brief for Ed Poindexter. These sorts of briefs are submitted by outside parties with no stake in the outcome of the case but who have a perspective that may be helpful to the court.

"Our brief will focus on the historical facts about COINTELPRO and how the FBI targeted black nationalist leaders during the 1960's and 1970's," said ACLU Nebraska Legal Director Amy Miller. "This is the sort of information the judge needs to know to fully understand what happened in this case, but it's not appropriate for Mr. Poindexter's own attorney to argue about these issues since they're outside the scope of evidence. We have more leeway as amicus, and hope to broaden the picture of how racial discrimination motivated federal agents to frame black activists."

The FBI records released about both Ed Poindexter and Mondo we Langa prove that the men were under surveillance by law enforcement, and that the FBI was interested in "neutralizing" their political activism long before the murder of officer Larry Minard.

The ACLU Nebraska brief will be submitted to the trial court when the hearing is held.

Reflections from Mondo

[The following piece by Wopashitwe Mondo Eyen we Langa first appeared in the Omaha Star, June 22, 2006.]

Earlier this month, it was reported in the local media that a voice analyst hired by an attorney for Ed Poindexter had determined that the voice on a tape of a 1970 call to police was not that of Duane Peak. Duane Peak is the person who testified at the trial of Ed Poindexter and myself (then known as David Rice) that he had placed a suitcase bomb in a vacant house and then called police headquarters to lure cops there with a false report of a woman screaming.

The significance of the finding by the voice analyst, Tom Owen, is that, if Duane Peak did not make the call, this is proof of perjury on his part and evidence of prosecutorial misconduct on the part of the Douglas County Attorney's office for using testimony it knew or suspected was false. Robert Bartle, Ed's attorney, is using this finding by Owen to seek a new trial for Ed.

In the near future, I will say more about the legal and justice-related issues that are a part and/or are connected to efforts by Ed to achieve *judicial relief*— it's more than 35 years too late for anything approaching *justice*. For now, I want to deal with a couple of issues that are, in a sense, more personal.

Every time, over the course of these 35-plus years that Ed and I have been locked up, there's been some kind of positive development in this case, when there's been some glimmer of hope of one or both of us being released, the local media have sought out the surviving family members of Larry Minard, the cop who was killed by the boob-trap bomb that Duane Peak testified to planting.

These family members speak of pain that comes from having to relive the slaying of

their relative. They speak of anger that I, and now Ed, won't give up this fight for release from prison.

Because it seems to me that Minard family members who have been interviewed have made up their minds that Ed and I are guilty of the killing of their relative, I won't say much in their regard. But I will say this. If a relative of mine was murdered, I would be in pain and would be angry at the person(s) responsible.

I doubt that I would be willing to forgive. But at the same time, I would want to know who the killer of my family member *truly* was and I would not be willing to just automatically accept a finding of guilt by a court system which allowed a trial to occur that was marked by the uses of perjured testimony, coercion of a key witness, falsified physical evidence, selective prosecution, etc.

I would want to know that I was angry at and unforgiving toward the *right* person or persons. That fact is that I can identify with a person having a sense of loss at the death of a loved one. But I am an African man, who has never killed anyone, never conspired with anyone to kill or injure people, and who has spent almost two-thirds of my life locked up for the "crime" of having been an outspoken Black Panther.

What am I expected to do? Stop attempting to get relief from the courts for the unjust imprisonment I've been subjected to for more than three decades because there are people who feel hurt whenever news about the case comes up? Don't I have relatives? Don't they have feelings?

Essentially, I'm addressing myself to you in the African community of Omaha where I was born and raised by my mother, Vera Rice, and my Daddy (may the spirit of Otis be at peace in the realm of the ancestors.)

There are a couple of things that must be made clear. I was in the Black Panther Party and am proud of this. I became a member of the party because of my love for African people, not for any hatred of others. While I was and am a man of peace, I was not a person who believed we had an obligation to turn the other cheek when subjected to abuse – physical or otherwise.

In fact, I had guns in my house – no automatic or other illegal weapons, and contrary to reports otherwise, I had no dynamite or blasting caps. I had these guns because I had no intention of being a willing victim of a police shoot-in. We must recall that in 1969, Panthers Fred Hampton and Mark Clark were murdered in their beds by Chicago cops. This was a police shoot-in.

As I said, I joined the Black Panther Party because of my love for African people. Duane Peak, who was 15 years of age at the time of the bombing, is an African. At the time, he was an African who essentially was still a child. Had I decided it was a necessary for a cop or anyone lese to be killed, I would not have used a child. I would not have put an African child's or any other brother's or sister's life in jeopardy.

In this case, we are talking about a suitcase booby-trapped with sticks of *dynamite*. One cannot claim to be a "brother" and, at the same time, use someone he's allegedly a brother of to perform a deed that would the person's life at risk.

Not only is there the matter of love, but one of good sense. As was testified to in Ed's and my trial, Duane was someone who did pills and other drugs and was suspended at least once from our chapter for being intoxicated from drug use. Another time he was suspended for firing several bullets at a sparrow that had flown inside our headquarters, which was at 26th and Parker at the time.

In short, Duane was a youth who was unstable. Moreover, Duane was not political. Like any African or other person of color in the U. S., he had justifiable reasons for being angry. But he wasn't a

youth who was studying about the U. S. political/economic systems and so forth.

He was a young brother who, like many today, was looking outside of his home for a sense of belonging. I don't believe he acted on his own. But I did not use him. I did not put his life in jeopardy.

While there has been much made over the years of the fact that the Black Panther Party, in Omaha as well as nationally, called cops "pigs" and otherwise was in a war of words with them, and sometimes in a physical war, little has been reported in the local media about the fact that Ed and myself and a couple of other members of the Omaha Chapter of the Black Panther Party's National Committee to Combat Fascism (NCCF) were meeting with certain African members of the Omaha Police Department.

We were meeting with them in an effort to get a local chapter formed of the Afro-American Policeman's League, which had been founded in Chicago by Renault Robinson. Eventually, some years after the trial and Ed's and my imprisonment, the Brotherhood of Midwest Guardians was formed.

What's the point in this? It is that the house at which the bombing took place was at 29th and Ohio. The African policemen we had been meeting with could have been sent to that house. The two African policemen in particular, who had intervened in a couple of volatile situations between our NCCF chapter and gangs of trigger-happy European (Caucasian) cops, could have been sent to that house. Their lives could very well have been put in jeopardy.

There are many issues concerning this case that can and will be talked about. But I appreciate the opportunity to have spoken of just the few raised here.

FUNDRAISER DINNER FOR ED AND MONDO

Mark your calendars now for April 14th! The University of Nebraska's Nebraskans for Peace organization is sponsoring a dinner on behalf of Mondo we Langa and Ed Poindexter. The dinner will be held in the Regency Suites Room of the University of Nebraska City Campus Union in Lincoln. The dinner will begin at 7 p.m. and is being catered by Cafe de Mai. Tickets will go on sale March 19th. Tickets are \$10.00 for students and \$15.00 for the general public. The attorneys will be there to give an update and to discuss the upcoming evidentiary hearing on May 8th through the 11th. Please join us on April 14th! Tickets and additional information can be obtained from Mary Dickinson 435-3073 (mdickin@lps.org), and Nan Graf 435-7883. You can also obtain tickets from Nic Swiercek, 659-1420 and at nebraskansforpeace.unl@gmail.com.

NEW DATES FOR ED POINDEXTER'S EVIDENTIARY HEARING

MAY 8, 9, 10, AND 11

OMAHA DISTRICT COURT

IDEAS REQUESTED FOR AUGUST 2007

Nebraskans for Justice needs to plan for the August, 2007 events that will call attention to Ed's and Mondo's 37th year of unjust incarceration.

If Ed Poindexter's evidentiary hearing in Douglas County Court – May 8, 9, 10, and 11 – results in his release, then he, of course, would be the keynote speaker of our main event. But we need to plan for fund-raising and informational events from Friday, August 24 through Friday, August 31, 2007.

We invite supporters and new readers of the *Buffalo Chip* to send additional program ideas to us. If you know of a celebrity who is friendly to JUSTICE FOR ALL, please contact us about a date and time when the person or persons could come to Nebraska and take a stand for this important cause. Any ideas/ Call Nan Graf at (402) 435-7883.