‘I never wanted the American dream for him, but I sure as hell wanted him to stay out of jail’

A FATHER’S STORY

By Martha Gies

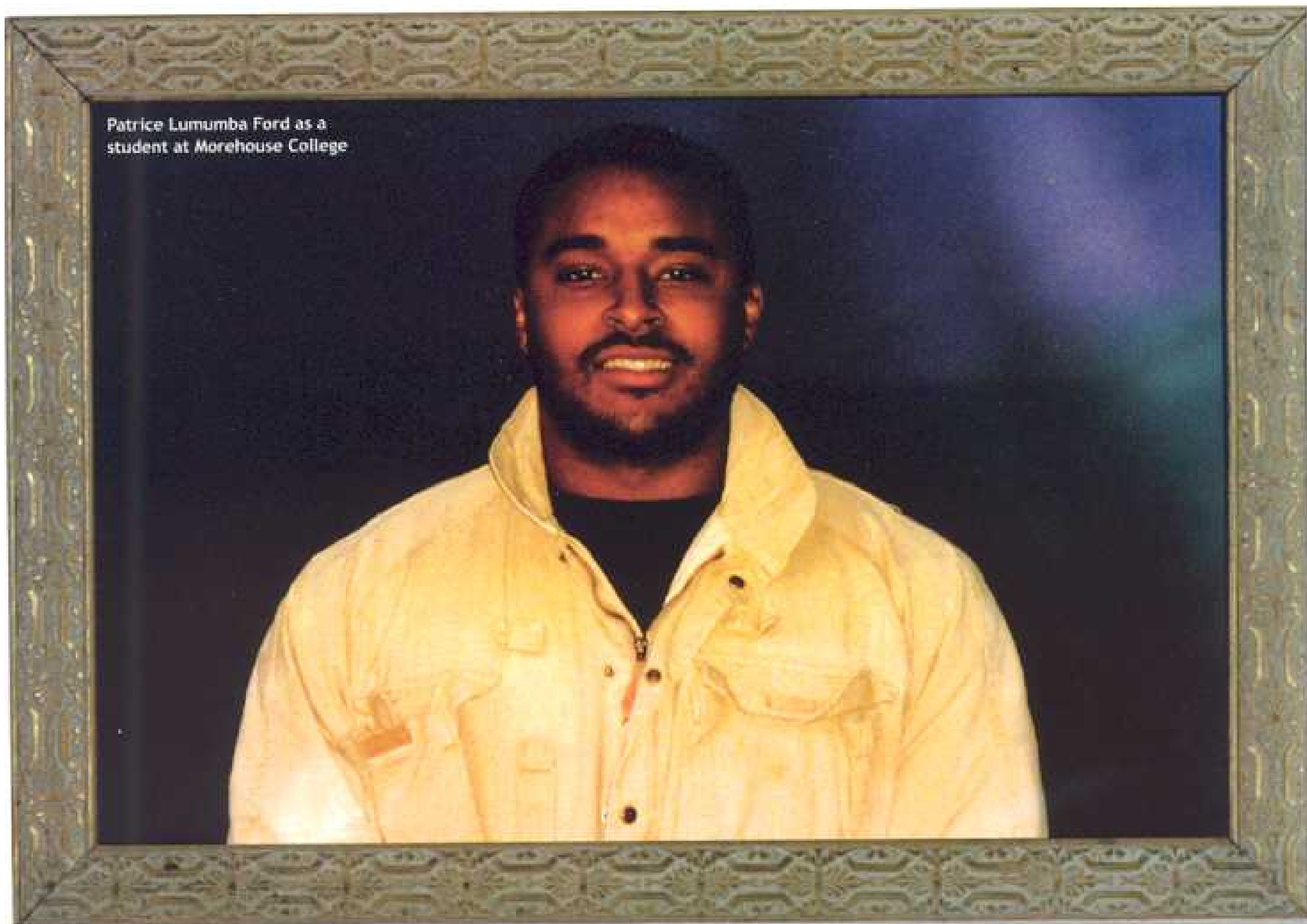
Photographs by Owen Carey

THE WEATHER REPORT for Portland says the temperature will hit the high 80s, but at 8:30 a.m. on Tuesday, August 31, 2004, the sun brightens without warming the chill walls of the Mark O. Hatfield Federal Courthouse. Prominently etched in the green marble is an Alexander Hamilton quote—*The first duty of society is justice*—and on a bench below it sits a solitary man, dwarfed by the spacious lobby. At 61, Kent Ford is a stocky, grizzled figure, his hair graying and shorn of the Afro he wore "back in the day."

Today federal judge Robert E. Jones will decide whether or not Ford's son, Patrice Lumumba Ford, was in contempt of court for having refused to answer questions when he appeared before the grand jury several months ago.

Wearing a T-shirt imprinted with a mug shot of his son's face, Kent Ford is here to greet friends and family as they arrive for the hearing and to hand out leaflets protesting his son's sentencing, last November, to 18 years in a maximum-security federal prison on conspiracy charges as one of the "Portland Seven." The United States government regards today's contempt hearing as yet another chapter in its war against terrorism; according to Ford's leaflets, it's another chapter in its war against Islam.

Three dozen people—half of them white, a few dressed in the loose, flowing gowns and white embroi-



Patrice Lumumba Ford as a student at Morehouse College

FAMILY PHOTOGRAPHS COURTESY KENT FORD

dered caps of traditional Muslim garb—take a leaflet, then ride the elevator upstairs to gather outside Jones's 10th-floor courtroom. But the doors are locked, and a court officer announces that the hearing is closed. A murmur of discontent courses through the group, but no one leaves. The people stand or sit cross-legged in small circles until 10:25, when the doors are finally opened.

Inside the courtroom, the defense and prosecution lawyers are still seated, and Judge Jones, a small, balding, bespectacled white man in his late 70s, his yellow tie peeking from beneath his robe, sits at the bench. For Ford, it's an unhappy irony that he knows Jones from 34 years ago, when Jones was sitting on the Circuit Court bench and Ford appeared before him at a hearing.

When all are seated, Judge Jones explains what transpired today in private: the government and the defense argued over whether or not Patrice Lumumba Ford should be held in contempt under Section 1826, the recalcitrant witness statute.

A tall man with shaved head, Patrice Lumumba Ford is seated with his back to the door. He turns a guileless, full-bearded face to see the spectators and acknowledge his family.

On seeing his son in prison blues, Kent Ford suffers a terrible pang. "I never wanted the American dream for him," he says of Lumumba, "but I sure as hell wanted him to stay out of jail."

NIGHTMARE

Kent Ford's nightmare began on Friday, October 4, 2002.

"I'd been painting all day, came home, and there were all these voice mails up there on the machine," he recalls. "God, I was getting calls from everywhere, all the way from upstate New York, from Hawaii, Oakland, South Carolina, Louisiana. What in the hell would all these people want with me?"

The one call he returned was to his stepson, James Britt, an attorney in private practice in Eugene. "'They picked up Lumumba,' Jimmy said. 'I don't know what for.'" Ford showered and changed clothes and hurried down to the federal courthouse to meet Britt at 3 p.m.

"There wasn't enough seats, and Jimmy asked someone, 'This is the father, could you let him sit down?' And then, to see them bring him in, with his hands behind him in handcuffs. Oh, my God."

That's how Kent Ford found out that his firstborn son had been arrested for conspiracy to levy war against the United States.

The barrage of phone calls to Kent Ford's answering machine had followed an afternoon television appearance by United States Attorney General John Ashcroft, who declared the arrest of Patrice Lumumba Ford and four of his friends "a defining day in America's war against terrorism." The following morning, Eric Lichtblau, writing in the *New York Times*, noted that the Portland arrests followed closely upon other Patriot Act arrests in Detroit, Seattle and Lackawanna, N.Y., and that the "developments may help the Bush administration respond to critics who say that plans for an attack on Iraq are diverting resources from the war on terror." Whether or not, as Kent Ford believes, federal prosecutors orchestrated the arrests of Patrice Lumumba Ford and his co-defendants to coincide with the administration's political needs, the "defining day" did precede by a week the Senate resolution permitting President Bush to order U.S. troops to invade Iraq.

'They picked up Lumumba,' Jimmy said. 'I don't know what for.'

Factoring the "terrorism" and "conspiracy" language out of the newspaper reports, Kent Ford could pinpoint two accusations: that on September 29, 2001, Patrice Lumumba Ford had been spotted by a deputy shooting a gun at a gravel pit in Skamania County; and that on October 21, 2001, he had gone to China for a month with other Portland-area Muslims who attempted to cross the border into Afghanistan, purportedly to fight with the Taliban. One of that group, a Jordanian named Habis Al-Saoub, was never seen again; the rest ended up back in Portland without ever setting foot in Afghanistan. Patrice Lumumba Ford claimed that he had been in China headed for Pakistan, where millions of desperate Afghanis were living as refugees, and that his interest in helping them predated September 11, 2001.

Kent Ford learned about the China trip the day Sandra Ford, Kent's ex-wife, asked him to come out to their son's apartment, where she was staying with Lumumba's wife, Shay (*Xie* in Chinese), and their 10-month-old son, Ibrahim. Sandra Ford said she had something to tell him.

"As soon as I hit the door, she says, 'Lumumba went to Pakistan.'

"So I said, 'Dammit! Why did you let him go?'

"She says, 'He went to help with the relief effort.'"

Sandra Ford didn't mention that she *had* tried to talk Lumumba out of this trip. "I did not want him to go because it was dangerous and I was scared," she would tell me later. "And he said, 'Mom, you and Daddy Kent have always taught me to take care of other people.' And I said, 'This time the other people are Ibrahim and Shay.' We had a big struggle about it. He just couldn't stand the thought of Muslim children being murdered. Without help. He had learned how to do first aid, and he thought that would be helpful.

"In some ways he's kind of naive," Sandra Ford says of her son. "He just thought, well, I'll just tell them I need to go and help people, and they'll let me do it."

The entire family pulled together to help Lumumba's wife and baby. "So I go out every day and check on my daughter-in-law to see if they have plenty of groceries," Kent Ford says. "Babies need things, and Shay's not from here, you know. One day after about two or three weeks, we're just sitting there on the couch, and she said, 'Lumumba called.' I said, 'Where's he at now?' She says, 'He's still in China.' I said, 'Huh? Didn't he get to Pakistan yet?'

"Something just didn't sit right with me."

Ford was hurt and confused that his son hadn't said anything about the trip. "It just wasn't like him to leave without touching base with me." He decided to go out to the mosque to see what he could find out.

Patrice Lumumba Ford had started attending mosque when he was studying in Beijing as an undergraduate, a decision Kent Ford says he respects, though he personally never had much use for Islam. "I used to know lots of Black Muslims back in the '60s, but I could never forgive them for the death of Malcolm X," he says.

The Masjed As-Saber mosque, where Ford went to inquire, is not Nation of Islam, the American Muslim group with which Malcolm X was affiliated, but a worship community predominantly composed of people from the Middle East, many of them Arab or Somali. One of the guys at the weight room of the Matt Dishman Community Center gym, where Ford has worked out for 40 years, told him that he should ask for the imam.

"So I go around to the mosque and I say, 'Is the imam here?'

"The imam's sitting in a room with a computer and a chair, and I said, 'My son Lumumba. He went to Pakistan to help with the relief effort. Do you know what agency he is with? How do I contact him? He left a wife and baby here.'

"The guy didn't give me any answer. This was that Sunday. And that Tuesday Lumumba was home! He must have been on his way back when I went around there."

Lumumba was home, but not out of harm's way. In Portland, F.B.I. informants tailed and taped the China travelers, now officially suspects, initiating conversations with them about how far they would go and what they would do in the name of Islam. Of all of them, Jeffrey Battle said the most inflammatory things, even boasting that he was thinking of attacking a Portland-area synagogue. However, after the reports the U.S. attorneys received from the F.B.I., they decided it was safe to wait until they felt they had built a case on all the defendants; 11 months after

Kent Ford and his sons at a barbecue celebrating James Britt's graduation from law school (l-r): James, Sekou, Kent and Lumumba

Patrice Lumumba Ford's return from China, they pounced.

After the arrest, Kent Ford took a copy of the indictment over to show a lawyer friend who works out at Dishman. "Paul read it, and he said, 'Kent, your son is in a lot of trouble. They're going to try to split them all up. The main thing the guys got to do is just stick together.'"

"'You know you ain't done nothing,'" Kent Ford recalls telling Lumumba when he visited his son at the Justice Center. "It was

Kent Ford in the late '70s with (clockwise) Cindy, Lumumba and Sekou

to levy war against the United States—in exchange for 18-year sentences.

"When the government came and offered this deal," Sandra Ford explains, "Lumumba wasn't going to accept any favors. But I was telling him, 'Please, please, please accept this. You don't have a *chance* in a courtroom. There's been a jury poll, and most of the people in the tri-county area think if you're a Muslim, you're a terrorist.'"

"I was all set for a trial, and this plea bargain just hung me out," Kent Ford says, disagreeing. And then, to make matters worse, Patrice Lumumba Ford had been set up by a snitch. "I said to Lumumba, 'You mean to tell me you had an informant on your tail for six months and you couldn't sniff it out?'"

Ford didn't push the issue further with his son, but he remains incredulous. "In our day, we wouldn't make a mistake like that. We would have had his head swimming so much he wouldn't have known whether he was coming or going."

"Our day" was the decade that began in 1968, when J. Edgar Hoover declared the Black Panthers to be "the greatest threat to the internal security of the country." The following year Kent Ford started a chapter of the Black Panther Party in Portland.

JESUS, MALCOLM AND MAO

Born in Jim Crow Louisiana in 1943, Kent Ford spent the happiest years of his childhood at a fishing camp operated by his maternal grandfather on the Maringuoin lobe of the Mississippi Delta, near Baton Rouge. When Ford was 12, he and his three siblings followed their mother and her new husband to Richmond, Calif. There he became deeply involved with Easter Hill United Methodist Church, where he joined the youth fellowship, went on camping trips and sang in the choir. "I didn't miss a Sunday," he recalls. Rev. Booker Anderson, by way of encouraging Ford to go into the ministry, got him a scholarship at the University of the Pacific in Stockton.

"But to me the church just wasn't answering the social ills," Ford says today. "I would see on the front page the Klan was outright killing people." And so in 1961, the year he graduated from Harry Ells High School, he began drifting away from the church. That same summer, he got a speeding ticket, his first run-in with the police. "For doing 60 in a 45 on the lower deck of the Bay Bridge," he recalls. "I went to jail for three days on that one. I had just turned 18, and little did I know then that it would set the stage for the rest of my life."

He never went to college. "I had brothers and sisters," Ford insists. "I had to get out and go to work." He moved to Portland and set himself up in a candy business, buying the merchandise wholesale and recruiting adolescents to sell it door-to-door. "I called it a group dedicated to keeping young men out of jail," he says today with a laugh. His half-dozen devoted young followers were making money, and he was able to support himself and send money back home.

At the same time, he was reading insatiably, looking for the answers to the questions that he felt the church had avoided. In

'After Mike rolled over,' Kent Ford recalls, 'then they took the brothers.'

pretty much my turn to do some lecturing then. I said, 'You got three squares and a cot. Just stay here 'til the cows come home and it will pan out.'"

Four other defendants were also in jail, though not in communication with Patrice Lumumba Ford. Then in March 2003, five months after Ford's arrest, Mike Hawash was taken into custody; five weeks later, he was named a co-defendant in the same Portland Seven case. Hawash pleaded guilty to having planned to help the Taliban and, in exchange for this guilty plea and for promising to help prosecute other individuals, got a seven-year sentence and a dismissal of the other charges.

"After Mike rolled over," Kent Ford recalls, shock and disgust still in his voice, "then they took the brothers." Ahmed and Muhammad Bilal also cut a deal. In late September, the one female defendant, Jeffrey Battle's ex-wife, pleaded guilty to wiring Battle money in China (she hadn't gone along on the trip), and also promised to cooperate with the prosecution in exchange for a light sentence. What Ford's friend Paul had said must not happen had happened.

That left the last three defendants: the mysterious Jordanian, Habis Al-Saoub, who was never captured, and Patrice Lumumba Ford and Jeffrey Battle. Ford and Battle had refused all along to testify against any of the others, and Kent Ford felt they should stand their ground. "They had a trip to China," Ford groans. "That's *all* they had! I said take this cheap shit to trial." But in the end, the two pleaded guilty of conspiracy

January 1967, Ford took a job working as a computer operator at Safeway, running price and order lists for their 104 stores. "Once the programs got running, I would read at work," he recalls. "I read *The Autobiography of Malcolm X*, then *Malcolm X Speaks*, and then *Malcolm X on Afro-American History*. Me and the whole candy crew read them.

"Malcolm was strictly getting down," Ford recalls today. "When Fannie Lou Hamer was beaten with a blackjack in 1963, Malcolm X had said, 'If any of this happens again, we've got the force to come down and deal with it.' He talked about the slaughter in the Congo, about the death of Patrice Lumumba [Congo's leader]. He moved the local struggle to the international level."

Ford, too, began to look at race problems in the United States in international terms. He studied the colonial periods in Africa and Latin America, pored over Mao's writings on the class struggle, and came to sympathize with independence movements, especially in Congo, Guinea and Puerto Rico. Eventually, his interests attracted the attention of the police.

In December 1967, Ford was living in an apartment on NE San Rafael Street, and "when I got home one evening the side door was broken," he remembers; he and a neighbor found they'd been robbed. Ford was missing $1,000 cash, so he called the police. The two officers who answered the call noted the material lying about Ford's apartment—large maps of Vietnam and Cambodia, pictures of Ho Chi Minh and Mao Tse-tung—and wrote a report not about "burglary" or "reported break-in" but about "possible subversive subject."

"I had bought the posters and pamphlets from the Reed College bookstore," Ford says. "If they'd asked me about them, I probably would have told them." The incident, he thinks, got him pegged as a problem. "You had this war going on," Ford says of the late '60s, "and you got poor blacks hung up between the devil and the deep blue sea, with their bellies empty, and the government's spending $60,000 to train each and every one of them and send them to Vietnam." Ford himself had been granted a hardship deferment: when his mother separated from his stepfather, she declared Kent Ford to be the family's sole support. But he was constantly meeting other black men who weren't so lucky. One of his good friends, Tommy Mills, had served two deployments in Vietnam. Mills had earned the Silver Star for gallantry in action as a tank gunner, along with the Air Medal with three oak leaf clusters. "Tommy and I, we were organizing on Vietnam," Ford says. "We found a place—god, the rent was like $100 a month—and we would have political education classes." These classes later became a Panther program.

Ford had twice visited Panther leaders in Oakland, but he didn't make his move into the party until after a brutal baptism into the ways of local law enforcement. "I was coming down Union Avenue—which is MLK now—and right there at Shaver used to be an Italian fast food place called Lidio's," he remembers. "I guess some of the kids was back in the alleyway shooting dice, and about 9 at night the police run in and broke it up. We seen all these police cars over there, and I looked over and said, 'What's going on here?' The police had arrested this kid that I knew. He was in the back of the police car, so I reached over and opened the door and let him out. The police jumped me. They figured out who I was: 'Here's Ford, let's take him now.' I didn't want to go, so we start fighting, and we had a hell of a fight." Telling this now, Ford laughs sheepishly. "I wouldn't do that today, you know, but I was 24, 25 years old.

"They roughed me up pretty good. There was a whole parking lot full of policemen, and when they get me in the car one of them says, 'He's swallowing something.' So they kindly opened the back door, reached in and grabbed me by my feet, yanked me out. I landed on my back, and they was hitting me in the stomach and everything. They put me back in the car, and an older policeman got in and he said, 'Kent, you're charged with Inciting to Riot.'"

A friend came up with the bail, and within days Ford was back on the street, "agitating some more," as he puts it. "I didn't have the sense to stay home."

"I said, 'What's going on?' He said, 'Man, they shot somebody over there at Lloyd Center.'"

About a week later, he and a friend were on Union Avenue and saw a big mass of people coming up the road. "All black. They're coming up from the Rose Festival Fun Center, and they're being chased by the police. I said to Jeff, 'What's going on?' He said, 'Man, they shot somebody over there at Lloyd Center.'" Over the next few days, as Northeast Portland erupted, the two men distributed "pocket lawyers," that is, guides to phone numbers, rights and procedures for people under arrest.

"For 10 days there was firebombing and burning and shooting," Ford recalls, during which time the DA's office was trying to identify possible ringleaders. "It took about a week for them to pick me up again."

This time, with the Inciting to Riot charge still hanging over him, they charged Ford with Riot. "My lawyer argued before the judge: 'You got to choose either one or the other.' So they dropped Inciting to Riot and left Riot. They went back to the Lidio's thing. They were saying that I gave the order and a guy kicked a policeman, but it was before I even got there.

"We went to the bail hearing, and I'll never forget: the prosecuting attorney got up and told the judge—these riots were still going on, you know—and he said, 'All he's going to do is get out and aggravate an already tense situation.'"

This time the bail was set much higher, and Ford spent 13 days in jail before antiwar friends could put up the property bonds to bail him out.

"After I got out of jail, I just said, 'Let's do it.'"

THE BLACK PANTHER PARTY FOR SELF DEFENSE

Kent Ford officially launched Portland's Black Panther Party for Self Defense in summer 1969 with a press conference on the steps of Portland Central Precinct, then at SW Second & Oak. "I said, 'If they keep coming in with these fascist tactics, we're going to defend ourselves.'

"I can count on one hand the people we actually recruited," Ford says without irony. "In those days, the police did most of our outreach." At the most, he estimates the Portland Panthers, half of whom were women, numbered 50.

By December 1969, the Panthers had started a free breakfast program at Highland United Church of Christ on NE Ninth & Going, feeding between 25 and 125 kids every morning. Across the country each day, Panther chapters were feeding about 10,000 children. As Jesse Andrews, then treasurer of the State of California, said, they were feeding more children than the U.S. government. "But because it had been initiated and implemented by the Panthers, the F.B.I. was constantly trying to discredit it," Ford says. "But the people in the black community, who knew kids was going to school hungry, they admired it."

Around this time, Ford met Sandra Britt (née Trigg), who would be the love of his life, the mother of his children and his comrade in the Black Panther Party. Ford had first spotted her at a Northeast branch of First National Bank. "She was one of the few blacks that worked for those guys. I used to see her when I'd go in the bank there, and she was the prettiest woman I ever saw." Before he had a chance to get a date with her, she came by his apartment with two friends. As Sandra Ford recalls, "Kent had just gotten out of jail. And he was living like a monk in this little apartment."

"She hugged me and kissed me," Kent Ford says, "and I invited them in. And that was pretty much it."

In getting together with Sandra, Ford took on the role of stepfather. "I think Jimmy was going on 6," Sandra Ford says, "and I think Cindy was about 12 months."

"It was beautiful," Kent Ford says. "They were well-mannered kids, and we did a lot of things together. I always tried to find time to go down walking the waterfront, or take the kids to a movie or fishing, stuff like that.

"In those days, it was just like electric, you know, in the height of the civil rights movement. Everything was clicking, and there was so much going on. Sandra would always take the kids to all these meetings. Those days," he says with nostalgia, "were just incredible days."

Yet Ford was still dogged by the Riot charge. In 1970, having turned down several plea bargains over the preceding eight months, he finally went to trial. He was defended by Nick Chaivoe, a native New Yorker who had ridden the rails to California and in 1935 moved to Portland, where he attended law school at Lewis & Clark. Ford figures Chaivoe helped him on maybe 20 different criminal matters, the result of constant hassling by the police.

Ford's trial lasted two weeks. "I beat the case," he remembers. The court found that the incident that had allegedly started the riot happened before Ford even arrived on the scene. "They subpoenaed the guys involved in it, and they said they didn't know me." Chaivoe didn't stop there; he sued on behalf of his client in federal court. "The basis of it was I was handcuffed when they dragged me feet-first out the car, and I landed on my back. I'll never forget, my lawyer asked, 'What was it he was swallowing?' And the policeman said, 'I don't know.' And so the judge heard this, and then they awarded me $5,000."

'It was just like electric in the height of the civil rights movement.'

Students and teacher at the Black Education Center; Patrice Lumumba Ford is front and center.

Chaivoe got $2,800, Ford recalls, "and I ended up with something like $2,200," a fair amount of money in those days. What did he do with the settlement? "Well, Sandra was having Lumumba, and I gave her some money for the baby. And then we took the rest of it and we got some guns."

"We never did openly display our weapons," says Percy Hampton, who considered himself "the kid" in the Portland party back then. Today he is president of Laborer's Local 296, a 1,100-member union. "We kind of kept that out of the limelight 'cause that could frighten our own folks. We tried to keep our issues focused and the violence and the rhetoric down. We didn't want anyone to perceive us as being out-of-control, gun-toting radicals."

But at the same time, J. Edgar Hoover's war against the Panthers was in full swing. The F.B.I. was engaged in its infamous COINTELPRO (counterintelligence program) tactics against '60s radicals, a program deemed unconstitutional in the '70s by the Senate's Church Committee, and dismantled. Under COINTELPRO, the F.B.I. used wiretaps and informers and plants to gather information about the Panthers, as well as extralegal means of intimidation, such as "brown mail," phony hate letters and death threats sent to Panther members, carrying the forged signatures of other Panthers. Party members were framed for crimes they hadn't committed, and several leaders were assassinated. 1969 was a bloodbath for the party: 700 Panthers were arrested and 43 killed that year, according to Lee Lew Lee's 1996 documentary film on the party. Casualties included Los Angeles leaders Bunchy Carter