

## **Black Panther veterans jailed in San Francisco**

*Panthers still treated as nation's 'greatest threat to internal security'*

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*by Claude Marks*

A San Francisco judge had two Black activists jailed Wednesday for refusing to cooperate with a state grand jury investigating a 30-year-old case. Ray Boudreaux and Richard Brown now join Hank Jones and Harold Taylor in San Francisco county jails.

Their attorneys argued that the grand jury procedures were abusive because the original indictments for a police shooting in 1971 resulted in the dismissal of charges when the U.S. government failed to disclose that their "evidence" was obtained by torturing at least three Black activists in New Orleans.

This tainted evidence and involuntary testimony were introduced to a grand jury at that time by the same government agents that are working with the current grand jury.

Judge Robert Dondero refused to allow the defense questioning of Ed Erdelatz, one of the cops on hand in New Orleans, who was present in court today, and who has been roaming the country in an apparent attempt to interview numerous individuals alleged to be involved with or to have knowledge of the 1970s incidents.

All other motions by defense attorneys Michael Burt and Richard Mazer were denied. An appeal to the state supreme court challenging procedural and other legal claims by the defense team are expected to be filed Thursday, Oct. 6.

### **Background on the grand jury targeting Black activists in San Francisco**

Shortly after the founding of the Black Panther Party, FBI Director J. Edgar Hoover described it in September 1968 as "the greatest threat to the internal security of the country."

By July 1969, the party had become the primary focus of COINTELPRO, the FBI's Counter-Intelligence Program, and was the target of 233 of the 295 authorized "Black Nationalist" COINTELPRO actions. The FBI placed illegal wiretaps on party headquarters in Oakland, San Francisco and nationally, infiltrated the organization with numerous agents, used every possible means to provoke violence within the organization and engaged in a number of schemes to arrest, detain, falsely accuse, incarcerate and murder members of the Black Panther Party.

The San Francisco Police Department worked closely with the FBI during the '60s and '70s to promote the goals of "neutralizing" and destroying the Black Panther Party. Two of the San Francisco Police Department inspectors who worked in tandem with the FBI to promote these goals were Frank McCoy and Ed Erdelatz.

In August 1973, several Black Panthers, including John Bowman, Ruben Scott and Harold Taylor, were arrested in New Orleans.

McCoy and Erdelatz were on hand in New Orleans immediately after their arrest - as were detectives from New York City - and participated in the interrogation that took place over the course of several days. They were investigating the killings of two San Francisco policemen that took place in the early 1970s.

When Bowman, Scott and Taylor didn't answer questions by McCoy and Erdelatz, the San Francisco policemen exited the room and members of the New Orleans Police Department proceeded to torture the detainees, using various methods including the following:

- " Stripping them naked and beating them with blunt objects
- " Blindfolding them and throwing wool blankets soaked in boiling water over their bodies
- " Placing electric probes on their genitals and other parts of their bodies
- " Inserting an electric cattle prod in their anus
- " Punching and kicking them
- " Slamming them into walls while blindfolded

Their screams were heard throughout the jail. After a period of torture, McCoy and Erdelatz would return to the room and continue questioning them. Each time the answers they sought were not forthcoming, the San Francisco police would leave the room and the torture would resume.

This process lasted several days. The three men were interrogated separately and were held in solitary confinement. Bowman, Scott and Taylor all suffered permanent physical and psychological damage.

These two inspectors are not new to accusations of physical abuse. The San Francisco Examiner ran a series of stories in the 1970s suggesting McCoy and Erdelatz had coerced testimony from a witness connected to a Chinatown slaying.

In 2003, McCoy and Erdelatz began roaming the country in an apparent attempt to interview numerous individuals alleged to be involved with or have knowledge of the 1970s incidents. At times they were joined by San Francisco Police Inspector and FBI Special Federal Officer Joseph Engler.

They went to people's homes and places of employment. They visited prisoners in the New York State prisons where they were incarcerated. They attempted to interview spouses, former spouses and family members.

At least one person in the Bay Area was commandeered off the street as he drove home from work and taken for interrogation. They used thinly veiled threats, intimidation and harassment. They demanded that some individuals provide saliva samples. Some people were served with federal grand jury subpoenas to provide fingerprints.

The actions of McCoy, Engler and Erdelatz in 2003 and 2004 were connected to a federal grand jury sitting in the Northern District of California also investigating the incidents that are the focus of these grand juries. In the summer of 2004, the federal grand jury expired.

In May 2005 a California state grand jury was convened and began taking testimony regarding these same incidents. That grand jury was purportedly investigative in nature. It was expected that the government would next present evidence to an indicting grand jury.

However in August 2005 another investigative grand jury was convened. This time a group of people identified by the government as targets were subpoenaed.

Both of these grand juries were conducted by the California state Attorney General rather than the San Francisco District Attorney's office. Working in tandem with the state AG was an assistant United States Attorney.

The full role of the federal government in this investigation is yet to be revealed. What is clear is that no federal, state or city agent or police officer nor government agency has ever been held culpable for the illegal acts, violence, imprisonment and murders conducted in the name of COINTELPRO nor has there been any admission that these activities are continuing under the Patriot Act or under any other name.

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