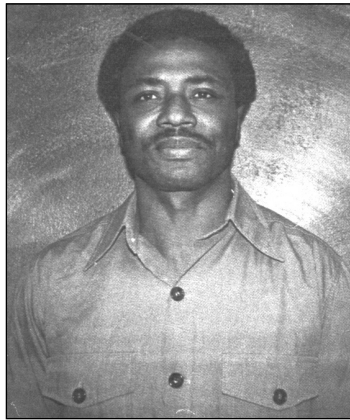


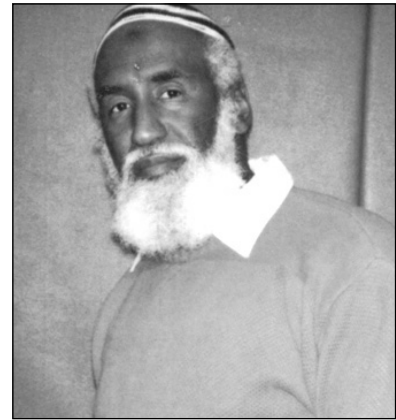
What the PBA Doesn't Want YOU to Know About The New York Three



Jalil Muntaqim



Herman Bell



Albert Nuh Washington

New York City Jericho Movement
www.jerichony.org • nycjericho@gmail.com

History and Case Background

On May 21, 1971, two New York City police officers were fatally shot. This shooting occurred within the context of two major national trends: the growth of black revolutionary groups such as the Black Panther Party for Self-Defense and, later, its armed wing, the Black Liberation Army; and at the same time, the FBI operation under Director J. Edgar Hoover, with the cooperation of the Nixon administration, to destroy the leaders and memberships of both mainstream civil rights and militant black organizations. This counterintelligence operation, called COINTELPRO, targeted black leaders by infiltrating the Black Liberation Movement, framing members of the movements for crimes, and even murdering them, in order to get them off the streets and out of contact with the community. The shooting of these two police officers also came immediately after the infamous trial of the “Panther 21,” a case in New York against 21 members of the BPP charged with planning “terrorist” acts. After a nearly two-year trial, all 21 defendants were acquitted.

On May 26, 1971, only 5 days after the crime, FBI Director Hoover was called to the White House, and was in a secret meeting with President Richard Nixon, John Erlichman, the Domestic Advisor to the President, and members of the Watergate plumbers. They discussed this case and established the FBI would solve the crime under the code name NEWKILL, or New York killings. It is believed that in this meeting the FBI and White House conspired to frame Black Panthers for the killings.

Furthermore, on May 19, 1971, only three days before the shooting, two other NYPD officers were injured. Dhoruba bin Wahad (formerly Richard Moore) was convicted in that case and served 19 years in prison for attempted murder. At the time of his arrest, Dhoruba was a ranking member of the Black Panther Party and a target of COINTELPRO. He was eventually released in 1990 due to a successful appeal based on information found in COINTELPRO documents, which detailed how evidence was manufactured and testimony perjured. **Similar evidence has not been allowed as evidence in the case of the New York 3.**

Three months after the killings, on August 28, 1971, Jalil Abdul Muntaqim (Anthony Bottom) and Albert Nuh Washington were arrested in San Francisco during an armed confrontation with police. Their arrests came only one week after the assassination of BPP Field Marshal George Jackson. They were later charged with the New York killings. Nearly two years later, Herman Bell was arrested in New Orleans. Also arrested and charged in the case were Gabriel and Francisco Torres, although the two brothers were acquitted due to lack of evidence.

The first trial, then against the New York 5 (including the Torres brothers), ended in a mistrial. In that trial, only one vote was cast to convict Nuh Washington. The Torres brothers were acquitted in the second trial. But at the end of the second trial, in 1975, the New York Three—Nuh, Jalil, and Herman—were convicted of first degree murder, weapons possession and conspiracy.

The hung jury in the first trial was largely due to the jury’s doubt that a fingerprint near the scene of the crime belonged to Herman Bell. In order to ensure that this

piece of tampered evidence would uphold in the second trial, the FBI was brought in to back up the findings of the NYPD. What wasn't presented to the jury was that the FBI and the NYPD had different stories as to whether the fingerprint matched Bell or not. The defense argued that the print had actually been lifted from Jalil's San Francisco apartment by the FBI. This is only one example of how the NYPD and FBI worked together to ensure a conviction in the second trial.

All three members of the New York Three were specifically named in COINTELPRO documents as members of the black liberation movement who had to be "neutralized." These documents, and the media smear campaign enacted by the FBI and the White House, claimed that these community and human rights activists were "terrorists." This domestic program of political repression was revealed by a 1976 congressional committee, the Church Commission, to have utilized extra-legal methods to neutralize social justice movements, including surveillance, beatings, torture, harassment, instigating violent feuds between rival individuals and organizations, coercion and intimidation of witnesses, isolating and snitch-jacketing influential leaders, as well as outright murder. In fact, a major reason that many BPP and BLA members were forced to go underground and arm themselves was the deadly FBI-instigated split in the party between factions led by Eldridge Cleaver and Huey P. Newton.

Despite the media perception that the BPP were "terrorists," the main activities conducted by the New York Three and other members of the BPP were running programs designed to serve the community, such as the Free Breakfast program for children; health care programs, such as sickle-cell anemia testing and lead poisoning prevention; legal and political education; and anti-drug activities.

The BPP helped tenants fight slumlords and demanded traffic lights and speed bumps on streets where it was unsafe for children to play. It is also true that the BPP were an armed group. The decision to arm BPP members stemmed from the need for a solution to the massive police violence that plagued the communities where the BPP operated. At the time, in communities like Oakland, CA, black youth were being blatantly murdered by police on a regular basis. The BPP patrolled the community, ensuring that the police followed proper search and arrest procedures. They studied the law and informed community members about their rights. The guns involved in the BPP were only for Self-Defense. It was for these acts that they were targeted, not for illegal activity. Furthermore, the BPP and the BLA actively fought drug dealers in the community. They viewed both the police and the drug dealers as enemies of the community. They chose to address this problem "by any means necessary."

Clearly, the NY3 and other political prisoners are imprisoned not because of crimes they actually committed, but for their political activity and J. Edgar Hoover's racist and personal war against members of the black liberation and civil rights movements.

The New York Three continue to fight for their freedom and maintain their innocence. Herman and Jalil are now two of the longest held political prisoners in the US. Each member of the NY3 has served almost 40 years. On April 28, 2000,

Albert Nuh Washington passed away after a long, painful battle with liver cancer. Jalil and Herman are currently serving their sentences. Both have been denied parole numerous times.

Facts in the Case of the NY3

Below are the shocking facts in the case of the New York 3. This case is a most egregious example of the failure and manipulation of the court system and democracy in the US, a clear picture of the activities of J. Edgar Hoover's FBI and subsequent results of their COINTELPRO operation to "neutralize" and destroy the Black Panther Party.

Evidence Used Against Herman Bell: Testimony of Ruben Scott, fingerprint found on car near the crime scene.

Evidence Used Against Jalil Anthony Bottom: A gun in his possession at the time of his arrest, testimony of two women who knew the NY3, identification by uncertain eyewitness to the crime.

Evidence Used Against Albert Nuh Washington: Association with the Black Panther Party and his two co-defendants.

These facts dispute the case of the prosecution and the above listed evidence:

Fact: The prosecution concealed an FBI ballistics report indicating that the gun found in Jalil's possession at the time of his arrest, which was introduced against him as the murder weapon, was not the gun used in the killings. The FBI lab found that bullets from a test firing of the gun taken from Jalil did not match the bullets the police had recovered from the crime scene and the victims' bodies. It has been learned that the NYPD ballistics expert committed perjury with the prosecution's knowledge and that the prosecutor withheld the FBI ballistics report from the defense. Essentially, Jalil is in prison on false evidence of having used a weapon that the FBI itself proved was not the murder weapon.

Fact: Apart from Jalil's alleged possession of the murder weapon, the prosecution's case rested mainly on dubious identification by eyewitnesses. At a pretrial lineup, one such witness had "thought" Jalil "might be" one of the killers, while four others said he "definitely was not."

Fact: Herman's friend and co-worker, Ruben Scott, was beaten unconscious by New Orleans police. Scott was tortured with an electric cattle prod and needles to his testicles while being interrogated by NYPD detectives who later promised he would not have to serve any time on a pending murder charge if he testified against the NY3.

Scott proceeded to fabricate a series of conversations and events that seriously incriminated Herman.

- At his first opportunity for what he thought was a private conversation with an impartial official, Scott confided to the trial judge, Edward Greenfield, that his statements to the police were lies designed to placate them and stop the torture.

- Instead of taking steps to protect Scott, the judge returned him to police custody and immediately notified **only the prosecution** of this conversation, and that Scott was wavering in his testimony.
- Judge Greenfield withheld this information from the defense for five and a half crucial weeks. Meanwhile, the NYPD detectives who had been present during Scott's torture in New Orleans had the opportunity to "persuade" him to testify as planned.
- Since the trial, Scott has sworn that what he told the judge was true, and that he lied on the witness stand because he feared for his life.

Fact: Two women who were friends of the NY3 were jailed for nearly a year and a half and separated from their young children. They were repeatedly threatened by the prosecution and told that they would lose custody of their children if they refused to say what the prosecution wanted them to say in court. These women were eventually given monetary rewards for their testimony and had other criminal charges against them dismissed. When one of them was asked while testifying whether a deal was made for her testimony, she said no. The prosecution failed to correct her perjury.

Fact: The FBI and police were unable to explain a series of irregularities which cast doubt on their claim that Herman's fingerprints were on a car parked near the scene of the crime. In the process, two police witnesses insisted that another print from the same car could not be identified. Late in the trial, however, the defense learned that the prosecutor had, with the trial judge's permission, secretly altered the evidence to hide the fact that he and the police knew all along that this print belonged to a potential suspect whose existence was being concealed from the defense. The judge barred NY3 lawyers from informing the jury about the suspect or the perjury and cover-up.

Fact: There is no evidence linking Nuh (now deceased) to these crimes other than his political beliefs and associations. The trial judge hid the inadequacy of the prosecution's case against Nuh through his instructions to the jury, charging that all the evidence applied equally to the defendants.

Fact: Albert Nuh Washington was allowed to refuse legal council, even though Judge Greenfield never ordered the required procedure to ensure Nuh's competence to represent himself. If Nuh had been ensured proper legal council, his case probably would have been dismissed due to lack of evidence.

Fact: The trial judge, immediately prior to charging the jury, prodded the prosecution into asking for a charge on conspiracy saying "Don't you mean that you want a conspiracy charge, too?" At which time the prosecution said, "Oh yeah, I want to charge conspiracy too." Even though the NY3 were not indicted for conspiracy, the trial judge charged the jury, utilizing a conspiracy charge, as if the NY3 had been indicted on that charge, despite the fact that there was no evidence presented to support a conspiracy charge.

Fact: The trial judge barred defense attorneys from asking the FBI and police witnesses about their agencies' policy of lying to discredit Black militants and get

them convicted on false charges. He improperly limited other cross-examinations, ruled out testimony about violent splits in the Black Panther Party (which could have explained why the defendants had been armed), and denied the defense access to records of payments that the prosecution had made to witnesses.

Fact: When a juror reported receiving threatening phone calls, the trial judge refused to declare a mistrial or even ask if other jurors had similar experiences. Nothing was left to chance; the juror was left with the erroneous impression that friends of the NY3 made the threatening call, and voted to convict.

Fact: On May 26, 1971, five days after the crime, then FBI Director J. Edgar Hoover was called to the White House, to a secret meeting with President Richard Nixon, accompanied by John Erlichman, the Domestic Advisor to the President and members of the Watergate plumbers covert operatives. They discussed this case and established the FBI would solve the crime under the code name NEWKILL. Tape recordings of this meeting are being withheld from the defense by the National Archives of the Nixon Library.

Fact: The FBI discovered that a drug dealer had admitted to having the cops killed, stating that the intended targets were NYC Housing Authority cops who were dealing drugs. This information was withheld from the defense by the prosecution and the FBI to ensure the defense would not learn of NEWKILL.

Fact: The FBI learned that the bullets used in the shooting were reloads made by Stephen Tilden, who resided in the Bronx. This information was in the possession of the prosecution and withheld from the defense.

Fact: The NYPD arrested a prostitute who claimed she knew who committed this crime; this witness was never brought to the attention of the defense.

Fact: Ruben Scott's post-trial admission-that he had lied for fear of his life after being tortured by law enforcement officials-should have been sufficient basis for a new trial. But the trial judge tried to suppress the entire matter (including allegations by Scott that pointed to the judge's own misconduct in suppressing Scott's appeal to the judge) by taking no action on a motion for retrial for fourteen months. Judge Greenfield refused to take any testimony or even hold a hearing, and finally denied the motion in an opinion which simply repeated the prosecution's distortions of fact and misstatements of law. The appellate court affirmed without any hearing or explanation.

Fact: In 1983, the NY3 again submitted a petition to the trial judge to obtain a new trial based upon exculpatory FBI documentation that had been discovered via the Freedom of Information Act (FOIA). This information had been in the possession of the prosecutor during the trial and had been withheld from the defense. By 1984, the trial judge failed to respond to the motion before him, and in December a motion to disqualify him from continuing to preside was filed because of evidence of the judge's own personal misconduct in the case, which makes him an interested party and likely witness. By October 1985, the trial judge denied both the motion for a new trial and the motion to disqualify himself. Four months later, the appellate court reaffirmed the lower court's decision without a hearing.

Fact: Four months after the 1983 petition for a new trial was filed with the court, all ballistics evidence from the case was removed from the evidence locker and destroyed, preventing the weapon from being retested.

Fact: All convictions were upheld on appeal without any written opinion or other explanation from the court. Such a procedure is virtually unprecedented in a case like this, which involves a severe sentence and substantial legal issues. When the NY3 sought review by the state's highest court, they were told that they had raised significant issues which merit serious consideration. But they were later informed, again without any written opinion or other explanation, that their case would not be heard.

Fact: In 1992, the NY3 had an evidentiary hearing in the Federal District Court, reviewing the issue of perjured testimony by NYPD ballistics expert and prosecutorial misconduct in withholding exculpatory materials pertaining to the extent of FBI / White House involvement in the case under NEWKILL. The decision of the federal district court judge was that NYPD did in fact commit perjury, but that the perjury was "harmless error."

Fact: The Second Circuit Court of Appeals and US Supreme Court refused to hear the appeal of the district court ruling.

Fact: Three stories have been published in three different books, "Target Blue" by Robert Daly, "Chief" by Albert Seedman, and "Badge of the Assassins" by Robert Tannenbaum. None tells the truth.

Fact: Badge of the Assassin was also made into a movie and was run as recently as February 2001 on BET. It has even been run in Brazil. This movie was undoubtedly part of the FBI's media campaign to criminalize political prisoners. In response to this factually inaccurate film, Paper Tiger Television produced a documentary, *CBS v. the New York 3*, in 1988.

Fact: Assistant District Attorney Robert Tannenbaum has significantly profited from his conviction of the New York 3. Aside from his book and movie, he was rewarded with a highly desired appointment to the 1976 congressional inquiry into John F. Kennedy's assassination. Later Tannenbaum moved to California, where he practiced private law and eventually became the Mayor of Beverly Hills.

Anthony Jalil Bottom and Herman Bell have no more legal appeals. Their only outlets for freedom are clemency or parole. Both men have been denied parole numerous times

For more information on the New York Three, go to www.thejerichomovement.com and www.freejalil.com.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC (157-6639)

DATE: 5/27/71

FROM : SAC JOSEPH K. PONDER

SUBJECT: INSUBS (2) Negro Males;
WEVERLY M. JONES, JOSEPH PIAGENTINI
PATROLMEN, NYCPD - VICTIMS;
KILLING OF POLICE OFFICERS,
NYC, 5/21/71

6/23/78 - ORIGINAL OF THIS LETTER SENT TO SUPV. JOSEPH TIERKE FREE HQ AT HIS REQ. MR SA JOSEPH JOHNSON

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-18-86 BY SP-3 AK/AMC

The Director called about 5:30 p.m. on 5/26/71, regarding the captioned matter. He said he had just returned from a lengthy conference with the President regarding the murder of police officers and particularly, the two captioned officers. He said the President is very much concerned about recent murders of policemen and that he is working on a program to focus attention on this problem. In response to the President's inquiry as to what the FBI was doing to assist NYCPD in this matter, the Director told him that we had offered the facilities and services of the FBI, including fingerprints, laboratory, NCIC and the handling of out-of-town leads. The Director wanted to verify that this had been done.

I told the Director that we had offered the above-named services immediately after the murders became known on 5/21/71, that we had been in daily contact with the PD and that we had assured the PD of our desire to do everything possible to assist in the solution of these murders. I told the Director we had alerted our informants knowledgeable in the area involved and those aware of black extremist activities and that any information received would be relayed to the PD and also that we had identified for the PD certain suspects picked up for firearms violations or for questioning as suspects in these murders and we had identified certain of these suspects as members of the Black Panther Party (BPP). I mentioned the two Black Panthers picked up by the PD at the "Daily News" office whom we identified to the PD as BPP members from California responsible for distribution of the "BPP Newspaper". The Director asked at how high a level had we offered our cooperation and assistance. I told him that I had attended the funerals of the two victim officers and at these funerals I had spoken

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(2)

SAC IV 80
Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

157-6639-154
SEARCHED INDEXED
SERIALIZED FILED
MAY 27 1971
FBI - NEW YORK
ADIC

NY 157-6689

to the Police Commissioner, the Chief Inspector, and several other top-ranking officers of the PD and had reiterated our offer to be of assistance.

The Director indicated that he was pleased at the action we had taken in offering and providing assistance to the PD and he said that all of this information should be incorporated in a teletype which was to be on the Director's Desk the first thing on the morning of 5/27/71, which teletype he said he would furnish to the White House.

At 9:42 a.m. on 5/27/71, STERLING DONAHOE, who is occupying the Desk of Assistant to Director SULLIVAN, called and said that he had received a call from the Director in which the Director referred to his discussion with SAC RICHARD J. BAKER on the evening of 5/26/71, and instructed DONAHOE to emphasize to New York that we were to make an all out effort to solve this case, that we were to understand that money was no object and that any technical devices we might need should be made the subject of requests to the Bureau and the Director was certain that they would be approved. The Director mentioned meetings which the President plans to have with police officers and representatives of the IACP and the Director would like to have some positive developments before the President meets with these persons. He said the President wanted an FBI solution in this matter and that we should use every resource available to us to bring about such a solution. DONAHOE mentioned that the Director was going to the White House again today on this matter. DONAHOE instructed that we send a teletype immediately showing in broad details the actions we have taken and are taking to implement the Director's instructions of 5/26/71. We should make it clear that we are "going all out" to solve these murders.

I told DONAHOE that I proposed to go to Commissioner MURPHY, NYCPD, and advise him that we were conducting an active investigation in this case. I pointed out that any outside inquiries which we make would undoubtedly come to the attention of the PD and the Commissioner in a very short time and specifically that the only eye witness known to us is being held as a material witness in the NYC Civil Jail in lieu of \$50,000 bond. This witness, CLARENCE LEE, is identified in the morning papers.

NY 157-6689

I pointed out that it would be essential that we interview this witness and we obviously could not do this without making a direct approach to the police. I told him I thought it best that we go to the Commissioner directly and advise him of our actions in this case rather than let him learn of it through his subordinates. I asked DONAHOE whether we should inform the Commissioner and specifically whether we could indicate to the Commissioner that we had been directed by the President to actively enter this investigation. DONAHOE said he would inquire of the Director and advise me.

DONAHOE called me at 10:00 a.m. and said that the Director did not want us to contact Commissioner MURPHY. He said we should give no indication to the police or anyone else outside the Bureau that the President had directed this investigation. The Director said we should in approaching police officers at the working levels indicate to them that it is our wish to work along with them to make use of all our resources to assist them in the solution of the case. The Director emphasized that we should make no reference to the fact that we had been ordered into this matter by the President and he cautioned to keep that fact within the Bureau.

September 8, 1971

BY LIAISON

- 1 - Mr. W. C. Sullivan
- 1 - Mr. C. D. Brennan
- 1 - Mr. G. C. Moore
- 1 - Mr. J. O. Ingram

~~Special Agent in Charge~~
~~Assistant to the President~~
~~for Domestic Affairs~~
 The White House
 Washington, D. C.

Dear Mr. Ehrlichman:

My memorandum of August 16, 1971, set forth developments in our investigation of the slayings of the two New York City police officers on May 21, 1971.

There have been very significant developments within the past several days in the investigation of these slayings and I am enclosing a memorandum setting forth these developments. A copy of this memorandum has also been furnished to the Attorney General.

I thought this would be of interest to the President.

Sincerely yours,

REC 31

157-22002-973

SEP 9 1971

157-22002

ENCLOSURE

— Enclosure

-JOI:aks (6)

NOTE: By memorandum G. C. Moore to Mr. C. D. Brennan, dated 9/7/71, captioned "Newkill," it was indicated that pertinent developments in this investigation were being set forth in a memorandum to the White House and the Attorney General.

Tolson
 Mohr
 Casper
 Callahan
 Conrad
 Felt
 Gale
 Rosen
 Sullivan
 Tavel
 Trotter
 Tele. Room
 Holmes
 Gandy

DELIVERED BY LIAISON
ON

MAIL ROOM TELETYPE UNIT

THE WHITE HOUSE
WASHINGTON

September 14, 1971

Tolson	
Felt	
Sullivan	
Mohr	
Bishop	
Miller, E.S.	
Callahan	
Casper	
Conrad	
Dalbey	
Cleveland	
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Holmes	
Gandy	

PKR

C

Dear Mr. Director:

Minutiae

Thank you very much for your note of September 10 with further developments in the police officers' investigation. I appreciate this continuing information.

Best personal regards.

Sincerely yours,

J. Edgar Hoover

[REDACTED]

EX-103

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C. 20535

9-22-71
38

EXP-PROC
SEP 19 1971 15

SEP 28 1971

157-22002-150

File 506
157-22002

[Handwritten signatures and initials]

The Attorney General

September 17, 1971

Director, FBI

UNKNOWN SUBJECTS;

Waverly M. Jones - Victim
Joseph Magentini - Victim
New York City Police Officers
Killed May 21, 1971

EXTREMIST MATTERS

- 1 - Mr. W. C. Sullivan
- 1 - Mr. E. S. Miller
- 1 - Mr. G. C. Moore
- 1 - Mr. J. O. Ingram

My memorandum of September 10, 1971, set forth developments in our investigation of the slaying of the two New York City police officers on May 21, 1971. (u)

There have been very significant developments within the past several days in the investigation of these slayings and I am enclosing a memorandum setting forth these developments. This information is also being furnished to the Honorable John D. Ehrlichman, the White House, for the President. (u)

B
b7c

Enclosure

- 1 - The Deputy Attorney General (Enclosure)
- 1 - Assistant Attorney General (Enclosure)
Internal Security Division

REC-35
157-22002-1805

SEP 15 1971

157-22002
JOI:acs (9)

POST
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2/1/71

NOTE: By memoranda G. C. Moore to Mr. E. S. Miller, dated 9/10/71 and 9/13/71, captioned "Newkill," it was indicated that pertinent developments in this investigation were being set forth in a letter to the White House and the Attorney General. (u)

MAILED 3
SEP 14 1971
-FBI

57 SEP 17 1971

MAIL ROOM TELETYPE UNIT

W.C. Sullivan
Miller
Moore
Ingram

September 28, 1971

BY LIAISON

Honorable John D. Ehrlichman
~~Assistant to the President~~
For Domestic Affairs
The White House
Washington, D. C.

- 1 - Mr. W. C. Sullivan
- 1 - Mr. E. S. Miller
- 1 - Mr. G. C. Moore
- 1 - Mr. J. O. Ingram

Dear Mr. Ehrlichman:

Newkill

My memorandum of September 14, 1971, set forth developments in our investigation of the slayings of the two New York City police officers on May 21, 1971. U

733

There have been very significant developments within the past several days in the investigation of these slayings and I am enclosing a memorandum setting forth these developments. A copy of this memorandum has also been furnished to the Attorney General. U

I thought this would be of interest to the President. U

Sincerely yours,

mem
Rec

157-22002
Enclosure

EX-103

JOI:acs (6) H2FT

NOTE: By memorandum G. C. Moore to Mr. E. S. Miller, dated 9/24/71, captioned "Newkill," it was indicated that letters were being prepared for the White House and the Attorney General summarizing latest pertinent developments. U

DISSEMINATED BY LIAISON

MAIL ROOM TELETYPE UNIT

SEP 29 1971

REC-35
EIDEM
157-22002
10/1/71
10/1/71

The Attorney General

November 5, 1971

Director, FBI

ANTHONY LEON BOITTO; ALBERT JAMES WASHINGTON;
 WAVERLY ... - VICTIM,
 JOSEPH ... - VICTIM 1 - Mr. A. Rosen
 NEW YORK CITY POLICE OFFICERS KILLED 1 - Mr. E. S. Miller
 MAY 21, 1971 1 - Mr. G. C. Moore
 EXTREMIST MATTERS 1 - Mr. J. O. Ingram

By memorandum of September 27, 1971, set forth developments in our investigation of the slaying of the two New York City police officers on May 21, 1971.

There have been very significant developments within the past several days in the investigation of these slayings and I am enclosing a memorandum setting forth these developments. This information is also being furnished to the Honorable John D. Ehrlichman, The White House, for the President.

Enclosure

- 1 - The Deputy Attorney General (Enclosure)
- 1 - Assistant Attorney General (Enclosure)
Internal Security Division

REC-12

157-22002-124
 NOV 8 1971
 FBI
 DEPT

157-22002

MAILED 2
 -FBI-

JOI:car (9)

NOTE:

By memorandum G. C. Moore to Mr. E. S. Miller, dated 11/1/71, captioned "Newkill," it was indicated that letters were being prepared for The White House and the Attorney General summarizing latest pertinent developments.

58 NOV 9 1971
 NOV 10 1971

WIPAS

11/11

MAIL ROOM TELETYPE UNIT

Memorandum

Mr. A. Rosen

DATE: 11-23-71

FROM : E. Miller

- 1 - Mr. W. M. Felt
- 1 - Mr. T. E. Bishop
- 1 - Mr. E. S. Miller
- 1 - Mr. G. C. Moore
- 1 - Mr. J. Ingram

Files _____
 Dates _____
 Exec _____
 Walter _____
 Soyars _____
 Tele. Room _____
 Holmes _____
 Gandy _____

SUBJECT: MURKILL

Pursuant to the Director's discussion with the President on 11-22-71 the attached proposed press release has been prepared.

This is the case involving the slayings of two New York City police officers on 5-21-71.

On 5-26-71, the President requested the FBI enter the investigation of these slayings in order to solve the case.

By letter dated 11-15-71 to Honorable John D. Ehrlichman at The White House which enclosed a detailed memorandum of the same date (copies attached), Mr. Ehrlichman was advised that we had reached a successful solution in this case by identifying five black terrorists who participated in the planning and assassination of these two officers.

The five individuals identified as being involved in the murder are: Herman Bell, Anthony Leonard Bottom, Francisco Torres, Gabriel Torres and Albert James Washington.

The identities of these individuals have been furnished previously to the White House. Bottom has been charged locally with the murders by New York authorities.

[REDACTED] Bell has been identified through our investigation and latent fingerprint examination by the Identification Division which placed him at the scene of the crime.

[REDACTED] A Other investigation by us has resulted in the identification of Washington, Francisco Torres Gabriel Torres as being involved in these murders.

[REDACTED]

Bottom and Washington are

ESM:lrs (8)
 Enclosures
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 257 122903
 11/23

REC-18 117-220-12

CONTINUED - OVER

11 2 1971

[Handwritten signatures and initials]
 98

Memorandum Miller to Rosen
RE: NEWKILL
157-2002

presently in custody of San Francisco local authorities on charges of attempting to kill a police officer on August 28, 1971.

It will be noted that care has been taken not to include the identities of the Newkill subjects or information which otherwise would prejudice local prosecution in this matter. However, the main thrust of the release has been preserved; that is, to announce that the Federal Government, and the FBI specifically, have been successful in the President's expressed desire to assist local authorities in the investigation of wanton killings of police officers. (U)

We also feel it pertinent to support the President's intention to continue Federal assistance to local authorities through the timely announcement of our urban guerrilla warfare conference 11/29-30/71. (U)

This release has been prepared for use by The White House in response to the President's desire to support the Bureau with the full weight of his office.

RECOMMENDATIONS:

That the attached proposed release be furnished to Mr. Ziegler for use of The White House.

If approved, this will be personally delivered to Mr. Ziegler through our liaison at The White House. Mr. Ziegler should be advised that care has been taken in preparation of this release so as not to prejudice local prosecution.

✓
PST
/

11/29/71

✓

11/29/71
✓

Nov 6

PROPOSED RELEASE BY THE WHITE HOUSE

Today the President announced further steps being taken to assist local law enforcement authorities in matters involving attacks on police by extremist groups.

The President said a conference will be held by the FBI on November 29 and 30, 1971, at Washington, D. C., regarding urban guerrilla warfare which involves attacks on police and other terrorist actions against citizens of this country. Key police authorities across the country will attend. The purpose of the conference is to discuss the overall problem, exchange ideas and formulate plans mutually beneficial to local and Federal authorities.

A conference was held by the President at the White House on June 3, 1971, shortly following the killings of the New York police officers, Waverly M. Jones and Joseph Piagentini. This was followed by an FBI conference on June 7, 1971, attended by one hundred top law enforcement officials from around the country. The President ordered the FBI to utilize its full resources to bring about a successful solution to the murders of these New York City police officers.

- Mr. Tolson _____
- Mr. DeLoach _____
- Mr. Mohr _____
- Mr. Bishop _____
- Mr. Casper _____
- Mr. Callahan _____
- Mr. Conrad _____
- Mr. Felt _____
- Mr. Gale _____
- Mr. Rosen _____
- Mr. Sullivan _____
- Mr. Tavel _____
- Mr. Trotter _____
- Mr. Tele. Room _____
- Miss Holmes _____
- Miss Gandy _____

NOTE: See page 2

MAIL ROOM TELETYPE UNIT 1292-99

A

PLAINTEXT

- 1 - Mr. Griffith
- 1 - Mr. Frazier, 7410
- 9/7/71
- 1 - Mr. W. C. Sullivan
- 1 - Mr. C. D. Brennan
- (Attention: Mr. Ingram, 806 9&D)
- URGENT

TELETYPE

TO SACS, SAN FRANCISCO (157-5740)
NEW YORK (157-6300)

FROM DIRECTOR, FBI (157-22002)

NEWKILL. REURTEL SEPTEMBER SEV, LAST, [REDACTED]

[REDACTED]

b7d

[REDACTED]

TEST CARTRIDGE CASES FROM FORTYFIVE CALIBER AUTO-LOADING PISTOL, SERIAL NUMBER SEVEN ZERO G ZERO FOUR THREE NINE ZERO IDENTIFIED AS FIRED IN SAME GUN AS A FORTYFIVE CALIBER CARTRIDGE CASE RECOVERED AT MURDER SCENE THIS CASE. NO CONCLUSION REACHED, POSSIBLY DUE TO CHANGING BARREL CONDITIONS, AS TO WHETHER OR NOT FORTYFIVE CALIBER BULLET FROM SCENE FIRED FROM PISTOL LISTED ABOVE. THIS BULLET COULD NOT HAVE BEEN FIRED FROM RECOVERED SUBMACHINE GUN. (U)

Handwritten initials

Handwritten initials

Handwritten: Mr. [unclear] to [unclear]
 REC-60 157-22002-99
 9/13/71

EXHIBIT C-2

SEP 13 1971

UNITED STATES GOVERNMENT

Memorandum

- 1 - Mr. Conrad
- 1 - Mr. Griffith
- 1 - Mr. Frazier

TO : Mr. Conrad

DATE: 9/7/71

FROM : W. D. Griffith

SUBJECT: NEWKILL

Tolson
Felt
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

[REDACTED]

[REDACTED] that two individuals had been arrested by San Francisco Police Department after a chase and shoot out. These two individuals, who have given their names as [REDACTED] and Anthony Bottom, both Negro males, had in their possession a .45 Colt automatic pistol, a .45 caliber submachine gun and a .38 caliber S & W revolver. The serial number on the revolver corresponds with the serial number of a weapon carried by one of the slain New York City police officers which has been missing since the murders. (u)

As you will recall, certain of the recovered evidence has been retained [REDACTED] and a portion has been made available to us. New York has instructed San Francisco to send test specimens from the recovered weapons to the FBI Laboratory for comparison with evidence being held here and additional specimens to be sent to New York so that [REDACTED] can make comparisons with evidence it is holding. (u)

The test specimens submitted by San Francisco were received in the Laboratory this morning. We have identified a .45 caliber cartridge case recovered from the murder scene with test specimens from the .45 caliber automatic recovered in San Francisco. A test bullet from this same gun was also submitted but because of a number of variations, possibly due to changing barrel conditions, no identification with a recovered .45 caliber bullet we are holding can be made. (It should be noted we have no .38 caliber cartridge cases or bullets from the murder scene nor was there any evidence that would relate to the .45 caliber submachine gun, involved in the Newkill murders.) (u)

ACTION: We have advised General Investigative Division, Domestic Intelligence Division and will advise San Francisco and New York of this Laboratory finding. (u)

- | | |
|------------------|------------------------------|
| 1 - Mr. Sullivan | 1 - Mr. Bishop |
| 1 - Mr. Mohr | 1 - Mr. Walters |
| 1 - Mr. Rosen | 1 - Mr. Brennan (Mr. Ingram) |

REC-23 157-22002-
51-76

157-22002

SEP 15 1971

EXHIBIT C-3

(Revised 3/18/75)

APPENDIX

BLACK LIBERATION ARMY

The Black Liberation Army (BLA) is a loose-knit urban guerrilla organization whose self-described purpose is to overthrow the Government. In announcing the BLA's purpose, the 2/29/72 issue of "Right On!," its official publication stated. . . "The purpose of the BLA is the same as that of the Tupamaros in Uruguay, Frelimo in Mozambique, and all the other liberation forces. The BLA is simply brothers and sisters who have gone underground to put all the revolutionary rhetoric and theory into practice. . . ."

Since May, 1971, the BLA has been involved in armed confrontations with law enforcement officials resulting in eight police officers being killed and another 28 being wounded or injured. Since July, 1971, the BLA has been involved in excess of 20 known bank robberies totaling over \$494,000, which money is used to finance its activities.

APPENDIX

(F)

Sec36-
5

Letter to SAC, New York
Re: Black Liberation Army (BLA)

(F)

This is not to indicate that FBIHQ desires to continue this investigation if there is no basis to do so. It is felt, however, that in view of the extensive violence and illegal activity associated with the BLA, e.g. the murder of 10 police officers, the wounding of 28 additional police officers, more than 40 bank robberies and numerous escapes and escape attempts, sufficient investigation must be conducted to determine that BLA activities have in fact ceased.

The results of this investigation should be submitted by LHM along with the recommendations as to whether or not the investigation should continue.

NOTE:

Above instructions necessary to determine whether or not the BLA continues its activities warranting full investigation. (Mr. Lex - Instructions in furtherance of Attorney General guidelines.)

APPROVED:	Adm. Serv.....	Legal Coun.....
Director.....	Ext. Affairs.....	Plan. & Insp.....
Assoc. Dir.....	Fin. & Inv.....	Rec. Mgnt.....
Dep. AD Adm.....	Gen. Inv.....	C. & T. Serv.....
Dep. AD Inv.....	Ident.....	Spec. Inv.....
	Intell.....	Training.....

(F) Sec36-
00003691

RECEIVED
GENERAL INVESTIGATIVE
FRONT OFFICE

DEC 16 2 45 PM 1976

FBI
U. S. DEPT. OF JUSTICE

[Handwritten mark]

(F)

The Attorney General
Attention: Office of Policy and Planning
Director, FBI

8/11/76

BLACK LIBERATION ARMY

The Federal Bureau of Investigation is conducting an investigation concerning captioned matter in accordance with the current guidelines for domestic security investigations.

Reference:

Enclosures:

- A memorandum to notify you of
 - An extended preliminary investigation
 - A limited investigation
 - A full investigation
- A 90-day progress report
- An annual report
- Other

Request of Department:

- It is requested that you determine in writing whether continued full investigation is warranted.
- Other

Bureau File Number: (F)

MAILED 2
AUG 13 1976
FBI

58 SEP 3 1976
158 AUG 30 1976

MAIL ROOM TELETYPE UNIT

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[Stamp: (F) 00003684 pc36-]

ORIGINAL FILED IN

- 1 - Mr. J. O. Ingram
- 1 - Mr. J. G. Deegan
- 1 - Mr. G. J. Lex
- 1 - Mr. J. D. Powell

SAC, New York

(F)

12/17/76

Director, FBI

de

BLACK LIBERATION ARMY (BLA)
EM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-24-81 BY SP3 DB/TE

Reurlet 11/30/76, Buairtel to Albany and all offices 10/8/76, urairtel and LHM 7/30/76, Buairtel 6/23/76 and urlet 6/4/76.

By your 6/4/76 letter you recommended closing the BLA investigation. By Bureau airtel 6/23/76 you were instructed to submit a summary LHM for submission to the U. S. Department of Justice, which was done by your 7/30/76 airtel and LHM. By Bureau airtel 10/8/76 the field was advised that the Attorney General, by memorandum 9/21/76 approved a continued full investigation of the BLA based upon review of your 7/30/76 LHM. Your 11/30/76 letter again recommends closing this investigation.

Your 11/30/76 letter does not contain the results of any investigation since your 6/4/76 letter. In your 7/30/76 LHM it is stated that BLA members who were convicted in the early 1970's are being released either on parole or upon completion of sentence. It is further stated that BLA members not in custody continue to aid and support BLA members in prison and that they can be expected to continue to attempt to free members who are incarcerated.

MAILED 4
DEC 17 1976
FBI

Inasmuch as the Attorney General has approved a full investigation of the BLA, sufficient meaningful current investigation should be conducted to determine whether or not the investigation should continue. Restating an evaluation made in June, 1976, is not adequate. It should be determined if those BLA members who have been released from prison are resuming BLA activities and if there are indications BLA members continue to receive aid in escape attempts or plans. These two areas of interest are not meant to be limiting the extent of the investigation.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Ext. Affairs _____
- Fin. & Pers. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Rec. Mgnt. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

REC-13

(F)

JDP:lek
(7)

SEE NOTE PAGE 2

JDP
JAN

56 JAN 04 1977

TELETYPE UNIT

(F) 00003690 c36-



UNITED STATES DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 New York, New York

In Reply, Please Refer to
 File No.

MAR 7 1977

Black Liberation Army (BLA)

This investigation was predicated upon information which indicated that the BLA (see Appendix) was involved in activities which involve the use of force or violence in substantially impairing the functioning of both the local State Government and US Government for the purpose of influencing the US Government policies or decisions.

The BLA has not claimed credit for any illegal activities in the United States for almost a two year period. The major leaders of the group have been incarcerated for a wide array of crime, and it appears that without their leadership, the BLA is no longer a viable group.

Recently, some prominent BLA members have been released from prison, but all indications lead to the conclusion that they are not returning to the former lifestyle of crime and guerilla warfare.

Contact with New York City Police Department representatives have failed to determine any information regarding a resurgence of BLA activities in the New York City area.

Contact with sources who were familiar with BLA activities in the past, has failed to develop any new information regarding BLA activity inside the New York City area for approximately the last two years.

Based on the above, this full investigation is being closed.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

(F) [redacted] ec36-
 00003694

(F) [redacted]



Routing Slip
0-7 (Rev. 7-12-76)

(Copies to Offices Checked)

3/18/77

(Date)

TO: SAC:

- Albany
- Albuquerque
- Alexandria
- Anchorage
- Atlanta
- Baltimore
- Birmingham
- Boston
- Buffalo
- Butte
- Charlotte
- Chicago
- Cincinnati
- Cleveland
- Columbia
- Dallas
- Denver
- Detroit
- El Paso
- Honolulu

- Houston
- Indianapolis
- Jackson
- Jacksonville
- Kansas City
- Knoxville
- Las Vegas
- Little Rock
- Los Angeles
- Louisville
- Memphis
- Miami
- Milwaukee
- Minneapolis
- Mobile
- Newark
- New Haven
- New Orleans
- New York City
- Norfolk

- Oklahoma City
- Omaha
- Philadelphia
- Phoenix
- Pittsburgh
- Portland
- Richmond
- Sacramento
- St. Louis
- Salt Lake City
- San Antonio
- San Diego
- San Francisco
- San Juan
- Savannah
- Seattle
- Springfield
- Tampa
- Washington Field
- Quantico

TO LEGAT:

- Bern
- Bonn
- Brasilia
- Buenos Aires
- Caracas
- Hong Kong
- London
- Madrid
- Manila
- Mexico City
- Ottawa
- Paris
- Rome
- Tokyo

SAC, New Rochelle (MRA)

ASAC, Rapid City ("Mini")

RE: **BLACK LIBERATION ARMY**
DS

(F) Sec36-
00003695

- For information Retention optional For appropriate action Surep, by _____
- The enclosed is for your information. If used in a future report, conceal all sources, paraphrase contents.
- Enclosed are corrected pages from report of SA _____ dated _____.

Remarks:

Re NY let and LHM to Bureau, 3/7/77

A last paragraph has been added to referenced LHM as follows:

"Based on the above, this full investigation is being closed."

Add this paragraph to your copies.

File Copy

Enc. _____
Bufile (F) _____
Urfile _____

FBI/DOJ

The Attorney General
Attention: Office of Policy and Planning
Investigation Review Unit
Director, FBI

3/18/77

BLACK LIBERATION ARMY
DS

FEDERAL GOVERNMENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-7-81 BY [signature]

The Federal Bureau of Investigation is conducting an investigation concerning captioned matter in accordance with the current guidelines for domestic security investigations.

Reference: Bureau letter dated 8/11/76 and Attorney General letter to the Bureau dated 10/21/76.

Enclosures:

- A memorandum to notify you of
 - An extended preliminary investigation
 - A limited investigation
 - A full investigation
- A 90-day progress report
- An annual report
- Other This is to notify you of the closing of a full investigation.

Request of Department:

It is requested that you determine in writing whether continued full investigation is warranted.

Other

REC-60 (F) [redacted]

Bureau File Number: (F) [redacted]

MAR 22 1977

MAR 21 1977
FBI

(F) Sec 36-0003697

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FBI/DOJ