

'Black Panther is an African Cat' advocates freedom, justice

"The Black Panther is an African Cat: Poems of Exploration and Testimony" by Wopashitwe Mondo Eyen we Langa, House of August Press, 98 pages, \$9.95

BY FRAN KAYE

For the Lincoln Journal Star

The most arresting image in the photo collages that illuminate this book shows a large group of smiling young white men posed around the charred and still smoking body of a black man. This is the Omaha lynching of 1919, in which Will Brown was hanged and burned, according to historian Orville Menard (Nebraska History, Winter 1987), for an imaginary crime dreamed up to discredit the elected city administration.

Fifty years later, convinced that Omaha was still failing its African-American community, another young African-American man, David Rice, joined the Black Panthers. In 1970 David Rice, along with Ed Poindexter, was arrested for rigging a suitcase bomb that killed Omaha patrolman Larry Minard. Both men were convicted, though evidence originally suppressed at their trial forcefully indicates that they are innocent. It was not unusual for successful activists to be wrongly arrested at this time — Shirley Douglas, actress and

mother of Kiefer Sutherland, was arrested under strikingly similar circumstances, but was never tried, probably because she was white, wealthy and well-connected.

The poems in "The Black Panther is an African Cat" have been written by Wopashitwe Mondo Eyen we Langa, the name chosen by the former David Rice, during his imprisonment, and they carry on his criticisms of American society — of all races — and his continuing advocacy of freedom and justice.

Mondo, as he is called, uses voices ranging from rap to an African demotic to a highly polished American Standard English reminiscent of Langston Hughes. In "Dressed in Black," he explains both the image and the intent of the Panther chapter in Omaha.

*Yeah we had guns but wasn't trippin
wasn't stuck in no death groove*

*picked up them pieces cuz justice was locked
in a box...*

The guns and attitude were no-



tice that the African American community would no longer tolerate injustice. The Panthers wanted to be a beacon for

... our people who were needin defense and protection

and relief from attacks that came so frequent and hard

Mondo never loses his focus on the institutionalized racism he sees in America —

"the courts/ that dispense to us injustice/ ... the schools committing mentacide on our children."

He also, however, critiques contemporary black entertainers and athletes who strut but show no respect for or responsibility to the African-American community that Mondo writes as "We" in contrast to the less significant "i." He tells the gangsta rapper, "you got the pose allright/ the mean-mug down pat" but you "ain't thugged no one with power." Similarly Mondo chides athletes and others who "fear dying/ but can cope with being misled," who need to be "safe" for "euro america," and "entertain the crowds." Yet he also points out that

one cannot blame people for thinking what they have been taught to think if no one challenges them.

In the powerful poem "Shoshana's Eyes," Mondo empathizes with the pain and fear of a young African-American woman wounded early in the Iraq War, but then he asks "shouldn't she know better/ and shouldn't we" than to once again be "toting guns against those who have harmed us none," the ordinary people of Iraq?

The poems focus on building and educating all Americans to the need for social justice in a society where Mondo's 36 years of imprisonment for a crime he insists he did not commit is ongoing evidence of the continuation of racism.

Good poetry is a distillation of ideas and feelings into memorable words and images. If we are lucky, it may also bring us somewhere we have never travelled. Mondo's Black Panther carries us to a heart of darkness that is still our Nebraska, our America. He challenges us to demand "liberty and justice for all."

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Poindexter/we Langa case: Word from the inside

By Wopashitwe Mondo Eyen we Langa

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 in 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 on 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. Bob 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 of 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 last 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 surviving family members of Larry Minard, the cop who was killed by the booby-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 use 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. The fact is that I can identify with a person having a sense of loss at the death of a loved one. But I am a person, 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 this 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 our 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 necessary for a cop or anyone else to be killed, I would not have used a child. I would not have put an African child's or any other brother or sister's life in jeopardy.

In this case, we're 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 put the person's life at risk.

Not only is there the matter of love, but one of good sense. As was testified to in my and Ed's 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 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 N.C.C.F. (National Committees to Combat Fascism) 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 N.C.C.F. chapter and gangs of trigger-happy European (Caucasian) cops, could have been sent to that house. Their lives could very well have been put into 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.

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Bombing always on his mind



John Tess, left, said he will spend time today thinking about that horrific day 36 years ago when his friend Larry Minard Sr., above, was killed.

By KEVIN COLE
WORLD-HERALD STAFF WRITER

John Tess can't go a single day without thinking about the bomb that ended his career as an Omaha policeman and killed his friend Larry Minard Sr. in August 1970.

"It's especially poignant at this time of year because it comes back to me even stronger," Tess said. "When I hear that the men who were convicted in this case are filing another appeal, it brings those feelings even more to the surface and rubs me raw."

Today, the 36th anniversary of that explosion, Tess said he expects to struggle with all the old feelings. They will be fueled by the recent attempt of Edward Poindexter, one of the two men serving life sen-

tences for the murder of Minard, to win a new trial.

"There is no doubt, no doubt in my mind, after going over all of the transcripts and all of the evidence, that the right men are in prison," Tess said.

Tess and Minard were among eight police officers responding to a 2 a.m. call reporting that a woman had been dragged screaming into a vacant house at 2867 Ohio St.

"There had been two brutal rapes in our district, and we thought that we might have the rapist trapped inside," Tess said. "We really wanted to catch this guy."

Six officers searched outside. Tess and Minard went inside with flashlights.

"I was about 10 steps behind
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Bombing: New appeal makes anniversary difficult

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Larry when he bent down to open the suitcase," Tess said. "All he got to do was move it because it was rigged to explode. I remember flying through the air."

Minard, 29, was killed instantly. Tess suffered leg injuries and hearing impairment. The blast could be heard all across north Omaha. The officers outside also were injured.

Edward Poindexter, now 61, and David Rice, now 59 and known as Mondo we Langa, were convicted of the crime after Duane Peak testified against them.

Peak, then 15, told of watching Poindexter assemble the bomb at Rice's home on Aug. 10. On Aug. 17, Peak told police that

he was instructed by the pair to place a suitcase holding the bomb in the Ohio Street house and make a fake phone call to 911.

A few days after the bombing, police played the 911 recording three times for Peak's older brother, Donald. Asked whose voice it was, Donald responded: "It's Duane's."

That phone call, however, is the centerpiece of Poindexter's most recent attempt to gain a new trial. An attorney for Poindexter said in May that Ted Owen, a national voice expert, thinks Peak's voice is not the one in the 911 call.

Douglas County District Judge Russell Bowie will hold a hearing to determine the admissibility of Owen's analysis on

Dec. 19.

Three times, the courts have upheld Rice's conviction. Until this current appeal, Poindexter had not filed any appeals since 1976, when a federal judge refused to give him a new trial.

Peak, who spent four years in the Kearney Youth Detention Center after being convicted in juvenile court in 1971, has testified that he disguised his voice when he made the phone call. In a February deposition in Spokane, Wash., Peak said simply: "The testimony I gave at this time (1971) was factual and true. There was no variation, nor was there any coercion. There was no — any force whatsoever. That was factual, true testimony that was given."

Prosecutors question whether

the voice analysis is scientifically reliable and thus whether it's admissible in court.

They also say they had ample evidence, including dynamite and tools found in Rice's home and dynamite particles found on the clothing of Rice and Poindexter.

Minard, 29, left behind a wife and five children.

Tess, who suffered more than 40 shrapnel wounds and permanent hearing impairment, was forced to take a disability pension at the age of 26.

Rice and Poindexter remain at the Nebraska State Penitentiary in Lincoln. Rice is eligible for Parole Board review in December while Poindexter won't be up for parole review again until January 2014.