

BUFFALO CHIP

OMAHA, NEBRASKA

WINTER 2000

Nebraskans for Justice and the Poindexter/weLanga Case

Two of Nebraska's best-known prisoners, Ed Poindexter and Mondo Wopashitwe Eyen we Langa (formerly David Rice), have been incarcerated for almost thirty years for the bombing death of an Omaha policeman. Both have insisted they never manufactured a bomb, and never instructed a 16-year-old to make a 911 call to lure police to a trap which would kill one policeman and badly injure another. So much evidence has come to light since their convictions to corroborates their story that Amnesty International and the Lincoln NAACP have called for their release, or for a new trial.

It is also well to keep in mind that U.S. District Court Judge Warren Urborn overturned Mondo's conviction in 1973, finding the prosecution's assertion of probable cause for searching his house was "not credible." The Eighth Circuit Court of Appeals agreed, and in 1974 ordered that Mondo either be retried without the illegally obtained evidence, or released in 90 days.

When the state appealed, it is important to understand that **the U.S. Supreme Court did not overturn the ruling of the lower courts; it ignored them.** Without warning, the court reversed their own precedent of years' standing, and decided that hereafter they would not hear Fourth Amendment claims like Mondo's until application was first made to the State Supreme Court for a writ of *certiorari*.

Mondo complied. He went to the State Supreme Court to ask for the required writ. He was told that his time had run out to file the writ. This is the reason it is so difficult now to get the case back in court — he didn't file the right piece of paper at the right time, because no one was required to do so until after the Supreme Court ruled on his case. But because he did not do so, he has no standing in the state courts. And he can't ask for relief from the federal courts, because they have ruled that he must first go to the state courts for a writ. But he cant ... well, you get the picture.

The case rests there, not because Mondo's defense attorneys failed him, or because Mondo failed to pursue his *habeas corpus* rights, but because the courts failed Mondo. The country failed him.

I believed in our justice system, so it took years for me to understand in exactly what way Mondo got screwed by that system. It was performance artist Kietryn Zychal, who is obsessed with the case and knows more about it than almost anybody, who clarified it in a performance piece I saw her do under the apple tree in my back yard a couple of summers ago. The above explanation

has been liberally filched from her performance piece.

Now that I can explain it to others, I have yet to do so without hearing the same comment — time after time.

"Catch 22," people say. "It's Catch 22." This is the 20th century replacement for Dickens' "The law is a ass;" either will do.

So, there sit Mondo and Ed, in the land of the free, which constantly points the finger at China, Cuba, Iran, etc. What now must we do?

Such injustice hasn't gone completely unnoticed. Almost from the day of their convictions, there have been people who passionately believed in Ed's and Mondo's innocence, supported them, and formed one group or another to see what could be done to secure their release. Yet every effort has led to disappointment, and Ed and Mondo remain behind bars.

Recent developments give some cause to hope. Nebraskans for Justice (NFJ) is a newly formed non-profit organization — a merger of Omaha, Lincoln and Scottsbluff people who have been working together for the past five years or so to GET THEM OUT. Many of these people were veterans, involved since the beginning. Others had worked with Ed or Mondo in other capacities. Still others -- a new generation, to whom all this is ancient history -- are newly committed.

NFJ has formed four committees: **Grassroots**, chaired by Sr. Gabriel Herbers, is training volunteers to conduct teach-ins and talks to educate the public and recruit new people. Grassroots will continue to work with the Lincoln Justice Committee, which has been in the forefront of the grassroots effort in Lincoln.

The **Public Information Committee**, co-chaired by Andrew Ascherl and Gloria Bartek, will still edit NFJ's quarterly newsletter, *Buffalo Chip*. Andrew Ascherl issues press releases, conducts press conferences, and maintains contacts with other human rights groups around the country (this committee needs more people with expertise in these areas).

NFJ has funded these efforts through donations made by readers of *Buffalo Chip* (some of you have been especially generous, with gifts of \$250 or more). But the newly formed **Legal Defense Committee** is going to require considerably more resources than NFJ has spent in the past, so a fund drive will soon be under way.

Legal Defense was formed last summer, when its chair, board member Mary Dickinson, began working in cooperation with Mondo's attorney in New York, Lennox

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IF YOU BUILD IT, THEY WILL COME; or, New Prison Facilities in Nebraska and Iowa

by Gloria Bartek

The media drowns us in details. One minute a movie review, the next a semen-stained dress, then the Jerry Springer Show (he's the man who proves Linda Hunt's aphorism, "We live in a time when the needs of the vulgar are being met").

In this sea, this plethora, this tidal wave of drama and dreck, it's hard to pick out what's important, and to figure out what's really happening.

But editing a newsletter about human rights tends to focus the mind, so that each item about crime or prisons or courts or race on CNN or MSNBC or in the *Omaha World-Herald* or *The Nation* stands out, and a frightening picture takes shape, of a country that mouths human rights platitudes while incarcerating more people for non-violent crimes than any other country has ever done at any time in history. Where is the country that produced Eleanor Roosevelt, the country that persuaded the governments of the world to enact the Universal Declaration of Human Rights? That country has lost its way.

Reading the statistics on capital expenditures for prisons and educational facilities is an education in itself. That the former rises while the latter ebbs is a clear demonstration of the current priorities and attitudes about a just society. But ask yourself: are we a people so much worse than those in other countries that it's necessary to put more and more of us in jail for longer and longer sentences? And, even if (God help you) your answer is "yes," then ask yourself: might there be a more constructive, more healing way of addressing the problem?

Here are some bits and pieces about prison issues in Nebraska and Iowa, picked up over the past few months in the local papers and on StatePaper.com (a great website if you're as desperate as Omahans are for a decent, objective look at the news).

*Chinn Planning, a consulting firm hired by the state to make recommendations on Nebraska's juvenile and women's prisons, has recommended a \$1.6 million per year increase for staff, to provide adequate treatment, training and education programs. The consulting firm also recommended expenditures of about \$47 million over the next ten years to replace aging buildings and expand facilities. Chinn Planning noted that the state's incarceration rate of 174 per 1000 juveniles is twice the national average, and twice the average of surrounding states. Also in Nebraska, 27% of those in the juvenile-

justice system are female, compared with 12.8% for surrounding states, and 10 to 15% nationally. Because of low staffing, Nebraska spends \$83 per day per juvenile inmate, compared to \$128 daily for surrounding states.

*Jon Morrison, an owner/investor of Young Management, announced the purchase of a facility in Geneva, NE, as a privately run home for juvenile delinquents undergoing rehab. Morrison commented that many juveniles are now being exported out of state for treatment, which has a negative economic impact on Nebraska. "We're actually exporting wealth," he said (As human rights activist Bonnie Kerness has said again and again, poor people are nothing but bad employment statistics when they're on the street. Incarcerate them, and they're gold mines for private prisons, phone companies, food vendors, and all the other support systems that have created such incentives for milking the cash cow).

*The new Pottawattamie County, IA jail has increased capacity from 43 beds to 288. The jail had a gala fundraiser last summer, before it opened: thrill-seekers could spend a night in the jail for a modest fee — just like a motel.

*Cass County, NE plans a new, 96-bed jail, and preservationists are losing the battle to save the old building, which was part of a complex named to the *National Register of Historic Places* in 1995. The *World-Herald* reporter seemed totally unconcerned of irony when he wrote: "Progress appears to have won out over preservation."

*Hawkins Construction Co. of Omaha submitted the low bid to build the state's prison in Tecumseh, NE. The bid was for \$61 million and the total price tag will be \$74 million.

*The Douglas County Board will expand the county jail, with a \$40 million bond issue approved by voters in November.

*State Sen. Curt Bromm of Wahoo may introduce a bill which would allow counties to charge inmates for the use of their jails. It costs Nebraska an estimated \$88 million a year to house prisoners in county jails.

*Gov. Johanns is asking Senators in the current session to appropriate funds for two new facilities for boys: a wilderness camp for troubled boys near Fullerton, NE., and a facility for juvenile parole violators. He says the latter would ease overcrowding in Kearney and Geneva.

Nebraska Jails can be Lethal

A grand jury in Otoe County, NE will investigate Nebraska's sixth apparent county-jail suicide in the last four months of 1999. The grand jury will probe the death of Richard L. Haman, 39, of Palmyra, NE, who apparently hanged himself in his cell in the Otoe County jail in Nebraska City.

The Whiteclay 9 - Nebraska's Last Stand?

by Gloria Bartek

Last summer saw an Indian uprising in Whiteclay, NE, near the Pine Ridge reservation. Activists including Russell Means of the American Indian Movement (A.I.M.) and fellow activist Frank LaMere led hundreds of men, women and children on weekly marches on the town to protest the number of unexplained deaths of native people, and the sale of alcohol to intoxicated patrons and/or minors. Federal statistics show alcohol-related deaths are nine times the national average on the Pine Ridge, and twice that of other reservations. Shannon County, S.D., where the reservation is located, is the poorest county in the nation.

Whiteclay, with a population of 22, has 3 stores which sell 4 million cans of beer annually, earns annual revenues of \$3 million. The sales are primarily to Pine Ridge residents, who are forbidden by the federal government to sell liquor on the reservation.

The weekly marches on Whiteclay culminated on July 3, when Nebraska state troopers blocked the demonstrators from crossing the Nebraska-South Dakota border.

Late last year LaMere spoke to a packed auditorium at UN-L's College of Law, where he said the troopers, clad with riot shields, clubs, tear gas, attack dogs and snipers, reminded him of the sixties in Montgomery, Alabama. "That should scare you," he said. "That should send up red flags ... It was a dark day in Nebraska history."

Nine of the protesters were eventually arrested, and Means and LaMere are using the courts as a forum to bring to light two of the issues that have made reservations a living hell: land and liquor.

Oglala Sioux Tribal Court Judge Patrick Lee, on being asked to exert jurisdiction in Whiteclay to stop alcohol sales, agreed that Whiteclay, Nebraska may in fact be a part of the Pine Ridge reservation, but that the Tribe and the United States must first officially declare this to be so before the Tribal court can enforce tribal laws on alcohol sales. Nebraska officials insist that the state has jurisdiction in Whiteclay, and therefore had the right to charge the Whiteclay 9.

Congressman Bill Barrett (R., 3rd District), said in news reports that even if land near Whiteclay was Indian land he would be reluctant to support its return. He later indicated his response was taken out of context, saying, "There are too many unanswered questions and much more research that needs to be done."

In the early 70's, the federal court found that disputed land was taken by whites. Since then, the Lakota refuse to accept monetary compensation for the land, and insist that it be returned. This is the basis of the argument over jurisdiction.

Means and LaMere now say they intend to get a non-profit liquor license to do business in Whiteclay, and use the profits to pay for the treatment and prevention of alcoholism. "We're willing to work with Governor Johanns

and the state Liquor Commission for a resolution to the recent and devastating problems of Whiteclay and Pine Ridge," Means said.

Death on — and off — the Reservation

On December 6th and 7th, the U.S. Civil Rights Commission held hearings in Pine Ridge, Rushville, and Rapid City, S.D., on the high incidence of unexplained deaths of native people; and in Whiteclay, as well, where the issue of alcohol is so prominent.

Testimony taken by the Commission seems to highlight the findings of a U.S. Justice Department study, which found that American Indians were victims of violent crime at more than twice the rate of all other American citizens. Moreover, the study found that in 60% of cases, the perpetrators of violent crimes against American Indians were white. This is in sharp contrast to other groups: 69% of violent crimes against whites were committed by whites, and 81% of violent crimes against African-Americans were committed by African-Americans.

There have been six Indian deaths in and around Whiteclay during the past five years, and six in the past 15 months in Rapid City, S.D. Of these, only two deaths in Whiteclay are being investigated as homicides.

Among the others, Robert Many Horses, 22, was found beaten to death in a Mobridge, S.D. garbage can on June 30, 1999. A judge dismissed manslaughter and assault charges against four white teenagers who allegedly dumped his body there, ruling the evidence was insufficient.

Justin Redday was intoxicated and lying in the

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Interesting Stats for Rural States

*According to the *Multinational Monitor*, punishment is now a leading rural growth industry. So many people were taken from inner city neighborhoods to rural prisons that 5% of the national increase in rural population between 1980 and 1990 is accounted for by prisoners.

*Florida officials have produced a color brochure claiming that a 1,100 bed prison is worth \$25 million a year and 350 jobs to a community. Florida towns lined up to compete for the site.

*Contractors broke ground on 25 federal and 96 state prisons in 1996. Nationwide, annual prison construction budgets approached \$75 billion over the last decade.

*Correctional Building News is a glossy industry journal that features a "facility of the month" on the front page and announces which companies have won the latest contracts.

*Managing private prisons for profit pays approximately \$20,000 per cell per year (Keep those bodies comin'!).

Amnesty International and The weLanga/Poindexter Case

by Claus Walischewski

(Claus Walischewski is a member of the AI group 1489 in Bremen, Germany)

German Amnesty members first heard about the case of David Rice in 1976 and had a talk with Bill Cunningham, David Rice's legal council in California. The AI headquarters in London took the case over but decided that, unlike other U.S. cases such as the Wilmington 10 or Charlotte Three, they couldn't adopt David as a "Prisoner of Conscience." The reason was that in the other cases witnesses had changed their testimonies so the prisoners' innocence was quite obvious and Amnesty couldn't afford to make a mistake when challenging the U.S. legal system. AI's reputation would have been ruined in case of a misjudgment.

Another consideration was the fact that Black Panthers assumed violence was justified in cases of self-defense. And Amnesty's policy was that prisoners couldn't be adopted who belonged to an organization that advocated violence. By the way, the incredible consequence of this was that Nelson Mandela was not adopted as a prisoner of conscience by Amnesty since the ANC approved of violence as one means to fight Apartheid. AI has changed its statutes because of that, and now adopts prisoners if they have been non-violent, even though their organization may not be.

So the case got the status of "investigation case," i.e., AI says there are serious doubts about the imprisonment, and demands a retrial or release (instead of an unconditional release), and this has been so up to today.

The case was then handed down from Amnesty London, where all basic research is done, to an Amnesty group in Bremen, Germany, in April 1977. The three Amnesty members who took over the case were 18-year-old high school students, and they had a hard time translating all the available documents (AI procedures as well as case documents) into German. At the end of September 1977 they wrote their first letter to Mondo/David, introducing themselves and Amnesty, and David wrote back extensively. He also wrote to the international secretariat of AI in London, asking why Ed Poindexter's case hadn't been taken up. So it was not until 1978 when Ed Poindexter was included.

The Bremen AI group put together a documentary on the cases, and hoped to alter the prisoners' AI status through it, but AI's rules hadn't changed, and the "investigation" status remained.

In the late 70's or early 80's David was represented in court by Father William Cunningham, who obtained several post-conviction relief hearings on the grounds of withheld evidence (the tape of the 911 call, the cooperation with the FBI, the promise of leniency and threats made to the main witness against them, the letter of Duane Peak

to his mother from prison). We followed the case and wrote to the different courts to explain AI's serious doubts about the conviction of the two former Panthers.

In October 1981 Amnesty International asked the U.S. government to set up an independent commission to look into FBI involvement in a number of trials against leaders of minority and oppositional groups. AI suspected a pattern of injustice that was partly due to the FBI's Counter-Intelligence Program (COINTELPRO) and the zeal of many officials to arrest and imprison supposed enemies of the state. In a report issued in December of that year, the cases of Elmer ("Geronimo") Pratt, Richard Marshall and Leonard Peltier served as exemplars.

In 1982 the case was at the U.S. District court and the Nebraska Supreme Court, and we wrote to the judges, then Governor Charles Thone, and Attorney General Paul Douglas, expressing AI's concern. We also sent a little money to the defense committee at the Calvin Memorial Church and to Ed and David. In April 1983 the appeal at the Nebraska Supreme Court was denied. From then on we would follow all future appeals and write to the respective judges and state attorneys.

Another activity was trying to get more media attention on the case, but apart from fringe papers like the *Guardian* (New York), the *Militant* or *Changes*, our article wasn't printed. We were especially upset when *Newsweek* had a cover story about the "forgotten political prisoners" in 1983 and we asked them to include the Rice/Poindexter case -- to no avail.

By then we had started collecting signatures in support of a "retrial or release," and handed them over at the 15th "anniversary" of Ed and Mondo's imprisonment to the U.S. consulate in Bremen. We also had begun to send Christmas parcels with cookies and chocolates to the two prisoners every year, and in 1987 our parcel was withheld by prison authorities and not sent back to us. Our protest to them about this even made it to the *Omaha World-Herald*.

David, who had then adopted his present name, preferred books to cookies, so we had bookstores in the U.S. mail him the books he wanted once a year.

In November 1990, AI's then Secretary General, Ian Martin, wrote a letter to Nebraska Attorney General Robert Spire [reprinted in the Oct.-Dec. 1996 issue of *Buffalo Chip*] when the case was pending before the Eighth Circuit Court of Appeals.

Since 1988 Ed Poindexter attempted to get a pardon, but the Nebraska Board of Pardons (the Governor, Attorney General, and Secretary of State) would not grant him a hearing. We collected over 1,500 signatures to support this attempt. In 1993 the Nebraska Parole Board (an appointed body of 5 members) unanimously voted for

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Notes on Back in the Day

by Wopashitwe Mondo Eyen weLanga

As I recall, I began working with the Black Panther Party chapter in Omaha sometime in 1968. I was a "black activist," meaning that I identified with my people but didn't have an *African* consciousness. Ideologically, I was moving from the civil rights mode of thinking to a pro-"black"/self-determination mode, as put forward by Omowale (Malcolm X). But I wasn't sure enough about where I was to actually join the chapter. I wasn't ready for that level of commitment.

The brothers were visible in the African community, selling the Panther newspaper; wearing the various buttons that identified them as Panthers, or at least supporters of Panther ideology; sporting berets, combat boots, khaki greens, black leather coats; soliciting donations of food and preparing meals for children; speaking at rallies; having confrontations with cops; etc. For the most part, though, these activities were pretty low-key. I would hang around headquarters sometimes, attend political education classes, and help with the chapter's community programs.

It wasn't until the spring of 1969 that I joined the chapter. Within a matter of days or weeks after I'd become a member, I began hearing rumors that the Omaha chapter wasn't recognized by Black Panther headquarters in Oakland. I discussed these rumors with the local leadership but couldn't get confirmation of these rumors. In July, I attended the United Front Against Fascism conference in Oakland, California. At the final session of the weekend conference, during the question-and-answer period, I introduced myself as a representative of the Omaha chapter of the Black Panther Party and posed the question as to whether our chapter was recognized by Panther national headquarters. It was, I believe, David Hilliard who was the Panther officer who responded to my question. He stated that our chapter had lost its party affiliation due to inactivity.

When I returned to Omaha, I shared with the members of our defunct chapter what had transpired at the conference and what I had been told regarding our status. The head of the chapter claimed not to have been notified about the chapter's loss of party affiliation, so there was a degree of confusion based on the question of whether national headquarters had been negligent in communicating news about loss of recognition to the local leadership, or someone in the local leadership had kept this news to himself.

Within just a matter of days later, I was awakened by a phone call very early in the morning, from our chapter headquarters. The brother told me that I was to come home at once. I was spending the night with a woman friend. Because I was an officer, it was required of me to keep our headquarters notified of my whereabouts and how I could be reached. When I arrived home, the other members of our central committee were there already, as well as some brothers and sisters I didn't know. As it turned

out, they were officers from the Des Moines, Iowa and Kansas City, Missouri Black Panther Party chapters. They had been sent by national headquarters.

The Des Moines and K.C. Panthers let us know that we could no longer operate as an organ of the Black Panther Party, but that we could work toward regaining recognition by being active in our community and submitting weekly reports to the K.C. chapter, which would forward them to national headquarters. Later that day, spokespersons for the Des Moines and K.C. chapters, under the auspices of Black Panther Party national headquarters, held a press conference, announcing that there was no Black Panther Party chapter in Omaha, but that we would be working in the community and making an effort to regain our status. We participated in the conference, letting it be known that we would be operating under the name, "United Front Against Fascism."

Because we believed the chapter had lost its Black Panther Party affiliation due to ineffective local leadership and because we believed that leadership had known of the loss of affiliation and had failed to share the information with the membership, we selected a new Central Committee to direct the United Front Against Fascism. Ed Poindexter became Chairman; I was selected as Minister of Education. Other members of the Central Committee included: Frank, Raleigh, "Shotgun," and one or two others.

We immediately set about to make ourselves more visible in the African community, participating with other organizations in community meetings; holding frequent rallies; starting a newsletter ("Freedom By Any Means Necessary"); doing cop patrols, in which we would

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More on Nebraska's Lethal Jails

*Two Oglala Lakota men have died in the Sheridan County, NE jail since 1995.

*The Nebraska Legislature's Judiciary Committee held a hearing in early December on the incarceration of the mentally ill. The hearing was prompted by seven suicides by Nebraska prisoners this year alone. Dr. Linda Jensen, of the National Alliance for the Mentally Ill, told the committee that Nebraska "ranks 49th in the nation" in mental health services, "a statistic that would not be tolerated in football."



The Whiteclay 9 (cont. from p. 3)

middle of a dark road on May 23 of last year, when he was run over by a drunken driver near Sisseton, S.D., on the Lake Traverse Indian Reservation. A grand jury indicted 17-year-old Mark Appel for motor vehicle homicide. Appel, who is white, has a history of alcohol problems. A state prosecutor dismissed the charges.

The bodies of Wilson Black Elk, Jr. and Ronald Hard Heart were found June 8 in a ravine north of Whiteclay, and Indians charge that the FBI investigation has been too little and too late.

Tom Poor Bear, a Lakota activist, charges that the treatment of whites suspected of violence against Indians illustrates a double standard of justice that exists: one for whites, one for native people.

Dissatisfaction with the handling of these deaths helped trigger this summer's protests in Whiteclay. Mistrust between the tribe and the FBI goes back to the FBI siege of A.I.M. on the Pine Ridge reservation in the early 70's - which was sparked by the death of an Indian. Leonard Peltier, an A.I.M. member still in prison for killing an FBI man at a shootout during the siege, continues to insist he was framed by the FBI and fraudulently extradited from Canada, where he had taken refuge.

The Civil Rights Commission hearings will be a precursor to a major study of civil rights and American Indians. Meanwhile, Leonard Peltier moulders in jail, and many native people moulder underground, their deaths mourned and unexplained.



Restorative Justice

The Campaign for Equity-Restorative Justice is an organization devoted to the promotion of dialogue on justice issues, peaceful settlement of conflict, fairness in our justice systems, restoration of individuals for their full participation in society, and reductions in crime and the costs of crime.

Visit the CERJ website at <http://www.cerj.org/> CERJ also maintains a large email distribution list, which serves people who are interested in justice reform and the Restorative Justice movement.

To subscribe, send email to cerj@cerj.org, providing your name, address and country of residence. For further information, contact John Wilmerding, General Secretary, CERJ, 217 High St., Brattleboro, VT 05301-3018; email jww@together.net

CERJ produces a booklet, "The Campaign for Equity -- Restorative Justice," funded by The American Friends Service Committee. Copies can be obtained for \$2 apiece from Kim Pathways, 16 Young Rd., Katonah, NY 10536; phone (914) 232-1524, or email cureny@bestweb.net

TEXACUTED!TEXACUTED!

All other Western countries have given up capital punishment as an atavistic barbarity. It continues here despite a growing number of releases of death-row prisoners after last-minute proof of their innocence.

Study after study has shown that execution does not deter further murders. Yet George W. Bush has defended the death penalty on the ground that it "will save other innocent lives."

As governor of Texas, Mr. Bush has presided over 113 executions, more than any other governor in modern times ... [I]n the next five weeks Governor Bush must deal with five more scheduled deaths, one of a prisoner with a mental age of 7, two others who committed their crimes as juveniles.

Mr. Bush's action in those cases, and the public reaction, will tell much about his and our humanity.

Anthony Lewis, NY Times Op-Ed page

Amnesty International

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parole. Nebraska state law requires that those serving a life -- or indeterminate -- sentence are not eligible for parole until the Nebraska Board of Pardons changes their sentence to a specific period of years. Up until the present, the Board of Pardons has refused even to consider the case.

In 1992 the BBC documentary about Mondo and Ed was broadcast on British television. We phoned the journalist who had made it and received a copy.

In 1995 I went to the U.S. and, thanks to the local defense committee, I was able to visit both prisoners and talk to many people working for their release. This gave our group a new impetus. Again we collected around 3,500 signatures from all over Germany, and have been trying to get more publicity for the two in Germany and Europe. We have approached the European Parliament to pass a resolution calling for Mondo and Ed's release, but haven't been successful with it yet. However, we got our mayor, who also is a governor (Bremen is the smallest of the 16 states in the German Federal Republic) to write a letter to Governor Mike Johanns. Likewise, the Mumia Abu-Jamal campaign published our article on the case in their German newsletter, which is sent to 700 different addresses.

It has been quite frustrating over the years to see time go by and nothing much achieved for the two prisoners, and we don't know how long it will take to get Mondo and Ed out of prison.

But we'll never give up trying.



Nebraskans for Justice
A Human Rights Organization
In Honor of Black History Month
Presents

An Exhibit of Artworks by Mondo we Langa



“A VIEW FROM WITHIN”

During the nearly three decades that Wopashitwe Mondo Eyen we Langa - also known as David L. Rice - has been imprisoned, he has been an artist. Over 40 of his works -- paintings, drawings and sculpture-- will be on exhibit for one month.

February 1 through March 1, 2000
at The Antiquarium, 1215 Harney,
in Omaha's Old Market area.

OPENING: Friday, February 4th,
4:00 to 9:00 p.m.
at a wine and cheese reception
given by The Midwest Guardians.

You are invited to the opening and to visit the exhibit anytime during the month.
Hours are: Mon.-Thurs. 11:30-8:00p.m., Fri.& Sat. 11:30-12:00p.m., Sun.2:00-6:00p.m.
(The works are not for sale, but posters of the exhibit will be available for purchase.)

Besides Nebraskans for Justice, co-sponsors of this exhibit are:
African Studies UNL; The Black United Fund; Caldwell & Assoc. LLC;
Lincoln Justice Committee; The Midwest Guardians; NAACP Omaha & Lincoln;
Nebraskans Against the Death Penalty; Nebraskans for Peace, Omaha;
Nebraskans for Peace Statewide; Omaha Catholic Worker Community;
Omaha Public Theatre in Our Neighborhoods.

NOTICE OF 2 PUBLIC MEETINGS IN LINCOLN AND OMAHA, NE

BY

NEBRASKANS FOR JUSTICE

A HUMAN RIGHTS ORGANIZATION WORKING IN NEBRASKA
FOR

ED POINDEXTER

AND

MONDO WE LANGA!

OMAHA MEETING:

WHEN: SATURDAY, JANUARY 22, 2000
1 TO 3 P.M.
WHERE: ST. BENEDICT THE MOOR CHURCH
2423 GRANT STREET

LINCOLN MEETING:

WHEN: SATURDAY, JANUARY 29, 2000
1 TO 3 P.M.
WHEN: NEWMAN UNITED METHODIST CHURCH
2242 "R" STREET

LEARN ABOUT NEW DEVELOPMENTS IN THIS 30-YEAR-OLD CASE
AND
LEARN HOW YOU CAN HELP SEE JUSTICE DONE!

FOR MORE INFORMATION, CALL:
OMAHA - GABRIEL HERBERS, (402) 551-2966
LINCOLN - LEOLA BULLOCK, (402) 464-2476
PLEASE: COPY & POST THIS NOTICE IN YOUR COMMUNITY!

Mondo (cont. from p. 5)

document police behavior, sometimes show up at scenes of cop harassment of our people and have our guns in plain view, etc.; opening up our Vivian Strong Liberation School for Children; and otherwise doing what we could to serve the African community. Via the Kansas City Black Panther Party chapter, we were keeping national headquarters abreast of our progress. By the spring of 1970, we regained recognition from national; became the Omaha, Nebraska chapter of the National Committee to Combat Fascism; and renamed our Central Committee offices to reflect the party organizational structure.

Also that spring, we made the decision to get involved in electoral politics. Seven of us ran for the post of delegate to the Douglas County Democratic Party Convention. Six of us won, attended the convention, and went on to the state convention, which I came out of as co-chairperson of Ward II, along with an elder, Rowena Moore (may her spirit be at peace in the realm of the ancestors), and as a member of the state Democratic Central Committee. During this period, three -- I believe -- of us from the Omaha N.C.C.F. chapter were meeting with at least two African cops in an effort to convince them to do what they could to get a chapter of the Afro-American Policeman's League started. Penault Robinson, a cop in Chicago, had already organized a chapter there, seeing it as a way of enabling Africans on police forces to be cops and be protective of their African communities at the same time -- even when their communities have to be protected from harassment, brutality, etc., from European (Caucasian) cops.

Even though we identified the police force as the paramilitary wing of an oppressive political and economic system and an occupying army in our community, we were also able to identify certain Africans in the Omaha Police Department who had shown themselves not to be typical cops and to care more for their people than for pleasing the European brass downtown. On at least one occasion, we called upon these African cops we'd been meeting with to prevent a gun battle between our chapter headquarters and European cops who were cruising the 'hood, brandishing weapons, and otherwise trying to provoke a fight. Through the intervention of these two African members of the police department and two African community leaders, the situation was cooled. We found out the following day, by reading the World-Herald, that cops had accused us of firing on a city bus and had used this as "justification" for their provocative behavior. Harold Dow, an African reporter for a local TV station, conducted his own investigation and found out that children were playing in the street near our headquarters (24th and Pinkney Streets), that one of them had thrown a pop bottle that struck the bus, and that a cop had pulled the bus over and told the driver that his bus had been shot at from Panther headquarters.

In July or August of 1970, we read in *The Black*

Panther (the Party's national publication) that we had resigned from the Party. We had not resigned. Years later, sometime in the late seventies or early eighties, I learned, from FBI files obtained through the Freedom of Information Act, that the letter of resignation had, in fact, been fraudulently sent by the FBI to *The Black Panther* as part of its COINTELPRO (Counter-Intelligence Program). I also learned that the FBI had sent an anonymous letter to the *Omaha Star*, back in '69 or '70, claiming that a donation drive we had launched to raise money to get bail for Ed Poindexter had been launched under false pretenses -- namely, that he hadn't been arrested. Of course he had been arrested, on some phony misdemeanor charge. This letter too had been part of COINTELPRO.

As is now public knowledge, the FBI coordinated efforts with local police departments across the country to disrupt and destroy the Black Panther Party, American Indian Movement (A.I.M.), Young Lords, Brown Berets, and other organizations and individuals Hoover and his boys deemed to be a significant challenge to the political/economic status quo. These efforts were generally successful. The fact that they were leaves important lessons for the present and future of liberation movements in this country. One of these lessons is twofold: that we have to be on the lookout for FBI and other police agency tricks and that we must take care to not allow these tricks to be misidentified as attacks from friends and/or allies. What we must not do, however, is allow fear of what police agencies might do to immobilize us, keep us on the sidelines, while games of destruction are being played full-tilt.



From the Hopi Elders:

"There is a river flowing now, very fast. It is so great and swift, that there are those who will be afraid. They will try to hold on to the shore. They will feel they are being torn apart and will suffer greatly.

"Know the river has its destination. The elders say we must let go of the shore, push off into the middle of the river, keep our eyes open, and our heads above the water. And I say, see who is in there with you and celebrate.

"At this time in history, we are to take nothing personally. Least of all, ourselves. For the moment that we do, our spiritual growth and journey comes to a halt.

"The time of the lone wolf is over. Gather yourselves!

"Banish the word 'struggle' from your attitude and your vocabulary. All that we can do now must be done in a sacred manner and in celebration.

"WE ARE THE ONES WE HAVE BEEN WAITING FOR."

Oraibi, Arizona -- Hopi Nation

Nebraskans for Justice *(cont. from p. 1):*

Hinds, and, soon after, with Ed's attorney. They have, in turn, recruited additional lawyers, paralegals, law students and laypersons. Dickinson has coordinated the team's efforts. Late last year, they completed an in-depth review of all trial and post-conviction transcripts, police reports, forensic evidence — everything to do with this case, in fact, from its inception

After analyzing all aspects of the case, the team brought Fred Whitehurst and Emanuel Johnson, Jr. to Nebraska, to review the evidence and advise as to the next step. Each of the two retired FBI agents has independently established his own firm. Whitehurst —

one of the foremost experts in forensics in the country — will determine whether technology that was not yet developed 30 years will give new insights into the truth of the physical evidence — wires, tools, dynamite, audiotapes, etc.

Johnson's specialty is private investigation. He will be searching out the truth about individuals involved in one way or another in the case— past and present.

Each man now has his assignment, and the second phase of the investigation is well under way.

So, if Nebraskans for Justice ever needed your help, we need it now. See our flyer insert for details -- and come to our meetings in Lincoln or Omaha to learn more!

Gloria Bartek, Editor

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TO ALL READERS OF *THE CHIP*: WE NEED YOUR HELP!

NFJ needs VOLUNTEERS! The Grassroots Committee will train you to join a teach-in team. And we need people to help collate, fold and put on mailing labels every quarter when the *Chip* goes out. We need someone with computer skills to help develop a website for Ed & Mondo, preferably in tandem with other such sites. Come to one of the public meetings we're conducting in Omaha and Lincoln, and find out how you can share your talents and time (see the meeting notice flyer for details -- and copy and disseminate the notice).

Finally, NFJ needs MONEY. Your generosity is now more important than ever. After paying for printing and mailing each issue, our checking account is always empty, and our readers have always sent us enough to do one more issue. Now, as we anticipate major expenses for travel, forensic testing., etc. your support means more than ever. Thank you!

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