



The People Are The Best Judges!

part 2

"...The will to fight has been sublimated into acceptable channels and beaten into legalistic modes. Everyone is using everyone else as an excuse for their failure to respond to the political realities of our times. It is not only a disgusting display of political self-delusion, but a dangerous miscalculation of the danger black people are objectively placed in."

—R. Dhoruba Moore & Khali Abney

In the last issue of *THE FUSE*, We put forth our belief that the struggle to FREE THE PONTIAC BROTHERS must be taken to the masses of our people, because they are the best judges.

We put forth that belief with the understanding that not only will the people be called upon to judge the evidence of the state's attempt to frame our Brothers and thereby commit another act of genocide upon our nation. The people will also be called upon to judge all individuals and organizations who stand on the sidelines while this struggle unfolds, as well as those participating in the struggle, whose efforts will serve to aid—or hinder—its success.

We also put forth our general perspective on the struggle to FREE THE PONTIAC BROTHERS. We now want to address ourselves to the more limited perspective regarding the approach to practice in the courtroom—as seen by NAPO.

We feel it necessary to address ourselves to this area because far too much energy has been spent over the past year in internal struggles with lawyers. In view of the interests of the Brothers, We make it clear that what follows is NAPO's position—a position which We feel is being put forth very mildly, covering limited aspects of the contradiction. We hope that it will in some way contribute to the creation of an atmosphere that will prevent our having to address ourselves to the subject again, in a stronger and much more detailed manner.

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Contrary to the attitudes and actions of some of our Brothers and Sisters, We realize that the case of the Pontiac Brothers is not a "normal criminal case". Even those who can't embrace the four

points We put forth, can recognize that 31 men are facing trial; 17 are facing the death penalty; 14 are facing additional prison sentences, some of which could result in imprisonment for life.

While some of us seem unable or unwilling to, the state recognizes the political motivations which guide their attempt to railroad, kill and imprison the Pontiac 31.

It's hard to understand how We can say the conditions existing at Pontiac had nothing to do with the Rebellion, when, on the days and weeks following it everyone from natives of the town of Pontiac to the governor blamed the Rebellion on the conditions, and wondered why it hadn't happened earlier! As late as Nov. '78, Charles Rowe held that enforcement of excessive and arbitrary discipline upon prisoners—and not lax discipline or "control of the prison by gangs"—was a major cause of the Rebellion. It was relatively late in the game, after the state began to get its act together, that they claimed "conspiracy" and their focus on "gangs"—a focus away from themselves and the frame-up they were staging.

The political motivations of the state can also be seen from the skilfully orchestrated media campaign, where it touched on *the families of prisoners and black guards, as well as the black and Puerto Rican communities!*

The state's political motivations embrace the effort to create anti-gang hysteria in the black community, and anti-black hysteria in the white community, to create acceptance of this huge number of indictments and of the mass use of the death penalty



against black people in particular, and other non-white people in general. Also, the use of the prosecution of the Brothers can be recognized by even the blind, deaf and dumb as an impetus in the political careers of the governor, the prosecutors and judges.

And, again, the objective reality of the status of black people in amerikkka is no different in 1979 than it was in 1679, 1779, 1879--or 1969, when the u.s. and state governments targeted "gangs" just as heavily as they targeted other organizations in their program to disrupt the Revolutionary Nationalist Movement, and suppress the masses of our people in the escalating drive toward self-determination.

The historical pattern will tend to repeat itself, because the contradiction remains the same: black people are a colonized nation; as conditions worsen for the oppressor nation, the colony will be used as a "scapegoat", as the Pontiac Brothers exemplify.

The state has nothing to lose--but everything to gain --by attempting to treat the Pontiac 31 as "a normal criminal case". They have already shown that they will do anything in their power to achieve convictions:



- They've coerced and manipulated witnesses; manufactured evidence and harassed the families and supporters of the Brothers;
- They've trampled on the "rights" of the Brothers and interfered in various ways with the preparation of the legal defense;
- The decisions to have separate indictments and at least two trial locations were clearly deliberate and designed to divide legal and political support, as well as hopefully divide the Brothers;
- The use of the media to shape the public attitude, "prepare the juries" and influence the public pressure that will be placed on the juries and judges to convict;
- The attempt to rush all the cases to trial before adequate legal preparations are made and, very importantly, before mass political support can be built;
- The attempt to rush the trials is also aimed to help prevent the already shaky witnesses from changing their minds upon losing their fear of the state once the strength of the defense and public support for

the Brothers is seen.

It's our belief that the perspective and strategy for the courtroom must be based on the overall political realities faced by the Brothers and black folks in the u.s. generally.

We believe the state must be confronted at every step and exposed, while the reality of the frame-up and the reasons for it must be put forward without compromise.

It's absolutely necessary that all of us work now to build the consciousness among the public which will combat the line of the state on each point. We must see to it that as many prospective jurors as possible enter the courtrooms with at least a minimal understanding of why it was necessary for the state to blame the Rebellion on "gangs" and how they "found" witnesses to put forth their concocted cases. Unless such an aggressive and politically-grounded approach is taken now, the juries will take the easy and anticipated way out and return "guilty" verdicts.

It's clear that the "evidence" against the Brothers is fabricated and weak. But it can only be solidified into "not guilty" verdicts (or dismissals of indictments) if the juries understand (or public pressure on the judges for dismissal of indictments are based on) the motives compelling the state to seek out scapegoats.

NAPO believes that it will be necessary to expose every incident of the states lawlessness in the investigation, before the grand jury, during the pre-trial stage and during the trials themselves. Each exposure should be explained as part of a pattern designed to frame the Brothers and achieve the political goals of the state.

Putting the state on trial, in this context, means making them answer for each act of lawlessness, each tactic designed to railroad the Brothers. Compromises mean that each side gets something. If the Brothers can't get dismissed indictments or acquittals, compromises are worthless. We should fight for everything their law says we got coming, whether we expect them to give it up or not. Everything they deny is another exposure of the true nature of the case, it weakens them, and adds to our ability to win.

All of us should realize that there are no neutral words, gestures, glances or acts in the courtroom. The state, the court which serves it, and all those who serve the court, are part of the attempt to kill and imprison 31 of our Brothers. This understanding will surely be reflected in the attitudes of the Brothers, their families and supporters, and should also be reflected by their lawyers.

From One Generation To The Next,

BTW!
FTL!



"With the exception of Indian massacres in the late 19th Century, the State Police assault which ended the four-day prison uprising was the bloodiest one-day encounter between Americans since the Civil War."
 --New York State Special Commission on Attica

REMEMBER ATTICA: Sept. 9 - 13, 1971. . . ATTICA IS STILL ALL OF US!

THE STRUGGLE TO FREE JOMO JOKA OMOWALE



In the aftermath of the April 2, 1978 shooting which claimed the life of Comrade Dalou Asahi, Comrade Jomo Joka Omowale was charged with Dalou's murder and the murders of the two policemen who killed Dalou and seriously wounded Jomo. The trial on those charges took place several months ago and ended in a hung jury.

Both Dalou and Jomo arrived at Attica shortly before the Rebellion after being transferred there from Auburn prison, where a Rebellion had occurred in August 1971. Dalou had been a leading member of the Young Lords Party, and Jomo a leading member of the Black Panther Party.

Jomo finished time on the Attica charges and other convictions and was paroled in July of 1976. Upon his release he was active in the Movement, and often spoke on prisons and the struggle in the com-

munity, especially to youth on the street and at high schools.

Below, is an excerpt from a 1974, interview with Jomo that we are reprinting from the Fall, 1978 issue of *BREAKTHROUGH*. The upcoming retrial of Jomo must result in his freedom!

"My point is that most of us have been led to believe that revolution only means violence, death, blood and destruction of a people or a race. I am not going to say revolution won't involve some violence or the loss of some blood, and maybe death to some of us in some cases, BUT SO DOES SO-CALLED 'LAW AND ORDER,' and that's why unarmed black children get shot in the back of their heads and Sisters and Brothers are being murdered in cold blood in the prisons and streets of the ghettos every day somewhere in this country.

I would like to remind you, especially the poor, and oppressed black and Third World people of America, that the term revolution does not imply only (or first) violence, or death or blood. The very first thing revolution means is CHANGE, and there is no way in hell you can make me believe that the oppressed don't want to change from the oppressive conditions, and revolution should be a means we embrace in order to change the social and economic conditions we presently exist under in this country. If we move to deal with changing the conditions which one slaves (or lives) under, or if one even seeks change in one's dreams or wishes, then we are seeking, moving, dealing with the same 'revolution'--because its first and true meaning is none other than 'change'. One who fears change also fears life, love, freedom and liberation on all levels. For change/revolution starts with the seeds of changing within, the mind, changing our thinking from the way the system has conditioned us to think about our very lives."

--Jomo



IN MEMORIUM TO BROTHER DALOU



Attica Committee to Free Dacajeweah

On April 2, 1978, while this book was being printed, Attica Brother Dalou Asahi (Mariano Gonzalez) was killed in a battle with the New York City police.

Attica Brother Jomo Joka Omowale (Eric Thompson) was seriously wounded in the same incident and now faces murder charges.

Dalou was released from prison in 1974 and traveled the country speaking and organizing on behalf of the indicted Attica Brothers. He was an inspiration to many people. He became a fugitive in 1975 rather than face a rigged trial on trumped up charges in Buffalo. When he died, he was the only person still facing an Attica indictment. If caught, he faced a framed-up murder charge and the possibility of life in prison.

He died defending himself against that indictment—against the same forces of law and order which shot the men in D Yard and railroaded the Attica Brothers in court. These same forces keep Dacajeweah, Jomo, and millions of others behind bars—whether the physical bars of prison or the political and economic bars of a racist, imperialist society.

Dalou's life was dedicated to the struggle against these forces.

We deeply mourn for our fallen comrade and friend, and we rededicate ourselves to the struggle for true freedom, justice, and humanity.

FIGHT TO FREE JAWWAAD SHAHEED BILAL (Vernon Lee Joe) CONTINUES Reprinted from Richmond *AFRO-AMERICAN*

Another inmate, Tony Lewis, has recently admitted that Vernon Lee Joe (Jawwaad Shaheed Bilal) now serving a life sentence with no chance of parole in Richmond's State Penitentiary, did not participate in the killing of a prison guard at the Southampton Prison Camp.

The information was revealed in a report at a rally sponsored by the Vernon Lee Joe Defense Committee, held July 22nd at 4 p.m. in Bethlehem United Church of Christ, in Suffolk, which heard a special committee consisting of Rev. G. R. Daughtrey, Rev. Obadiah Colander and Moses A. Riddick, Jr., tell some 50 people in attendance the results of their conference with the defense attorney.

During a recent visit to the Mecklenburg Correctional Center, Richard G. Brydges, Vernon Lee Joe's attorney, held an hour-long conference with Tony Lewis, one of three inmates who was convicted as a participant on the escape-murder charges.

According to Brydges, Lewis is committed to signing an affidavit declaring that Vernon Lee Joe is innocent of the escape attempt and murder charges.

In the fall of 1978, Michael Cross, who was also charged and convicted for the prison break and guard murder, was the first prisoner to admit Vernon Lee Joe's innocence.

He wrote a letter openly admitting that Vernon did not take part in the acts. Cross also volunteered to support his position as a witness in any court if the occasion arises.

In the communication read during the rally, the attorney stated that the admissions of these two witnesses make the case for a new trial much stronger with affidavits from both Cross and Lewis.

Brydges stated also that he was in the process of advising the Secretary of the Commonwealth that he not only has Michael Cross' testimony as to Vernon Lee Joe's innocence, but that he also has the testimony of Tony Lewis, and that he will proceed at the moment with asking the secretary to have the governor take another look at the case.

The report which was unanimously adopted also revealed the two alternatives that the attorney is taking in the case: a request for a new trial for Vernon Lee Joe based on new evidence, or an outright pardon by the governor.

Vernon Lee Joe, only 16 years of age in 1974, was convicted on charges of murder of a prison guard and attempted escape, and has become the object of a vigorous campaign by supporters who charge that the conviction was the result of a frame-up.

Vernon was originally sentenced to 20 years in prison, a sentence that was later reduced to 10 years.

In 1975 a guard at Southampton Prison Camp was killed during an incident that officials described as an "attempted escape."

Three prisoners were charged with the murder: Michael Cross, Tony Lewis and Vernon Lee Joe.

All three were convicted and sentenced to die in the electric chair. But later, when the Virginia death penalty law was declared unconstitutional, the sentences were changed to life imprisonment with no change of parole.

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