

ASSATA-SUNDIATA bulletin

AUGUST, 1977

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Free all political prisoners !

Free Assata



FREE
JOANNE CHESIMARD

break de chains

Free Sundiata



FREE
CLARK SQUIRE

Life plus 30 years ...

Assata Shakur/Joanne Chesimard, Sundiata Acoli/Clark Squire, and Zayd Malik Shakur were stopped on May 2, 1973 by state troopers on the New Jersey Turnpike. The shoot-first, ask-questions-later incident that ensued resulted in the murder of Zayd as well as the serious wounding of Assata. Trooper Werner Forster was killed. Assata and Sundiata were charged with several counts of murder, assault, and possession of weapons. Finally the state had these Black revolutionaries in a position they had wanted them in for some time, as part of the government's ongoing attempt to crush the movement for Black liberation in this country. Sundiata was tried in 1974, convicted on no direct evidence, and sentenced to life plus 30 years. Assata was tried in 1977 and was similarly railroaded. In April 1977 she was sentenced to life plus 30 years.

As supporters of the Black liberation struggle, we recognize our responsibility to do support work for Sundiata as well as support work for Assata. The first manifestation of this has been the initiation of a campaign to publicize the conditions at Trenton State Prison. This first Assata-Sundiata Bulletin contains important background information as well as the latest update on the situation of both Assata and Sundiata.

Assata Shakur is a Black revolutionary woman who has long been a freedom fighter in the struggle for the liberation of the Black nation in the U.S. A childhood in the South and an adolescence in New York led her to recognize that "anybody's life doesn't mean anything if you are Black in Amerika." After a series of slave labor jobs, Assata took the GED and enrolled in Manhattan Community College where she became a part of the Black student organization, and

I met a lot of sistas and brothas who were into Black history and culture and who were talking about freedom for Black people. I took to them like a fish takes to water. I started reading everything I could get my hands on about Black history, culture and then politics and ideology. It was like being born again. Everything started falling together and for the first time in my life I had a clear understanding

Sundiata Acoli was born in Vernon, Texas, a small town below the Panhandle. He experienced racism throughout his childhood, but managed to graduate from college with a degree in math at 19. After looking for work unsuccessfully in NYC, he took a job as a computer programmer for NASA in California. He first became politically active in the summer of 1964, doing voter registration work in Mississippi. But he returned to his career, and

I was making big bucks, and I began to realize that by staying in the system and looking successful I was misleading a lot of other Black people. I was being used as a pawn in a game in which I did not care to participate. I was not free, but I possessed many of the symbols and appearances of freedom. I felt I was leading brothers to mistake Brooks Bros. suits for freedom...and that was a lie! All I had done was survive, but I couldn't be proud of survival under the system in America, because too many of my brothers hadn't survived....I was aware of

of the world I lived in. I began to see this country as the imperialistic octopus it is and to understand that this system cannot be improved--it must be destroyed and replaced by a complete change, a revolution. It was around then that I decided that the most important thing in life for me was to struggle for the liberation of Black people and all oppressed people, to struggle against all forms of racism, capitalism, imperialism, sexism, and oppression. (1976)

Assata worked with the Black Panther Party in the community breakfast program, setting up free health centers and studying to be a para-medic as part of a medical cadre.

As the government's war against the Black liberation struggle escalated, Assata became a target of Cointelpro (Counter Intelligence Program). Cointelpro was part of the government's campaign to smash third world liberation forces and other struggles, a campaign which continues to this day. Cointelpro used a variety of repressive techniques including writing phoney letters to create distrust, framing individuals on criminal charges and even resorting to murder. Therefore, once she was captured, Assata was accused of a variety of charges including bank robbery, kidnapping and murder.

In the four years since the arrest on the Turnpike, in a series of trials, Assata has been consistently vindicated. Only the Cointelpro-inspired shoot-first policy of the state troopers has put Assata Shakur behind bars, adding her to a growing list of imprisoned Black leaders throughout the country.

In her trial in New Brunswick, which began January 17, 1977, the outcome was apparent from the start. Despite the findings of the National Jury Project that 80% of the local population from which the jury would be drawn were convinced of her guilt and anxious to see her punished, Judge Appleby denied a change of venue; Appleby denied the defense the right to voir dire the jury; Appleby refused to allow Assata or her lawyers to read her opening statement, or to place the trial in a political context; Appleby ruled out any reference to Cointelpro and its declared war on Black people. The all-white jury, not interested in the truth, added to the racism of the entire proceedings. After a trial that last three months, less than two days of deliberation led to a verdict of guilty on all

the subtle pressures working to force upon me the acceptance of white values, to give up more and more of being Black...I loved being Black--the Black mentality, Black mores, habits and associations. I looked around for an organization that was dedicated to alleviating the suffering of Black people. (1971)

Sundiata joined the Black Panther Party and was one of the Panther 21, who were acquitted of all charges in 1971 after trial by jury.

Two days after the incident on the New Jersey Turnpike, Sundiata was captured and charged with murder of the trooper. Before trial, he was given no bail, allowed no visitors, and held the entire time in solitary. Meanwhile there was a steady flow of prejudicial publicity emanating from the state police and the prosecutor's office. When the case finally went to trial, it was severed from Assata's on the grounds of her pregnancy, but against both Sundiata's and Assata's wishes. He was tried in Morris County, which is 90% white and one of the richest counties in the country. Among the abuses at trial were the forewoman who was a close friend of the Morris County prosecutor, the judge whose father was a chief of police, the prosecutor's planting of evidence and painting a picture in summation quite different from that supported by the evidence, and--this came out at Assata's trial this year--relationships between sheriff's officers and jurors as well as the sheriff himself spying on the jury during deliberations.

Sundiata was convicted and sentenced to life plus 30 years. He is now in Trenton State Prison in the Management Control Unit (M.C.U.). Since conviction, he has been singled out for particular harassment and scapegoated for any "trouble" in the prison.

In January, 1976 he was the object of another flood of groundless publicity holding him responsible for a "breakout attempt" in which one prisoner--John Andaliwa Clark--was killed. Later he was charged in Andaliwa's death--again, as with Zayd, the state charging a close comrade in the death of a brother murdered by the state. A subsequent N.J. Supreme Court decision forced the state to drop the murder charge, but lesser charges (conspiracy, etc.) remain. And, on top of this, New Jersey has made it clear they intend to ship Sundiata to the federal penitentiary at Leavenworth, Kansas--despite the fact that he has no federal charges of any kind--in an open attempt to remove him from his friends and supporters and to relieve the state of New Jersey of the burden of imprisoning another revolutionary.

counts.

Throughout her four years of detention, Assata's status as a political prisoner has been clearly recognized by the government, denial of visitation and wrist and ankle shackles illustrate the government's insistence that she is a "high security risk." To further secure Assata's total isolation, she has been incarcerated in all men's jails and prisons for three years. Having spent 1 1/2 years in Middlesex County jail for men awaiting trial, she was, upon conviction, transferred to Clinton Correctional Institution for women. Simply because of her presence there, new harassment procedures were immediately instituted throughout the prison: daily strip searches, restricted yard and visiting privileges. The women protested by work stoppages. Assata was promptly transferred to Yardville Correctional Facility for adolescent males, where she was kept for four months. In July Assata was transferred to the Women's House of Detention on Rikers Island to face trumped-up charges in Brooklyn.

The treatment of Assata and Sundiata at the hands of Amerika is not unique. It simply illustrates what all Black brothers and sisters who struggle inside or outside prison walls can expect from a racist government, a government built upon and sustained by the lives and labor of the Black people detained within it. But no people will be held down forever. Black people in southern Afrika are rising and breaking their chains. Black people in Amerika are rising and their chains too will be broken. Around the globe imperialism is under attack. The capital of capitalism cannot survive.

THE CAMPAIGN AGAINST M.C.U.

In December, 1975 Sundiata Acoli and many other prisoners at Trenton State Prison whom Warden Allan Hoffman considered "troublemakers" were locked into a hurriedly created new unit. This maxi-maxi area called Management Control Unit, is literally a prison within a prison and is made up almost completely of third world men. The prisoners were thrown into M.C.U. at that time because two rival factions within the prison were fighting and killing each other at the instigation of prison officials. Hoffman, who is now Deputy Director of the department of prisons, has been under investigation by a New Jersey grand jury recently for his role in instigating those and other prison disorders. At the time, Hoffman felt compelled to place the members of both warring factions in segregation and then developed irrational fears that the political prisoners would move to take control of the prison. Since most of the political prisoners had committed no violations of prison rules, special hearings were held which justified their placement in M.C.U. merely because of the crimes for which they were sentenced in the first place.

These men in M.C.U. are continually subjected to punitive conditions, harassment and provocation, as well as trumped-up charges so that the administration can build up records on them and thus "prove" they are violent and uncontrollable and thereby justify their continued lock-up in M.C.U. Harassment consists of 24-hour a day cell confinement except for 10 minute showers and recreation periods 2-3 times a week in a small courtyard. Several of the inmates have received so many frame-up charges that they have lost all recreation privileges until September. Some have been kept in their cells continuously for 3 months and expect another 2 months of such punishment. The cells are so small it is against the law for the ASPCA to contain a 90 lb. German Shepherd in so limited a space. Cold food and filthy linen in bare strip cells create a sickening environment. The food and drink often contain powerful tranquilizers and constant shakedowns with "bond and spread" searches create incidents during which assault charges against the inmates are drawn up.

Sundiac has already lost an appeal of his Turnpike conviction, but he is working to get the case re-opened, revealing grounds of the trial abuse in Brunswick. He is also fighting all attempts to move him out of state. Finally, he is actively resisting the racist brutality of Trenton's Management Control Unit. Along with others in M.C.U., he has not had any visits for seven months from family, friends or lawyers because of his position of wearing "communal" jumpsuits. His suit is still in Federal Court on the denial of access to his lawyer.

Sundiate Acoli's fight for freedom is integrally tied up with Assata Shakur's fight for freedom. We support both of them not because the conditions they are imprisoned under are inhuman -- though this is true and must be changed. Rather, we support them because as Black revolutionaries the full wrath of United States oppression is directed against them for their leadership in the liberation struggle and it is only the people's efforts that will free them in the end.

ASSATA SUPPORTERS GO TO COURT

On July 8, 1977 a hearing in the case of five supporters of Assata Shakur took place down the corridor from Judge Appleby's courtroom in the Middlesex County Courthouse. This proximity to the scene of Assata's recent trial is not just symbolic. The five women were arrested in New Brunswick in March while doing support work for Assata. They were charged with "posting hand-bills" (FREE ASSATA posters) and two charges relating to "lottery slips" (Assata Defense Committee raffle books). Since the arrest the state of New Jersey has made it clear that it is serious about pursuing its attacks on Assata's supporters, hoping to discourage further support and to isolate Assata.

Immediately after the arrest and then again a month later articles appeared in New Jersey newspapers stating that the defendants as well as other supporters were the targets of police intelligence reports which had been gathered on them since Assata's trial began. The day after the arrest the five defendants were barred from Judge Appleby's courtroom for the duration of the trial. A Black woman who worked on Assata's defense had earlier been barred without any justification and many other Black supporters have been harassed by the police in and around New Brunswick.

The state has also pursued the case of the five in the courts. At a New Brunswick Municipal Court preliminary hearing on the lottery charges, the judge ordered the charge of "possession of lottery slips" on one of the defendants and that she be sent to the grand jury for further action. Intended as an anti-organized crime statute, the charge is an indictable offense which carries a possible three year jail term. The completely absurd charges of "working for a lottery business" which had been brought against the other four defendants were dropped at this time.

On July 8 there was a hearing on a motion the defendants had brought to have the evidence relating to the postering charge suppressed because it had been obtained as the result of an illegal search of their car. The five women chose to represent themselves at this hearing because they believe they could most effectively expose the baselessness of the charges and the pattern of harassment aimed at Assata's supporters. Despite the fact that under cross examination the two arresting officers contradicted themselves, each other, and the defendants, and despite the fact that neither cop was able to identify any of the defendants as having committed any crime, the judge denied the motion and held that all the evidence, including the raffle books, was admissible.

The judge's decision was not surprising. A number of the defendants had worked in New Brunswick for months on Assata's case. All of them had attended the trial and joined in protest demonstrations. They do not expect to receive a fair trial in the same courtroom where Assata was railroaded. Neither do they expect cops who called Assata "a communist bitch" and the defendants "dupes" of Black people to tell the truth on the witness stand. They believe that only through a militant stance in the courtroom and visible support from other people can the state's offensive be met. They also believe that fighting this case politically is one way of concretely demonstrating continuing support for Assata and the Black liberation struggle she represents.

There is no money to spend at Commissary because there is no work except the job of messenger. The last one was shot in the back with his hands in the air by the guards. Understandably, no one wants that job. The inmates also have no access to the law library, legal services, school or religious services. A suit challenging illegal transfers to M.C.U. and the conditions there was brought by N.J.C.L.U.'s Prisoners' Rights Organized Defense in federal court in 1976. Judge Fisher (same judge who ruled that Assata can be held at Yardville) ruled against the prisoners. The decision is being appealed.

In January, 1977 the prison issued 3 "communal" jumpsuits to be worn, without any other clothing, by the 47 men presently housed in M.C.U. whenever they have visits even though all visits are through glass windows. Since the 3 suits are in constant use, they are rarely washed and inmates who wore them contracted rashes and infections. The determined prisoners who are refusing to wear them have had no visits--not even from lawyers--since January.

It was to publicize this issue and to protest all aspects of M.C.U. that supporters of the men demonstrated outside Trenton State Prison on June 24th. The fact that Assata Shakur was imprisoned within an all male institution was also publicized and protested. Later, the demonstrators picketed outside the N.J. Department of Corrections and demanded to see Commissioner Robert Mulcahy.

Three representatives of the demonstrators met with Robert Reed, executive assistant to the commissioner, who admitted that no specific criterion other than being perceived as dangerous was necessary for prisoners to be transferred to M.C.U., that the cells, in fact, violate federal "guidelines" and that many complaints about the jumpsuits had been consistently ignored. He also contended that the \$8,600 - \$15,000 per year per prisoner which the state of New Jersey claims to spend, is insufficient to allow each prisoner to have his own jumpsuit. However, soon after the protest, each man in M.C.U. was measured for an individual jumpsuit.

Conditions that prevail at Trenton, especially within M.C.U., are not unique to that facility. Clearly, this racism and brutality within prison is an intensification of the racist brutality outside. A militant response is called for. The state-programmed extermination of Black leadership as a consequence of political struggle must be resisted. Resistance on the inside must be supported by militancy on the outside.

ASSATA UPDATE

Assata is still facing murder charges in Brooklyn Supreme Court. Of the 3 others indicted in the case, Twyman Myers was murdered by NYC police, Andre Jackson's charges were dismissed and Avon White is a well-known agent who has testified in several cases. Assata's last appearance in this case was July 6. On a previous date--June 27--the case was adjourned when Assata fell down on her way into court and was hurt because of the ankle and wrist shackles she is forced to wear. At the July appearance, September 19 was set down by Judge Starkey for pre-trial motions. Attorneys are preparing motions for dismissal based on failure to prosecute and the federal removal rule which makes it illegal to move a detainee back and forth between states more than once.

On the N.J. Turnpike case, the N.J. Appellate Division recently denied a motion for an appeal of Judge Appleby's denial of a fuller hearing on the mistrial issue of Juror McGovern's escape from sequestration. A letter has now been sent to the N.J. Supreme Court asking for the right to appeal this further. Also, in the Turnpike case, the N.J. Public Defender's office is undertaking the appeal of the conviction because of Assata's indigent status.

Finally, the fact that the state of New Jersey keeps Assata in an all men's prison when she is in their custody--a violation of state law which has survived a hearing before Judge Fisher--is being appealed by P.R.O.D. and the National Conference of Black Lawyers.

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