

*Police Brutality Issue Part 2: The Suspect Had A Weapon•***Self-Defense or Out-Of-Control?***Did Larry Hubbard, "Artie" Elliott and Abdur-Rahim Muhammad Deserve to Die?*

EDITOR'S NOTE: In our last issue, we reported on some of the testimony at the SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE'S "Enough Is Enough" Hearing on Police Brutality, moderated by the Rev. Walter Fauntroy. In this issue, we will study, in brief, several cases of apparent police brutality that have tarnished the reputation of law enforcement in this country, including three in Maryland that have the attention of the activist community: the killings of **Larry Hubbard**, **Archie "Artie" Elliott III** and **Abdur-Rahim Muhammad**.

BALTIMORE CITY: THE KILLING OF LARRY HUBBARD

"I've been on this job 18 years. ... I took down some of the worst criminals in Baltimore City. Never have I had to take a life." These were the words of **Sergeant Louis Hopson** of the Baltimore City Police Department, a steadfast opponent of police brutality, racism and misconduct. It is a claim that fewer and fewer of Baltimore's police can make. On Thursday, October 7, 1999, plainclothes officer Barry Hamilton, 55, an eight-year veteran of the Baltimore City Police force, placed his weapon at the back of the head of **Larry Hubbard**, two weeks shy of his 22nd birthday, and pulled the trigger.

The circumstances surrounding Mr. Hubbard's death have been in dispute since the incident. The official story of the police is that Mr. Hubbard and an accomplice were being pursued as they ran from a stolen car. Mr. Hubbard was caught by Officer Hamilton and Officer Robert J. Quick, 26 and a four-year police officer. Mr. Hubbard resisted arrest, fell on Officer Quick and tried to take the officer's gun. Officer Hamilton shot Mr. Hubbard once in the head when Mr. Hubbard took the gun, according to the police version.

However, several witnesses to the incident insist that this version is a lie. They contend that Mr. Hubbard never reached for Officer Quick's gun, that the officers seemed to intentionally place handcuffs on only one of Mr. Hubbard's wrists, that they punched, kicked and tripped him, and that he was executed by the officers as he pleaded for his life.

In the aftermath of the shooting, a Town Hall

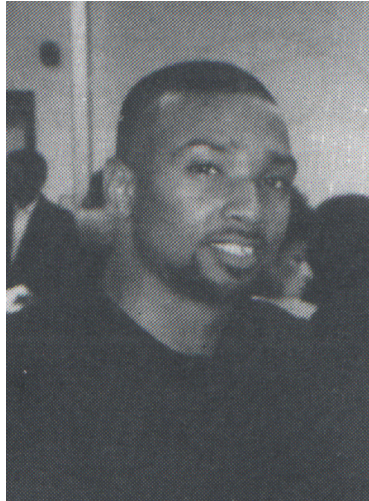
Meeting was held at the Shake & Bake Family Fun Center in the 1600 block of Pennsylvania Avenue in Baltimore. Sponsored by former State Senator **Larry Young** and WOLB-AM, the meeting allowed activists **Sister Maggie** and Unity for Action's **Bill Goodin**, **Sister Nzinga** of WEAA-FM, former State Senator **John Jeffries** and other citizens to air their concerns about this case, police brutality in general and the need for the community to stand up.

"There are a lot of good officers who care out there," Sgt. Hopson continued. "But they need leadership and they need direction. ... But we need, really, for you to stand up. ... The police department is waiting to see what your response is going to be. If your response is quiet, it's business as usual."

The response on Wednesday, October 13 was anything but quiet at the main branch of the Enoch Pratt Free Library, where candidates to become Baltimore's

next mayor, **Martin O'Malley** and **David Tufaro**, were set to debate the issues. Cathedral Street in front of the entrance was blocked off by police as hundreds of protesters occupied the roadway, chanting "Tell the truth! Stop the lies! Larry Hubbard didn't have to die!", and "No justice, no peace! Jail killer police!" Meanwhile, the two mayoral candidates, using the case as a means to debate their own versions of the "zero-tolerance" policy on crime, offered statements that failed to impress the activists and protesters present.

NAACP President **Kewisi Mfume** and U. S. Congressman **Elijah Cummings** have called for a federal investigation, which the U.S. Justice Department is launching. The Baltimore City Police Department is carrying out its own investigation despite the skepticism of the community regarding the ability of the police to police themselves. And lawyers **A. Dwight Pettit** and **Johnnie Cochran** have offered their legal resources for investigative purposes. Further vigils and protests are also planned.



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PRINCE GEORGE'S COUNTY: THE CASE OF ABDUR-RAHIM MUHAMMAD

On Monday June 28, 1999, *Abdur-Rahim Muhammad*, known to some by his given name of Howard Robinson III, was driving home on Route 197 when Brian Rumsey, a Prince George's County police officer, observed him driving "recklessly", according to Officer Rumsey's report. Officer Rumsey followed Bro. Rahim's car into the Montpelier Woods apartment complex where he lived with his wife Rasheeda and two children. The report claims that Bro. Rahim jumped out of his car and ran into the apartment complex with the keys still in the ignition. The officer followed Bro. Rahim into the building, catching him just before he reached the door of his apartment, "Thereafter, according to Officer Rumsey, Abdur-Rahim pulled out a knife and the officer, fearing for his life, shot Abdur-Rahim twice in the torso area." According to an article in the June 29 edition of *The Washington Post*, the officer and a nurse who witnessed the shooting tried to administer first aid. A helicopter transported Bro. Rahim to Prince George's Hospital Center, where he was pronounced dead at 11:15 am. Bro. Rahim was the fourth person since April to die at the hands of the Prince George's County police, according to *The Post*.

Not long after the shooting, articles in *The Post* and the *Laurel Leader* began to paint a picture of a man with "two sides" who, on the one hand, was a devoted family man, a devout Muslim and a hard-working, popular and valued employee at a sporting goods store, but on the other hand, had had arguments with in-laws, had resisted arrest using "a knife with a four-to-five-inch blade" and was found to have alcohol and cocaine in his system during a toxicology analysis after the shooting.

The police account, though apparently accepted by the *Post* and the *Leader*, was greeted with great skepticism by the Afrikan and Muslim communities. The August 1999 issue of Muslim Community News, published in Silver Spring, Maryland, reports that witnesses said the police cruiser that pursued Bro. Rahim had no siren or lights activated that would denote fresh pursuit; that the police officer pepper-sprayed and beat Bro. Rahim with a baton before shooting him; that the officer handcuffed Bro. Rahim and called for backup, possibly before attempting first aid; and that the knife referred to above, a folding pocket knife whose blade *and* handle may have been four to five inches long, may well have been *closed*. Whether or not the knife even belonged to Bro. Rahim was questioned in a press release from the ISLAMIC COMMU-

NITY CENTER OF LAUREL, Maryland, where Bro. Rahim worshiped and which formed a task force to insure that a full investigation is conducted into the killing. The funeral for Bro. Rahim was moved from Laurel, in Prince George's County, to Montgomery County amid fears, prompted by a sudden increase of police patrols entering the Centers parking lot, that the Prince George's County Police Department might commit acts of intimidation against the mourners.

Members of Bro. Rahim's family as well as the Muslim community have held meetings and events to rally support for the family and seek justice for Bro. Rahim. For more information, contact the ISLAMIC COMMUNITY CENTER OF LAUREL by calling (301) 317-4584.

THE ARCHIE "ARTIE" ELLIOTT REPORT

Just before 5:00 pm on June 18, 1993, *Archie Elliott III*, known to his friends as "Artie", was driving home when he was pulled over by Officer Jason Leavitt of the District Heights, Maryland Police Force for "driving erratically". Upon searching Mr. Elliott, Officer Leavitt found no weapons but determined that he had been driving under the influence of alcohol. At this point Mr. Elliott, wearing jeans shorts, tennis shoes and no shirt or socks, was handcuffed behind his back, placed and strapped in the front passenger seat of Officer Leavitt's vehicle.

At this time, Officer Wayne D. Cheney of the Prince George's County Police Department arrived on the scene, allegedly to serve as backup to Officer Leavitt. Other police officers arrived at the scene shortly afterwards.

According to the officers, the window on the passenger side of the police cruiser was rolled up. The officers seemed uncertain as to whether or not the window was tinted; apparently it was, but Officer Leavitt claimed he could see Mr. Elliott, hands still cuffed behind him, but now on the right front side of his lap, pointing a gun at the officers. Cheney said he saw this as well, and as Leavitt yelled "Gun! Drop the gun!", they determined that Mr. Elliott was not complying with the order and they opened fire. In all "twenty-two rounds were fired, fourteen penetrated the body of the target and the life of Archie 'Artie' Elliott, III ended," according to the Archie Elliott Report web site (www.afamerica.com/elliott/).

According to the Elliott web site, Officer Cheney then retrieved what proved to be an unloaded small-caliber handgun from Mr. Elliott's hands. Officer Cheney would, 20 months later, be involved in another police shooting in which he apparently mistakenly thought the suspect was reaching for a gun, according

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OUR PURPOSE is to educate the public and share ideas about community news, events, health and history. **OUR VISION** is an educated, organized and mobilized populace committed to the principles of *Ma'at* (truth, justice, righteousness, harmony, reciprocity, balance, compassion, order and propriety) and the preservation of Afrikan, Indigenous and other world cultures promoting peace, unity, respect, and true freedom.

to the Elliott web site.

Since the incident, the Elliott family has been subjected to what they consider to be delays and roadblocks in obtaining information regarding the details of the case, such as autopsy and incident reports. The case was heard in civil proceedings that reached the Supreme Court, a county grand jury refused to indict the officers and a justice department investigation cleared them of wrongdoing, according to the *Gazette* newspaper (June 10 and July 8, 1999, www.gazette.net). States Attorney for Prince Georges County **Jack Johnson** has been accused by supporters of the Elliott family of attempting to obstruct the creation of an independent grand jury to reopen the investigation, saying he has no authority to empanel a grand jury. Rev. Fauntroy disagrees and has cited provisions of the Maryland Annotated Code to back up his stand. Meanwhile, every Wednesday for the first half of this year, protests have been held at the Prince George's County Courthouse, attended by Rev. Fauntroy, Mr. Elliott's mother **Dorothy Elliott**, and WOL/WOLB radio talk show host **Joe Madison**, who has also conducted a solid food hunger strike since February.

The main points of contention in this case center around four questions:

- (1) How is it, when Mr. Elliott was wearing only jeans shorts and sneakers, and had been searched, that he was suddenly able to obtain a firearm?
- (2) How is it, when Mr. Elliott's hands were cuffed behind him and he was strapped in the front passenger seat, that he was able to grasp the gun, maneuver it to a position on his lap, and point it at the officers?
- (3) Was the glass in the passenger window sufficiently tinted to make it difficult to see exactly what Mr. Elliott was doing in the front seat?
- (4) Why would Mr. Elliott aim an **unloaded gun** at police officers who have a deadly arsenal at their disposal?

A more detailed analysis of this case can be found on the Archie "Artie" Elliott Report website, www.afamerica.com/elliott/.

POLICE BRUTALITY CASES ACROSS THE COUNTRY

When one researches cases of police brutality across the country, one finds that, even though the Baltimore City and Prince George's County Police Departments have been maligned at various times over the last several decades and in very recent history for the actions of a few trigger-happy members of their ranks, they are by no means alone. From California to New York, American citizens, an alarming percentage of them (though not all of them) of Afrikan descent, start their day by going to work or going out with friends only to end it as the target of a fusillade of police bullets. And, what one might consider a surprising number of times, the picture painted by the authorities is one of **police officers** exercising deadly force, often to an obscene degree, because they fear **their** lives are in immediate danger. Put simply, the responses tend to be in the form of "The suspect reached for a gun" (as in the case of Simmont Thomas, discussed in the last issue, Larry Hubbard and Archie Elliott III), "The suspect drew a knife" (as in the case of James Quarles, discussed in the last issue, and Abdur-Rahim Muhammad) or "The suspect was trying to run officers down with a car" (as in the case of Preston Barnes, again discussed last issue).

Below, we review some of the cases of police brutality in which often-extreme deadly force was used against individuals who, according to statements released after the incidents by police spokespersons, constituted a threat to the lives of the officers involved. We invite the reader to be the judge as to the validity of those explanations after reading the brief case summaries below.

The Automobile As A Weapon: The Police Shooting of Malik Jones

NEW HAVEN, CONNECTICUT, APRIL 14, 1997: East Haven Police Officer Robert Flodquist, alerted by a passerby, initiates pursuit of a gray Oldsmobile Cutlass on Frontage Road in East Haven, a small town just outside New Haven. Officer Flodquist, in his marked police van, chases the Cutlass over several highways and roads, including one point when it appeared the motorist was surrendering only to execute a U-turn and continue to flee, into New Haven. After another East Haven police officer had joined in the chase, the car finally stops on Grand Avenue in New Haven. There, Officer Flodquist and the other officer leave their vehicles. Officer Flodquist approaches the drivers side of the vehicle, yelling orders at the driver, whereupon the driver turns the steering wheel and puts the car in reverse, with the front wheels arcing slowly in Officer Flodquist's direction. According to the officer's statement, he feared that the wheels of the car might run him over, seriously injuring or killing him. He breaks the driver's side window to attempt to force the driver to stop the car. Failing this, the car strikes Officer Flodquist twice, bumping him from the side and causing him to lose his balance, according to his statement. Apparently concluding that the driver means to use the car as a deadly weapon against him, Officer Flodquist fires five shots, striking the driver, **Malik Jones**, four times and killing him.

Connecticut State Attorney Michael Dearington launched an investigation into the case and determined that Officer Flodquist followed proper police procedure and that his "use of deadly force ... was reasonable and justified" (*Report to the Chief States Attorney, Michael Dearington, States Attorney, Judicial District of New Haven*). The report has been criticized by Mr. Jones's mother (who filed a suit against the City of New Haven), community activists and others who claim that the East Haven Police Force of racism, corruption and brutality. For more information, visit the *New Haven Advocate* on the Internet, where there are a number of articles pertaining to the Malik Jones case and to the East Haven Police Force, at <http://www.newhavenadvocate.com/articles/jonesreport>.

She Attacked Us While Sleeping: Tyisha Miller "Forces" Police to Shoot

RIVERSIDE, CALIFORNIA, DECEMBER 28, 1998: **Tyisha Miller**, 19, and several friends have finished a night out, visiting an amusement park and shopping. The car which Ms. Miller had borrowed from her aunt has suffered a flat tire. After finding out that the spare tire will not hold air, she has her friends go home to inform family members that the car is disabled and at a local gas station. Two of her cousins arrive at the scene to find her unconscious, reclining in the driver's seat, with the doors locked, radio on and engine running. Laying in her lap was a .380 semiautomatic pistol. Her cousins, failing to rouse her to consciousness, call 911, reporting that they believe her to be "in

distress" and that she has a gun. The mention of a gun causes the Riverside Police Department to be notified, and they arrive two minutes later. Four White officers and one Hispanic officer survey the scene briefly and decide that she must be awakened and disarmed before medical assistance can be rendered. They knock on the windows. They call to her. They bang on the doors. They holler. She stirs slightly but does not awaken. One of the officers decides to break the driver's side window to reach in and retrieve the gun. When the glass shatters, Ms. Miller jerks suddenly; several officers claimed that she was reaching for the gun. One of the officers claims to have heard a "boom" and, assuming she had fired a shot, himself begins shooting. In the end, 24 shots were fired into her car by the police officers as her horrified cousins watched. Twelve of the shots hit Ms. Miller, killing her instantly.

The Riverside Police Department began its investigation but at the same time scrambled for alibis to explain how five police officers, called to a scene to render assistance, ended up brutally killing the very citizen they had been called to assist as she slept. Initially, the story was that she had fired the first shot, but then the police retracted that story. Then, toxicology results showing Ms. Miller's blood alcohol level at .13--one-and-one-half times the legal limit for intoxication--and evidence of marijuana or hashish in her system were used to help paint a picture of a troubled young woman, and, perhaps, to elicit sympathy for the five officers. Finally, questions were asked as to the origin of the gun in her possession, which was apparently registered to a person who did not know Ms. Miller.

None of this changes the fact that police officers encountered a person who, while unconscious and sitting alone in a car late at night, might have reason to wish to protect herself against muggers, rapists or murderers late at night, and as such might have a gun in her possession; that, upon being awakened by the sound of her window being smashed, might instinctively reach for whatever might protect her, in this case the gun; that, without any high-speed chase or crime having been committed, the our-lives-are-in-danger, hair-trigger mentality was out of place this day. Ms. Miller's uncle, the Rev. Bernell Butler, was quoted in *Newsweek* as having said, "Those weren't police. That was a firing squad." The family retained the services of renowned lawyer **Johnnie Cochran** to pursue legal action against the Riverside Police Department.

More information on this case is available on the Internet. Newsweek.com, Salonmagazine.com, Morningsun.net and Afrocentricnews.com all present in-depth information on this case.

THE POLICE BRUTALITY PAGE

In conducting research over the Internet for news articles about celebrated police brutality cases, we came across an entire web page devoted to compiling information about police brutality. One contributor to that page included a listing and brief description of *ninety (90) cases of police brutality since the March 1991 beating of Rodney King*. While we do not have room here to include all of the cases listed, we have picked out ten cases that seem to fit the theme of this issue, that being the malicious wounding or killing of "suspects" by police on the grounds that "they had a weapon." There are many more cases listed there, some of which have received a degree of national attention, so visiting this web site will prove to be an enlightening experience,

though our readers may not share all of their conclusions. We have conducted an Internet search for news articles on each of these ten cases by name of the victim as a check on their authenticity. In chronological order, we paraphrase them with permission of the web page author.

August 25, 1992, Poway, California: Donald Carlson, vice president of a Fortune 500 company, is shot by black-clad Drug Enforcement Administration (DEA) agents in a botched midnight drug raid. Mr. Carlson, hearing the door to his home burst in, calls 911 to report a break-in, then grabs a pistol he keeps for self-defense. He drops the pistol after the first shot by agents, who then shoot him two more times on the floor. No drugs are found. Mr. Carlson spends two months in intensive care and sustains a punctured lung and permanent damage to his arm and shoulder. It is later confirmed that the agents could clearly see there was nothing in Mr. Carlson's garage, two hours before the raid, where a ton of marijuana was allegedly stored. The government settles for \$2.75 million.

October 2, 1992, Malibu, California: Millionaire Donald Scott and his wife are awakened by knocking at the door of their historic ranch house. Mrs. Scott approaches the door as 30 agents of the Los Angeles County Sheriff's Department, DEA, Park Service and Border Patrol smash it in. Mr. Scott responds to his wife's scream with revolver in hand. He dies after he is shot three times in the upper torso because he does not drop his gun fast enough. Nothing illegal is found. The Ventura County District Attorney finds that the warrant used to enter the property to search for marijuana plants was supported by misstatements of fact at best and was, as a result, invalid, and that "the Los Angeles County Sheriff's Department was motivated, at least in part, by a desire to seize and forfeit the ranch for the government" under federal asset-forfeiture laws. The District Attorney continued, "This search warrant became Donald Scott's death warrant." The agents are not prosecuted because their claim that they feared for their lives and fired in self-defense when Mr. Scott appeared with a gun could not be disproved.

July 13, 1994, St. Louis, Missouri: Monique Montgomery is asleep as Bureau of Alcohol, Tobacco and Firearms (BATF) agents burst into her home at 4:00 am. Fearing a robbery, she gets her pistol. She is shot four times in the chest and hip when she fails to drop the gun as ordered by black-clad agents. She later recovers from the shooting.

December 22, 1994, The Bronx, New York: Anthony Baez dies from asphyxiation while in a chokehold by a New York City Police Department (NYPD) officer. The incident was sparked when Mr. Baez's *football* accidentally hit the officer's patrol car. Evidently, the officer thought he was being attacked with a football. Charges against the officer, who had 11 citizen complaints against him, are dropped after a typographical error but are reinstated after numerous protests. The officer is fired in 1995, but is acquitted of all criminal charges.

March 24, 1995, Brooklyn, New York: 16 year old Yong Xin Huang, an honor student, is shot to death by an NYPD officer. He had been playing with a pellet gun when confronted by officers. Witnesses say, "When they told him not to move, he didn't move" and "He didn't struggle with police at all." He is shot in the back of the head despite police claims of a face-to-face struggle. The district attorney declines to prosecute. A federal civil suit against the city is later settled for \$400,000.

July 1995, Los Angeles, California: 14 year old Jose Anto-

nio Gutierrez is shot to death by a Los Angeles Police Department (LAPD) officer. Two independent pathologists state that he was shot in the back. Police claim he was brandishing a gun, but later retract the statement. The officer involved had previously been cited for a record of brutality, including a 1987 incident where he beat two kneeling, handcuffed men with a nightstick.

December 7, 1995, Atlanta, Georgia: Jerry Jackson dies in a shootout at a motorcycle shop. The incident is apparently sparked when a police officer bursts into the shop, for no known reason, with gun drawn. Employees of the shop, who were armed, open fire. Mr. Jackson, hit in the crossfire, begins to crawl away from the scene. Three witnesses later testify that police continued to shoot him as he lay on the ground.

January 8, 1996, St. Louis, Missouri: 17 year old Garland Carter dies when he is chased down and shot in the back by a police officer. Witnesses say Mr. Carter was unarmed, and his father is told the same thing by authorities shortly after the shooting. Later, police claim they found an automatic weapon on him and then claim it was a .22 pistol. A .22 pistol, a tear gas gun and a toy pistol are found in the trunk of the car of the involved officer, who is placed on administrative leave.

June 13, 1996, Brooklyn, New York: Aswan Keyshawn Watson, who is unarmed, dies when two plainclothes officers fire 18 bullets into him, after mistaking a "Club" steering wheel locking device for a gun. A grand jury later finds that they were "justified in believing themselves to be in danger."

October 24, 1996, St. Petersburg, Florida: 18 year old TyRon Lewis dies after being shot multiple times by a police officer after a traffic stop. Witnesses claim the officer was leaning on the hood of the car when it began to slowly roll forward, "like when you take your foot off the brake." The officer fires through the windshield. Police claim Mr. Lewis "lurched" forward, threatening to run over the officer. Rioting breaks out as the news spreads. This is the fifth time in a year police had shot a driver they claim was attempting to flee. The officer is suspended for 60 days, then is acquitted by a grand jury, touching off more riots. (See related story below.)

There is much more information on this web site. When we printed a hard copy of the site, it was over 16 pages in length. While we do not *necessarily* agree with everything that is stated in the document, and while we do not choose to subject police officers to *all* of the blanket judgements that some of the contributors do, we recognize and accept the value of the information presented and we understand the validity of the feelings expressed in the web site. The entire site, including the case stories, can be found at the following address: <http://www.geocities.com/Athens/Oracle/3385/polbrut.html>

The next incident is taken from the June 6th "**Enough Is Enough!**" *Hearing on Police Brutality*, sponsored by the SCLC, moderated by the Rev. Walter Fauntroy, and covered in part in the last issue of **KUUMBAReport**. It relates to the last case mentioned above, that of 18 year old **TyRon Lewis**, in St. Petersburg, Florida.

ST. PETERSBURG, FLA.: THE POLICE vs NPDUM

"On that day, [it] was just a normal community meeting, and 300 policemen came into the area and started closing it off," said **Mr. Nnamdi Lumumba** of the INTERNATIONAL PEOPLES•D EMOCRATIC UHURU MOVEMENT (INPDUM), of a meeting held in St. Petersburg, Florida, on November 13, 1996.

In October, TyRon Lewis had been killed in St. Petersburg (See above), and police had blamed INPDUM for instigating an uprising in protest of police brutality. "We had a building ... 100 people inside, two or three hundred people on the outside. Women and children, all that. We'd just started, 6:30. ... The police said, 'In five minutes if you don't disperse [from] the building we will declare an unlawful assembly and we will come in.' I went outside ... to tell our leadership that this was going to happen; not more than 30 seconds later, a canister of teargas was fired at the building. A young man ... torched his hand trying to throw the canister back. ... They started firing more teargas. ... The community was running around. ... We had children in there. We didn't know how we were going to get them out. There were about 300 police officers out there, they had the National Guard ... all because we had a position that was different about the assassination of this 18-year-old man. ... And I'm only alive today because of young people and old people in that community. I saw little children putting fires out. ... As we were trying to get people out of the back, they were firing at us. ... I could have *died* that day, for my *opinion*. ... And if that is not a case of police brutality and misconduct, then I don't know what is."

Mr. Lumumba had spoken about tactics of intimidation against INPDUM by police in the St. Petersburg area. "Literally for weeks we did not live in our own homes, because the police would come by our houses and say 'We know who you are.' We lived underground at night and during the daytime we surfaced."

The primary issues INPDUM is currently organizing the community around include police brutality against Afrikan people, especially in the St. Petersburg area, and the case of **Fred Hampton Jr.**, son of **Ancestor Fred Hampton**, one of the original members of the Black Panther Party. Ancestor Fred Hampton was killed on December 4, 1969 in perhaps one of the most blatant and massive acts of police brutality in this country's history when over 100 city, state and federal police surrounded his Chicago home at 4:30 am, fired thousands of rounds of ammunition into his home and finally entered the building, dragged him into a hallway and shot him in the head. Forensic scientists soon determined that, despite police claims of a "shootout", the shooting was entirely in one direction: into the Hamptons' home. Fred Jr. has been incarcerated for several years on charges of arson despite the fact that the building was never burned and still stands today. We will examine the case of Fred Hampton Jr. in greater detail in a future issue.

PROTECTING YOURSELF: WEB SITES OF INTEREST

Aside from the web sites mentioned above, there are a few more we feel should be made known to our readers. The Police Complaint Center provides information on police brutality cases and also allows visitors to the site to file complaints online. Visit <http://www.policeabuse.com>. Also, the American Civil Liberties Union has guidance on reporting police abuse and how to protect your rights when approached by police. There are two addresses to visit: <http://www.jmd-ent.com/policeabuse.html> for *Your Rights in an Encounter With The Police*; and http://www.aclu.org/library/fighting_policeabuse.html.



MUMIA UPDATE

The Court, The Gov, and The Protest

RICHARD ALLEN CITY/PHILADELPHIA, PA; SATURDAY, OCTOBER 16TH, 1999: The intersection of Broad Street and Spring Garden Avenue, in front of the State Office Building and across the street from the local headquarters of the FRATERNAL ORDER OF POLICE, was teeming with activity. The crowd had been addressed and energized by the invited speakers. The flatbed truck was ready to roll. Equipped with portable generator and sound system complete with microphones, it was time to lead the assembled marchers, at least several hundred in number, through the streets of Philadelphia chanting, "Free Mumia! Free Mumia Now!"

The previous week, the U.S. Supreme Court had denied the writ of certiorari that had been submitted by Mumia's legal team, and on October 13th, Pennsylvania Governor **Thomas Ridge** had seized the opportunity to sign the warrant for Mumia's execution, knowing full well that Mumia had more appeals to make. With December 2nd set as the date on which Mumia was scheduled to receive an injection of lethal drugs to end his life, a series of events began to unfold. First, on Friday, October 15th, the legal team filed a writ of *habeas corpus*, a 160-page document with 675 paragraphs detailing 29 violations of Mumia's Constitutional rights, the suppression of documents, evidence and witnesses, and attempting to bring to light evidence of Mumia's innocence which has been ignored or resisted by the Fraternal Order of Police, the Pennsylvania courts and the Ridge administration. (A stay of execution would finally be granted on October 26 by **Federal Judge William Yohn**.) Now it was time to once again rally the support of Mumia's backers, those who are firmly convinced of his innocence, those who oppose the death penalty and those who oppose the tactics of the police.

The truck proceeded north on Broad Street, followed by the marchers, until it reached Girard Avenue where it stopped to occupy that intersection while representatives took the microphone. **Bro. Jason**, a youth representative of the American Indian Movement, spoke about Mumia as well as American Indian Political Prisoner **Leonard Peltier** and addressed the police officers who were present as crowd control and as escorts, offering them "time to think about who you work for and what you're doing. ... You're oppressing your people." The march would proceed up Broad Street to Temple University, where **Bro. Heru** would recite a moving poem about a "coward" who, after seeing the injustices being visited upon Afrikan, Latin, and poor people, finally had to face up to his cowardice and get involved despite his fear. Others took the mic to exclaim, "If they take Mumia in the morning, they'll take the rest of us that night."

Sister Samantha of Baltimore's MARSHALL "EDDIE" CONWAY SUPPORT COMMITTEE spoke of the political railroads faced by both Eddie and Mumia.

The procession wound its way to 15th Street, where it began the southward trip back toward Spring Garden Avenue, where the march began. But before returning there, the marchers found themselves at the home of former City Council President **John Street**, now running for Mayor of Philadelphia. It was at this point that **Pam Africa**, President of the INTERNATIONAL CONCERNED FAMILY AND FRIENDS OF MUMIA ABU-JAMAL (ICFF-MAJ) and longtime MOVE member, took the microphone to deliver a scathing verbal assault on Mr. Street for what she described as lies and broken promises made by him regarding Mumia's case. Backed by frequent chants of "Whose Street?/Our Street!" and "Don't be a Tom, John!", Mama Pam described

recent events at which Mr. Street was in attendance and at which she was subjected to rough treatment by police and security employees, according to her at Mr. Street's request. She had gone to question him about promises he had allegedly made to support Mumia's claim that his conviction was unjust, only to fall silent when pressure was applied by some of his political backers who happened to be among Mumia's enemies. In this regard, she invoked memories of former Mayor **Wilson Goode**, who in 1984 had promised to seek justice for the **MOVE Nine** upon being elected Mayor, only to preside over the deadly bombing of MOVE's Osage Avenue house as Mayor in 1985. No lightweight when it comes to delivering invective, Mama Pam questioned the extent of Mr. Street's commitment



to his own Black community and affirmed her own, from ICFF-MAJ's fight to save Mumia to MOVE's efforts to expose the public schools' use of Ritalin on poor students as an example of the hypocrisy of the drug war. Her speech may have turned off some of the neighbors, as MOVE's in-your-face brand of expression has in the past, but there was no denying that her words opened up a number of eyes about the degree to which we can trust our elected officials, even those who look like us and live in our communities.

At the end of the march, it was left to those in attendance to "go home and organize your local communities" to seek a new trial and stop the execution. **KUUMBAREport** will include regular stories on Mumia's situation, but as a bimonthly (soon to be monthly) publication, it will not be possible for us to provide up-to-the-minute information. For those interested in learning more about the efforts on behalf of Mumia Abu-Jamal, visit the various web sites dedicated to his case or call ICFF-MAJ at: (215) 476-8812, (215) 724-1618 and fax: (215) 476-7551.



Guest Columnist: Sanifu Onaje Mwananchi

AFRICAN NATIONALISM IN AMERICA

Balancing History, Theory and Practice

Part Three: After Malcolm; Harold Cruse and Kwame Ture

[**EDITOR'S NOTE:** Baba Sanifu Onaje Mwananchi is a veteran Community Organizer and Theater Artist, and is also the Founder and Director of the **National Center for African Communitarian Culture** and the **Association for Interdisciplinary African Thought**. Baba Sanifu also produces and conducts a lecture series on **Afrikan-American Communitarian Nationalism**. This is Part Three of his essay on a history and brief analysis of Afrikan-American nationalism.]

For the past thirty-five years, nationalism has been reemerging as the centralizing theory and practice for the liberation of Africans in America. The initial thrust of this new nationalism was a necessary ideological codification. Malcolm X was the first to identify the general context of the new nationalism as "Cultural Revolution". However, point must be made of Malcolm's journeywork as organizer/teacher within the NOI, following his childhood orientation in Black nationalism by his Garveyite parents, that prepared him for the revolutionary work of organizing the OAAU. And, it would be the socio-political advancement of nationalism, by Malcolm X through the OAAU, from the socio-religious nationalism of the NOI, that would fertilize the movement with new voices and visionaries, e.g. **Harold Cruse, Muhammad Akbar** (Max Stanford), **James Boggs, Kwame Ture** (Stokely Carmichael), **Huey P. Newton, Maulana Karenga, Jamil Al-Amin** (H. Rap Brown), **Imari Obadele, Larry Neal, Amiri Baraka** (LeRoi Jones), **Kalamu ya Salaam and Jitu Weusi**. The names listed here are an infinitesimal representation of the many theorists, organizers and advocates, offering definition and substance to the African American Cultural Revolution. In 1967, two literary works, significantly influencing the ideological thrust of the new nationalism and its Cultural Revolution were published. First, **BLACK POWER-The Politics of Liberation** by Kwame Ture and **Charles V. Hamilton**. Ture and Hamilton clearly outline the movements ideological shift from the assimilationist and short-term reformism of civil rights to the Malcolm X-influenced Black nationalism:

"... we reject the goal of assimilation into middle-class America because the values of that class are in themselves anti-humanist and because that class as a social force perpetuates racism. We must face the fact that, in the past, what we have called the movement has not really questioned the middle-class values and institutions of this country. If anything, it has accepted those values and institutions without fully realizing their racist nature. Reorientation means an emphasis on the dignity of man, not on the sanctity of property. It means the creation of a society where human misery and poverty are repugnant to that society. ... The adoption of the concept of Black Power is one of the most legitimate and healthy developments in American politics and race relations in our time. ... It is a call for Black people in this country to unite, to recognize their heritage, to build a sense of community. ... The concept of Black Power rests on a fundamental premise: Before a group can enter the open society, it must first close ranks. By this we mean that group solidarity is necessary

before a group can operate effectively from a bargaining position of strength in a pluralistic society."

Second, **The Crisis of the Negro Intellectual** by **Harold Cruse**. Considered the most important theoretical analysis of the African American liberation movement produced in the twentieth century, and spanning the period between the 1920's and the 1960's. Cruse posited Cultural Revolution and Black Cultural Nationalism as the key social context and strategy for not only the liberation of Africans in America, but also saw it as necessary for the transformation of the United States into a social and economic just society. Like Malcolm X and the OAAU earlier, Cruse viewed Harlem as the prototype community to initiate the Cultural Revolution and the Black Cultural Nationalist strategy. He asserted:

"Harlem is a victim of cynical and premeditated cultural devegetation. Harlem is an impoverished and superexploited economic dependency, tied to a real estate, banking, business-commercial combine of absentee whites who suck the community dry every payday. In short, Harlem exists for the benefit of others and has no cultural, political or economic autonomy. Hence, no social movement of a protest nature in Harlem can be successful or have any positive meaning unless it is at one and the same time a political, economic and cultural movement. ... However, such a three-pronged movement cannot be properly launched without utilizing, understanding and applying cultural analysis. But this analysis has to be historical, and it must explore all the reasons why Harlem has undergone cultural disintegration. A proper cultural analysis of Harlem's decline must lead logically to the conception of cultural reform measures--and ultimately to the fuller conception of cultural revolution. ... A social movement of combined forces in Harlem must press relentlessly for Harlem autonomy in politics, economics and culture. The first step ... must be in the nature of a Harlem-wide boycott that will wrest ownership of all cultural institutions ... out of the hands of private, outside concerns, for the key idea is cultural institutions owned and administered by the people of Harlem; they must become nationalized, operated and administered for the educational and cultural benefit of the Harlem community, under the control of Harlem community-wide citizens' planning commissions. ... The present outcome of Harlem Negro-white economic relations demands that Harlem Negroes can no longer defend or uphold the old economic concept of individual rights inherent in the idea of private property. The Harlem community as a whole must adopt for itself the concepts of cooperative and collective economic organization and administration of its inner community life, or else the Negroes' chances for survival in the U.S. are very slim. It is in Harlem where the first launching of this combined political, economic and cultural social movement must take place, for as Harlem goes, so goes all black America."

**Next Issue: The "New Nationalism"
and the Rise of Afrocentrism**



UMOJA NYUMBA SHULE: BUILDING THE FOUNDATION

In September of 1991, **Hakim and Zaakirah Muhammad** experienced the joy of birth. Birth of their first child, a beautiful baby girl, and birth of an idea: an independent, Afrikan-centered, community-based educational institution. They knew the established educational system would be unable to provide the strong discipline, principled leadership, academic excellence and cultural pride their daughter as well as future generations deserved. Thus, a dream was born as well.

It was not until October 10, 1995 that their dream began to take form with the acquisition of a large house at 2230 Garrison Boulevard. The grand, even historic, structure needed work, however--lots of it. Everything from structural repairs to lead paint abatement to electricity to plumbing to security systems needed repairing or installing. Despite the limited resources available, constant observation by city officials (more than most homeowners or businesses receive) and a series of suspicious break-ins and acts of vandalism (in some cases nothing was taken), Bro. Hakim has persevered.

The result is the building you see depicted on this page. It is the home of **Umoja Nyumba Shule** ("Unity House School" in Kiswahili), a community-based Afrikan-centered educational institution serving the Baltimore community. As Bro. Hakim states, "Umoja will endeavor to optimally educate by providing quality, yet economically affordable childcare services in an enriched Afrikan setting. The learning experiences at Umoja are designed to uniquely address the educational and developmental needs of the Afrikan child. To this end, we are absolutely committed without reservation or apology. The school's ideology is **Nation First**. The perspective is without question Pan-Afrikan. The foundation or paradigm springs forth from the ancient teachings and beliefs of our noble Afrikan ancestors as well as elders and as such all children are immersed in tradition from **Maat** to **Nguzo Saba**. Umoja will best serve those parents seeking a secure, well-structured and creative educational alternative experience for their child."

Umoja Nyumba began to lay the groundwork for its full educational program in the spring of 1996 when it teamed with **Alkebu-Lan Rites of Passage** to sponsor a Mentoring Program on Saturday mornings. In the summer of 1998, the first Summer Camp was held, and that fall, programs of Before- and After-School Care were initiated. Umoja Nyumba is scheduled to be fully operational for its Grand Opening by the summer of the year 2000.

Bro. Hakim has established a long and distinguished record of activism in this community during his young life. A devoted family man, his organizational affiliations include the Organization of All Afrikan Unity/OAAU, Garrison Boulevard Action Coalition, Alkebu-Lan Rites of Passage, Afrikin Spiritual Love

Ministry, Baltimore Black Panther Cadre, Baltimore Local Organizing Committee, Black United Front and Afrikan-Centered Business Coalition.

Bro. Hakim continues, "Umoja was founded to be our Village's Lifeline. Our children deserve better. Can there be any doubt as to the absolute ineptitude that is endemic within the public school arena? The evidence is really quite clear--public schools are failing and at best the future is grim. ... Reform is a well worn cliché and is as much a solution to the problem of Mis-education as a jockey beating a dead horse. Simply put, sometimes we must understand when to dismount."

"Take a moment and look closely at the picture. This is

Umoja Today. With your participation and contribution we are yet another brick along the road toward establishing an institution, a cultural center if you will for our children who are the bridges to our future. Look closely as it has been said that a people without vision shall perish."

Bro. Hakim concludes: "If not Now can you tell me When? If not You can you tell me Who? We all have our destiny and we shall either fulfill or betray it--we decide. Our collective actions and inactions will affect generations to come. We at Umoja await your response."



Umoja Sasa: Victory for the Village

On Saturday, October 23, the **Y.O.R.K. (Your Own Righteous Kingdom) Palace** was the site of **Umoja Sasa** ("Unity Now" in Kiswahili), the annual fund raiser for the **Umoja Nyumba Shule**. The goal of the Afrikan-centered, community-based institution was to raise \$10,000 so the final phase of building could be completed. And so it was that friends, supporters, vendors and those desiring a positive change in the status of Baltimore's Afrikan-centered institutions gathered at **Bro. George Harris's** building in the 4200 block of York Road in the Govans neighborhood of Baltimore (Harriet Tubman City).

Several vendors offered cultural items such as clothing and literature for sale as well as a complimentary food buffet which was provided by **Karanja's Catering**. The guests were entertained by a variety of performers including the **APGADS dancers**, **Ashe Drummers**, **Mama Bibi Fatimah**, **Time*Peace Jazz Band** and stirring poetry by **Bro. Keith Banks**. The event was emceed by **Dr. Kwame SabakhuRa** and organized by **Bro. Hakim** and **Sis. Zaakirah Muhammad**. Others who assisted with the event were **Sis. Delores Molock** and **Sis. Ertha Harris**.

While the event did not raise the full \$10,000, it was still successful: Umoja Nyumba Shule is now several thousand dollars closer to their goal. The community came out and showed their support.



THE EASIEST ROAD ... DEATH

column written 10/23/99 by Mumia Abu-Jamal

For you are prisoners of war, in an enemy's country-of a war, too, that is unrivaled for its injustice, cruelty, meanness --

--Frederick Douglass (1850)

It is increasingly easy to stereotype the men and women on Death row. The State does it every day, as does the press. Those banished to the most exclusive club in America are deemed worthy of damnation, and in truth, all are presumed guilty, for did not a jury say so? Then one meets **Fred Thomas**, a 53-year-old great-grandfather, who was projected to a jury as homeless, heartless and in the words of the DA, "a predator."

In a brief, week-long trial that went poorly defended, a jury convicted Fred of 1st degree murder, and a day later, on February 28, 1995, sent Fred to Death Row in Pennsylvania.

Why should one care about a "homeless, heartless, predator?" Clearly the jury didn't.

What the jury never learned was that an eyewitness, located the day after the killing of a FedEx driver in the so-called "Bad lands" of North Philly, gave a statement to the cops that she witnessed the shooting, named two of the assailants, and described the third, none of which remotely resembled Thomas. Indeed, her statement was corroborated by another witness, who saw the three men running away!

I know; I know; the question arises, well how did the prosecutor convict this man? Well, in their first attempt, they didn't, for the jury refused to convict, and a hung jury was declared. In the 2nd trial, the State provided two witnesses, both crack addicts, who claimed they saw Fred fleeing the scene, but even they could not go as far as saying they saw him shoot anyone, or even armed. According to the woman who did see the shooting, however, one of the assailants was related to one of the two witnesses who now placed Fred at the scene. These "witnesses", both of whom had extensive criminal histories, were not asked about their drug-related activities, despite repeated requests of counsel to do so. A homeless man, desperate for a dollar to survive, might rob and kill a truck driver; as would a drug addict. But Fred wasn't a homeless man, nor an addict, but a hard-working man, who worked a variety of jobs to support his growing family. When a

group of his former and present employers appeared in court on his behalf, they were told by his counsel that they weren't necessary. They left. The jury never heard from the main witness because she was threatened with the taking of her children. At an extraordinary bench warrant hearing to compel the witness's presence, the State revealed an extraordinary distaste for a person who gave a statement in a murder proceeding:

Asst. DA: *Well as I stated earlier, anything that the Commonwealth could do to assist, of course, we will. Back in October I brought to the Court's attention that, and we shared the information with defense counsel: One, that this person was on welfare under an assumed name.*

Defense: *Yes, I have that.*

Asst. DA: *Thus, there is a real basis for a charge of welfare fraud. We actively looked for her during the various tours that my officers were working.... [Pre-trial Hearing, Com. V. Thomas 2/13/95]*

Again, this is a witness, not a suspect! Contrary to popular opinion, under existing rules, the processing of a death sentence is the easiest in the system. Oh yeah, the cops involved? They are almost all doing time for the corruption scandal around the 39th police district.

Guess who "found" the witnesses?

Guess who prepped them?

And guess who advised others not to show up?

The infamous 39th District, which has a certain expertise in using drug addicts and whores when they need witnesses, are at the root of why Fred Thomas is on death row, and not at home with his loving grandchildren.

He is innocent of murder, and as of this writing, has a date to die for November 23rd, 1999. Now, in truth, he may survive past this death warrant, his second. But the question arises, will he survive Death Row?

A 53-year old, he recently was diagnosed as diabetic, and is now insulin-dependant. He has one fervent hope: "I hope my health don't give out, so I can live long enough to prove my innocence."

--MAJ 1999

