

# The State Wants Them Dead

**Troy Davis, Deborah Peagler & Reggie Clemons Fight for their Lives**



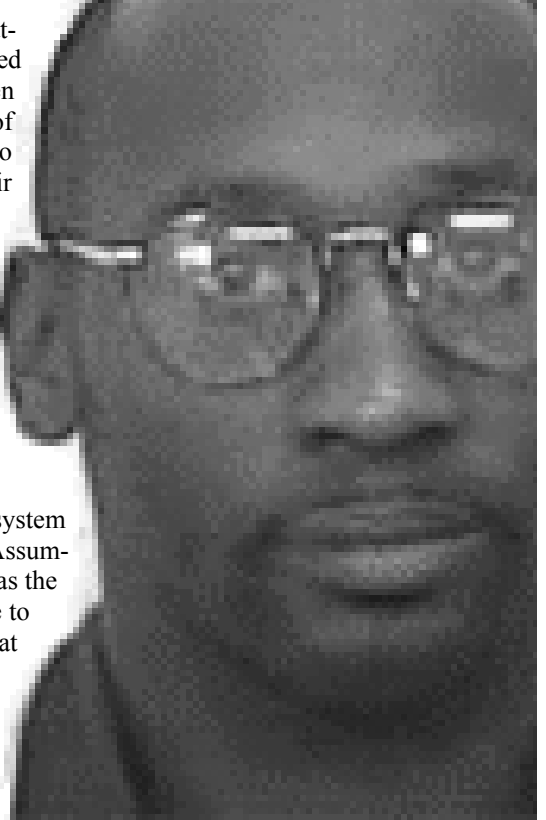
*Deborah Peagler*

**T**hey sit in their cells, isolated, cut off from their loved ones, and no one will listen to them. No one wants to hear of the circumstances that led them to this. No one wants to hear their steady cries of innocence. And now, death stalks them.

The local District Attorney's Office wants them to die in prison. Unless, of course, they can pull off a quick execution to curry favor among police associations and crime victims so blinded by their desire for vengeance that they cannot see the truth.

The country's vaunted court system stands ready to administer justice. Assuming, of course, "justice" is defined not as the commitment to truth but as the adherence to procedural rules, protocol and convenience at the expense of an innocent person's life.

It is said the the truth shall make you free. But what if that truth is that you are innocent of the crime for which the State is determined to see you die?



*Troy Davis*

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## Of Conferences and Racism

### The Middle East Flim-Flam and the Sabotage of WCAR

**T**he world's attempt to take a comprehensive look at racism, intolerance and xenophobia has been sabotaged again. And by the same provocateurs that did the dirty deed in 2001.

A Conference that had originally been billed as an opportunity for the world's nations to examine and seek to solve the age-old scourge of racism has been scuttled now not once, but *twice*, by a confluence of forces that have all bathed their hands, at one time or another, in the blood of Afrikan and Indigenous peoples around the world.

Originally billed as the **World Conference Against Racism**, the August 2001 international meeting was seen by Afrikan people as an opportunity to finally deal with over 400 years of oppression in a global context. The issues of the *Maafa* (Trans-Atlantic Slave Trade), the Scramble for Afrika, colonialism and neocolonialism, Jim Crow discrimination laws and anti-Black terrorism in the United States, the legacy of apartheid, and the issue of odious debt imposed upon Afrikan nations by their former colonizers would finally be discussed. Indigenous societies, from the Aborigines of Australia to the "Native American Indian" nations of North and South America, would be able to air their centuries-old grievances concerning the extermination of

the Tasmanians by British settlers in Australia; the destruction of Indigenous nations like the Maya by Spanish and Portuguese conquistadors; the Westward Expansion in the United States that destroyed Wampanoag, Mashantucket Pequot, Narragansett, Tsalagi, Lakota, Navajo, Dineh and other Indigenous societies; and the continued encirclement of these societies by multinational corporations and their cronies in government whose murderous, rapacious thirst for the natural and human resources of these idyllic lands would never be quenched.

But, similarly to what happened with the Civil Rights, American Indian and Black Power Movements, other causes quickly became involved. In the 1960's, the Civil Rights Movement had quickly moved from an expression of Black Power to a broader movement that included women, Latinos, Arab-Americans and finally the homosexual community (leaving the majority of the Black Masses behind in terms of socioeconomic opportunity), while the **American Indian Movement** was simply crushed and forgotten. Affirmative Action programs that had been won largely with Black blood came to benefit White women as much, if not more than, Afrikan-Americans. In a similar way, the World

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## The State Wants Them Dead, from Page 1

### Deborah Peagler: A Tale of Abuse

At the age of 15, **Deborah Peagler** was a high school student and a single mother in Los Angeles, California. She was introduced to **Oliver Wilson** and thus began an abusive relationship that may lead to her death in prison.

But for Peagler, it will not come in the form of a gas chamber, an electric chair or a lethal cocktail of injected drugs. Incarcerated at the Central California Women's Facility in Chowchilla, California, the largest women's prison in the country, she is dying from advanced lung cancer.

As her attorneys, working her case pro bono, desperately struggle to win her freedom for the last few months of her life, the Los Angeles district Attorney's office has been fighting tooth-and-nail to block her release, despite the fact that, had her case been prosecuted honestly, this longtime victim of domestic battery would likely have been released from prison, a free woman, two decades ago.

The Web site [www.freedebbie.org](http://www.freedebbie.org), describes the circumstances of her life this way:

Deborah Peagler was introduced to Oliver Wilson in the late 1970's, when she was just 15 years old. Wilson presented himself as a kind and charming man. He took Debbie out on dates, gave her gifts, and acted like a father to her daughter. Then one night he revealed that he wanted Deborah to make him some money by becoming his prostitute. When Deborah refused, he beat her with his fists, kicked her with boots, and psychologically abused her with a combination of death threats and insults. Fearing for her life, Debbie did Wilson's bidding for years, and during that time he whipped her with a bullwhip, raped her, made her hold hot ashes in her hands, and forced her to play Russian Roulette for the entertainment of him and his friends.

She tried to escape, but each time she was brought back with a combination of violence and death threats. In early 1982 when she was informed that Wilson had sexually abused her then six-year-old daughter, Debbie fled once more. Wilson came after her with a shotgun and a band of armed men. He was arrested for assault with a deadly weapon, but the police quickly set him free. Fearing for her life and the lives of her family and seeing no other avenue, she desperately turned to two men who previously had protected her "to make him leave me alone." They subsequently had a violent altercation with Wilson in a public park and Wilson was later found dead.

Wilson had been beaten and strangled with a cord in Inglewood Park. Peagler would be accused of arranging his murder with and luring

him to the park where he was killed. Prosecutors claimed her motive was not to end the abuse, which they claimed she exaggerated, but to cash in a \$17,000 insurance policy on Wilson. More from the Web site:

In 1983 Debbie and the two men were prosecuted. Despite her limited involvement in the incident, Debbie was charged with conspiracy to commit murder and first-degree murder. Her public defender did not ask her about any of the abuse by Mr. Wilson and did not gather or present any evidence of such abuse to the Los Angeles District Attorney's office.

The District Attorney sought the death penalty against Debbie, even after the DA determined that it did not have sufficient evidence to support the ultimate punishment in this case. The death penalty was used as a threat to coerce Deborah into entering a guilty plea to the charge of first degree murder. Based on this misinformation, even her own attorney instructed her [to] plead guilty in order to save her own life. After entering a guilty plea, she was sentenced to twenty-five years to life in prison.

While incarcerated, Deborah has had an exemplary record. She has earned an associate's degree, graduated from a battered women's support group, and mentored many women on the inside. She has done her best to parent her two daughters, who she rarely gets a chance to see or speak with. While she is extremely deserving of her freedom, the parole board has denied her repeatedly with little or no reason.

In 2000 a new law was enacted in California to ensure that battered women prosecuted for alleged crimes against their abusers receive a fair trial. In 2002 the California Habeas Project interviewed Deborah Peagler and determined that she might be eligible for relief using the new law. Volunteer attorneys took her case and began working to establish the extensive record of the abuse Debbie had endured.

The volunteer legal team, Walnut Creek land-use attorneys **Joshua Safran** and **Nadia Costa** of the **Bingham McCutcheon** law firm, started working on her case in 2002 and have spent an estimated \$250,000 fighting for her release. Costa, who endured an abusive relationship for several years, and Safran, who as a young boy would cry through the night as his mother's boyfriend regularly beat her, have a personal stake in this case and have committed to fight for Peagler to the end. **Olivia Wang**, head of the California Habeas Project, had said, "If I were ever in trouble, I'd want them for my lawyers."

In 2005, it appeared that a deal had been reached to gain Peagler's freedom. The District Attorney's office, however, reneged on the deal. Again, from the Web site:

In 2005 Debbie's attorneys met with current Los Angeles District Attorney **Steve Cooley** and Chief

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Deputy DA **Curt Livesay**. Livesay was the very DA who had approved the death penalty against Debbie 23 years earlier. Based on the new evidence presented by Debbie's attorneys, and a thorough review of the DA's files, the District Attorney concluded that voluntary manslaughter -- not first-degree murder -- most accurately represented Debbie's level of culpability. At that time, voluntary manslaughter carried a sentence of 2-6 years. This meant that at the very latest Debbie should have been freed in 1989. District Attorney Steve Cooley entered into a written deal to obtain Deborah's immediate release from prison.

In an April 2006 article The *Los Angeles Times* newspaper recounts what happened next: "Then Cooley changed his mind. His offer had set off a political battle in his office, according to court filings, with top level deputy prosecutors saying they should have been consulted." The DA's broken promise resulted in the Los Angeles Superior Court denying Debbie's petition for release.

Prosecutorial misconduct apparently occurred from beginning to end. Not only was she lied to in order to coerce a guilty plea of first-degree murder, not only was the 2005 offer to free her suddenly withdrawn, but there are indications that a prominent witness for the prosecution lied, according to information from the [www.freedebbie.org](http://www.freedebbie.org) Website:

The prosecution's star witness now admits that he lied in order to place undue blame on Debbie.

One of the two men who actually killed Debbie's batterer had a strong incentive to give false testimony. Placing undue blame on Debbie increased his odds of receiving a lesser sentence.

This assertion is backed up by a 1983 memo from her initial defense attorney that indicated that it was known that the witness had lied during testimony.

In April of this year, a Los Angeles County Superior Court judge removed the DA's office from handling the case because of their misconduct.

Now, as of January 2009, she has been diagnosed with advanced lung cancer that has now spread to her liver, heart and spine. The DA's office does not need to execute her (she was not sentenced to death, but to 25-to-life); their goal is simply to deny her the possibility of spending her last months in freedom, with her family, and they are determined to do this. Despite a documented six years of horrific abuse. Despite the fact that she would have been released after only 2 to 6 years had the more appropriate charge of voluntary manslaughter been applied, rather than the first-degree murder charge to which she was coerced into pleading. Despite the fact that the 2005 deal was to have led to her immediate release until the DA's office reneged. Despite the fact that the state's intimate-partner battering law should have entitled her to immediate release anyway. The abuse this woman has suffered throughout her life apparently is not enough. The excessive sentence she was forced to serve for what was at worst an act of self-defense is not enough. The State wants her dead.

Are you shaking yet? You should be.

### **A Date with Death: Reggie Clemons**

On April 4, 1991, **Julie and Robin Kerry** fell 80 feet from the abandoned Chain of Rocks Bridge to a drowning death in the Mississippi River. Also on the bridge at that time were their cousin, **Thomas Cummins**, and four others: **Antonio Richardson, Marlon Gray, Daniel Winfrey** and **Reggie Clemons**.

The next day, Cummins told police that Richardson, Gray, Winfrey and Clemons had pushed the Kerry sisters from the

bridge after raping them and beating and robbing him. He said he jumped 80 feet into the swirling Mississippi River, either in an effort to save his cousins or after being ordered to do so by the four youths. After he failed a polygraph test, Cummins then claimed responsibility for the incident, saying he may have accidentally pushed the sisters into the river. Meanwhile, a flashlight found at the scene was traced to Antonio Richardson, whose subsequent statement led police to Gray, Winfrey and Clemons.

On April 7, 1991, Police arrested Reggie Clemons after picking him up at the home of his mother, **Vera Thomas**. Ms. Thomas was not informed about her son's arrest or the charges for several days. Under questioning, Clemons gave a coerced statement, denying any part in the death of the sisters, after enduring an interrogation that would later cause a judge to order that he be hospitalized for injuries from the beating he apparently received. Reggie's sister **Veronda** saw him the day after his arrest and reported signs of abuse by police.

In February 1993, Clemons was convicted of two counts of first-degree murder and sentenced to death, based on the testimony of Cummins and Winfrey, the only White co-defendant, who had been given a plea deal to turn on the others, and using the coerced statement of Clemons despite his insistence that he had not planned or committed the murders. Charges of rape, battery and robbery had been thrown out. Julie Kerry's body had shown no signs of rape, Robin's body was never found, and Thomas Cummins strangely showed no signs of injury, either from a beating or from an 80-foot fall into a raging river, when he gave his statement to police.

The prosecutor, **Nels Moss**, "engaged in a pattern of prosecutorial conduct that deprived Reggie of his Constitutional rights" (from the Web site [www.justiceforreggie.com](http://www.justiceforreggie.com)). He struck African-American jurors disproportionately and improperly. He prevented a key witness from testifying in Clemons' behalf through intimidation. He falsely suggested that Clemons had a criminal history, even comparing him to two notorious serial killers. He would later be held in criminal contempt and fined for his conduct. Meanwhile, Reggie's defense team was also grossly negligent. A married couple in the middle of a divorce, the wife had moved to California for another job, while the husband never interviewed witnesses, read police reports or read the transcript of the Gray trial, which had been held earlier. During the trial, they stopped raising objections because they were tired of being overruled. One of the lawyers would later have his license suspended for neglecting his duties to his clients.

On April 6, 1995, Thomas Cummins, who had claimed he was abused in police custody, was awarded \$150,000 in a lawsuit. Similar suits from Clemons and Gray would be dismissed despite clear evidence of beatings.

On Nov. 25, 1996, Reggie's new legal team filed an appeal detailing the prosecutorial misconduct, legal misrepresentation of former defense attorneys, and the lack of real evidence against him. The following May, however, the Missouri Supreme Court upheld his sentence.

On May 30, 1998, a writ of *habeas corpus* was filed in federal court. It detailed the witness intimidation, withholding of exculpatory evidence, evidence tampering and perjured testimony that had plagued the trial. On August 1, 2002, a federal district court vacated the death sentence, as did the Missouri Supreme Court in October 2003. But the US Court of Appeals for the 8<sup>th</sup> Circuit reinstated the death sentence on September 9, 2004.

Meanwhile, in 2003, co-defendant Antonio Richardson's death sentence was commuted to life without parole, and in 2005, co-defendant Marlin Gray was executed by lethal injection.

Almost three years later, during the summer of 2007, Daniel Winfrey, the only White defendant and the one who had been offered a plea deal to turn on Clemons, Richardson and Gray, was paroled. In the fall of 2008, Clemons was part of state and federal court challenges to the constitutionality of lethal injections in Missouri. And on December 29, 2008, Reggie's lawyers filed a petition with the US Supreme Court challenging the "proportionality" of his death sentence.

On May 4, the US Supreme Court denied the Dec. 29 petition. And on May 18, the Missouri Supreme Court set an execution date of **June 17**, saying that Clemons "**shall suffer death.**"

Today, Reggie Clemons is "the loving father of a 16 year-old daughter, Pauline, with whom he corresponds on a regular basis. He is in regular contact with his family, including his parents, Vera and Pastor Reynolds Thomas. While in prison, Reggie has worked hard to remain a productive member of society. He has held several jobs, including a position in the law library. While on death row, he has been actively involved in a suicide watch program (that aided prison officials in monitoring other inmates), and has become a member of the NAACP. Reggie has pursued intellectual endeavors as well – he obtained his General Equivalency Diploma while on death row, and is a writer of poems and fiction and the creator of a number of inventions." (from the Web site [www.justiceforreggie.com](http://www.justiceforreggie.com))

No physical evidence. Jury manipulation. Witness intimidation. A corrupt prosecution *plus* incompetent defense counsel. Two White "star" witnesses whose testimony was contradictory, incentive-driven and simply not credible. And with all that, the state of Missouri is trying to execute him as quickly as possible before public outrage reaches critical mass. The State of Missouri clearly isn't interested in justice. The State wants him dead.

Are you angry yet? You should be.

### Rush to Injustice: Troy Davis

*Wikipedia* has compiled an informative, heavily-footnoted article on the case of Troy Davis. What follows here is based largely on that *Wikipedia* article, edited for length:

On August 19, 1989, **Mark MacPhail**, an off-duty policeman, was working as a security guard at a Burger King restaurant in Savannah, Georgia. The incident started when **Sylvester "Redd" Coles** began harassing a homeless man, **Larry Young**, for a beer while Troy Davis and others watched quietly from a distance. Coles verbally harassed and chased the homeless man to a nearby parking lot where MacPhail was working. The homeless man yelled for help and MacPhail responded and was shot dead with a .38 caliber weapon. The parking lot was dark and the scene was chaotic. After the dust settled, the police took the statements of several onlookers but had no suspects. Coles and Davis were both African-American males of similar age, height and weight.

The day after the shooting, a spent shell from a .38 caliber revolver was discovered near the scene of the murder. The shell was similar to shell casings recovered near a shooting that occurred earlier that evening at a pool party in Cloverdale -- not far from where MacPhail was killed. The pool party shooting oc-

curred when four boys -- two of whom were Coles' neighbors -- were shot at as they drove away from the party.

None of the boys riding in the car knew Davis or identified him as the pool party shooter, and the police search of Davis' house less than 24 hours after the shooting turned up no gun.

Coles initially lied about carrying the .38 caliber revolver, but later admitted to carrying it with him on the night of the murder. He claimed that it was lost when the police attempted to recover the gun for testing.

After the police swarmed his neighborhood looking for suspects, Coles and his attorney approached the police to exonerate Coles and implicate Davis. Davis who, unlike Coles, had fled to Atlanta, surrendered to authorities there on August 23. He admitted to being present at the Burger King parking lot, but denied shooting MacPhail. Davis stated that Coles had shot MacPhail.

The police never searched Coles' house for the murder weapon, never included Coles' picture in witness photo spreads, and paraded Coles in front of four State witnesses as a mere bystander in a crime scene "reenactment."

Davis testified at trial and denied that he was involved in the shooting of Cooper or MacPhail. A ballistics expert testified at the trial that the .38 caliber bullet that killed McPhail could possibly have been fired from the same gun that wounded Michael Cooper in the pool party.

On August 28, 1991, based solely on the testimony of eyewitnesses who had linked Davis to the shooting, the jury found Davis guilty on one count of murder and other offenses. In the sentencing phase of the trial, Davis' family members and close friends were not allowed to testify, preventing the jurors from hearing sympathetic facts, leaving them to rely only on the prosecutor's characterizations of Davis and his life. On August 30, 1991, the jury sentenced Troy Davis to death.

The first set of appeals focused almost exclusively on jury selection issues. The jury in the original trial had been composed of seven Blacks and five Whites. His appeals were denied and his conviction and death sentence were affirmed by the Supreme Court of Georgia in 1993.

Davis, like many indigent death row inmates, was represented during his state habeas proceedings by the **Georgia Resource Center**. Just as the Center's lawyers were preparing Davis' appeal, Congress eliminated \$20 million in funding to post-conviction defender organizations like the Center, which lost 70% of its budget. Six of the center's eight lawyers left, as well as three of its four investigators, and Davis' case became one of about 80 that **Beth Wells**, then executive director, had to handle.

"The work conducted on Mr. Davis' case was akin to triage," Wells wrote in an affidavit, "where we were simply trying to avert total disaster ... There were numerous witnesses that we knew should have been interviewed, but lacked the resources."

As a direct result, the vast majority of the recantations and other new evidence of Davis' innocence went undiscovered and unheard as Davis' appeals proceeded through state courts. Davis also encountered restrictions on the scope of his ability to attack the conviction, due to limitations introduced by the **1996 Antiterrorism and Effective Death Penalty Act (AEDPA)**. Thus, on Sept. 9, 1997, the state court denied Davis' state habeas corpus relief, as did the Georgia Supreme Court on Nov. 13, 2000.



**Reggie Clemons**

In 2001, Davis submitted twenty-one exculpatory affidavits to a federal court in Georgia. These affidavits contained recantations from all but two of the prosecution eyewitnesses, the testimony of another previously undiscovered eyewitness and others with information bearing on the crime--all strong evidence suggesting Davis was not the gunman and is, in fact, innocent of the crimes for which he was sentenced to death. All the witnesses stated in their affidavits that their earlier statements implicating him had been coerced by strongarm police tactics.

At least three witnesses who testified against Davis have since said that Coles admitted that he was the one who had killed the officer. Five new witnesses implicated Coles, not Davis.

The only eyewitness, aside from Coles, who did not recant his testimony is **Steve Sanders**, whose in-court identification occurred two years after the crime despite his statement on the night of the shooting that he would not "recognize the shooter."

In response to Davis' petition, prosecutors **Spencer Lawton** and **David Lock** argued that under Georgia law it was too late to present the recantations as evidence in a motion for a new trial.

Citing procedural bars, the federal district court declined to consider any evidence of Davis' actual innocence and rejected the habeas petition.

Davis appealed to the 11th Circuit Court on Sept. 7, 2005, arguing that since seven of the nine eyewitnesses recanted their testimony and voluntarily filed sworn affidavits stating they lied in the original trial, he is entitled to a retrial based on his actual innocence claim. Davis' lead lawyer, **Kathleen Behan**, also argued that there were multiple constitutional violations in the original trial, including failure to disclose State promises made to witness **Dorothy Ferrell** for her initial testimony against Davis and the State's failure to give Davis' lawyers exculpatory evidence.

On September 26, 2006, the 11th Circuit affirmed the denial of federal habeas corpus relief, claiming that all his innocence claims are "procedurally defaulted." Judges **Joel Dubina**, **Rosemary Barkett** and **Stanley Marcus** ruled that Davis had not established a viable claim that his trial was constitutionally unfair. A major obstacle to granting Davis a new trial was the 1996 **AEDPA**, whose provisions reduced new trials for convicted criminals and sped up their sentences by restricting a federal court's ability to judge whether a state court had correctly interpreted the US Constitution. Legal authorities have criticized the restricting effect of the Act on the ability of wrongfully convicted persons to prove their innocence.

On June 25, 2007, Davis' first *Certiorari* petition to the US Supreme Court was denied in a one-line, unexplained decision.

In July 2007, **William S. Sessions**, former FBI Director and federal judge, wrote a piece in the *Atlanta Journal Constitution* calling on authorities to halt the execution process until Davis is given a new trial, or alternatively, grant him clemency.

Judge Sessions identified himself as a supporter of the death penalty. But, he argued, the judicial system is fallible, and the procedural rules can be too restrictive and can prevent the courts from dispensing justice. They can stop the courts from hearing even claims of innocence, such as in Davis' case. He condemned the kinds of procedural barriers that prevented the courts from addressing the merits of Davis' case, and recommended that they be eliminated. He added that it is intolerable that as a result of these procedural obstacles, no court has examined the claims Davis' current legal team has raised.

Despite Judge Sessions' call for a new trial and similar pleas by **Amnesty International**, Davis' execution was scheduled for July 17, 2007. On July 16, however, the Georgia State Board of Pardons and Paroles granted a ninety-day stay of execution.

On August 3, 2007, the Georgia Supreme Court granted Davis' application for discretionary appeal from the denial of his Extraordinary Motion for a New Trial. It was the first time Davis' case reached the Georgia Supreme Court since the recantation of witnesses and the discovery of new exculpatory evidence. On March 17, 2008, the Georgia Supreme Court denied the appeal by a slim 4-3 majority. The four-justice majority wrote that "These affidavits lack the type of materiality required to support an extraordinary motion for new trial, as they do not show the witnesses' trial testimony to have been the 'purest fabrication.'"

However, a three-justice minority led by Chief Justice **Leah Ward Sears** strongly dissented, and concluded that the new evidence pointing to "actual innocence" justifies a new hearing. Chief Justice Ward wrote: "If recantation testimony, either alone or supported by other evidence, shows convincingly that prior trial testimony was false, it simply defies all logic and morality to hold that it must be disregarded categorically."

Accordingly, the three-justice minority held that the new, exculpatory evidence is sufficient to justify, at the very least, an order to the trial court to conduct a hearing and weigh the credibility of Davis' new evidence.

On July 14, 2008, Davis' lawyers filed a petition for a writ of *certiorari* in the US Supreme Court, appealing from the Georgia Supreme Court's 4-3 decision, asking the Court to determine that the Eighth Amendment creates a substantive right of the innocent not to be executed. If such a right exists, the lawyers argued, then the Georgia Supreme Court's failure to grant an evidentiary hearing to review the cumulative substance and credibility of Davis' new innocence evidence violates the Constitution - both the Eighth Amendment and the Due Process Clause.

**The Innocence Project**, a non-profit organization dedicated to exonerating wrongfully convicted people, filed an amicus curiae brief, strongly condemning the Georgia Supreme Court's majority opinion and supporting Davis' request for a new trial, arguing that constitutional principles and fundamental standards of criminal law require the courts to grant Davis a new trial or, at the very least, an evidentiary hearing to weigh the new evidence.

The US Supreme Court was scheduled to discuss on September 29 whether to take up the case. But Georgia's state attorneys scheduled an execution date for September 23, 2008 at 7pm, *intending to carry out the execution before the United States Supreme Court had the opportunity to take up Davis' case the following week*. Ignoring calls from organizations, leaders and journalists to halt the execution until the Supreme Court made a decision, Chatham County District Attorney **Spencer Lawton** ordered that Davis be taken to the death chamber and executed, *despite his pending appeal*. Only a last-minute emergency stay, issued by the Supreme Court less than two hours before he was scheduled to be put to death, prevented the execution. Georgia Attorney General **Thurbert Baker** and Deputy Attorney General **Susan Boleyn** filed a brief with the Supreme Court asking the Supreme Court not to take the case for review.

On October 14, 2008, the Supreme Court issued a one-line decision declining to hear Troy Davis' petition, without offering any explanation. Emboldened by this rejection of Davis' petition, DA Lawton set a new execution date for October 27, 2008.

Notable people who have spoken out on this case include representatives from the **Council of Europe** and **European Parliament**, Congressman **John Lewis**, US Representatives **Jesse Jackson Jr.** and **Sheila Jackson Lee**, actor **Mike Farrell**, actor and activist **Harry Belafonte**, former Texas District Attorney **Sam D. Millsap, Jr.**, activist **Rev. Al Sharpton**, former Republican Congressman and presidential candidate **Bob Barr** (though he is a "strong supporter of capital punishment), *Dead Man Walking* author **Sister Helen Prejean**, and the organization **Murder Victims Families for Reconciliation**.

Amnesty International published a report characterizing Davis' case as a miscarriage of justice and a "catastrophic flaw in the US death penalty machine." Amnesty initiated a letter-writing campaign and organized rallies worldwide. More than 4,000 people sent letters to the Board of Pardons and Paroles asking to grant clemency to Troy Davis. Nobel Peace Prize winner **Archbishop Desmond Tutu** urged the Board to demonstrate their commitment to fairness and justice, stating "It is shocking that in over 12 years of appeals, no court has agreed to hear evidence of police coercion, or consider the recanted testimony."

Despite the outpouring of support and the international attention to the case, on September 12, 2008, the State Board of Pardons and Paroles rejected Davis' clemency request. The board members *did not provide any reason for their decision*.

In response, Amnesty International condemned "in the strongest possible terms" the decision to deny clemency, and called it "a baffling and unbelievable perversion of justice." **Larry Cox**, executive director for **Amnesty International USA**, added: "The US Supreme Court must intervene immediately and unequivocally to prevent this perversion of justice." Former President **Jimmy Carter** released a public letter urging the State Board to reverse its decision. In addition, the **National Lawyers Guild** joined the call to halt the execution process until Davis is given a hearing to weigh the exonerating evidence.

On October 23, 2008, Davis' lawyers launched a second habeas petition. In their court filing, attorneys argued that the new exculpatory evidence proves Davis is innocent, and therefore his execution would violate the Eighth and Fourteenth Amendments of the US Constitution. Davis' lawyers requested an emergency stay of the pending execution, and on October 24, the 11th Circuit Court of Appeals issued a stay of execution to consider the newly-filed federal habeas petition.

On November 19, 2008, the 11th Circuit ordered the parties to submit briefs. *Chatham County prosecutors filed objections to Davis' federal habeas petition, asking the 11th Circuit to deny Davis' petition, and prevent Davis from having an evidentiary hearing to weigh the new, potentially exonerating evidence.*

On December 9, in an overfilled Atlanta courtroom, the three-judge panel heard oral arguments. Judge **Rosemary Barkett** criticized the prosecution for objecting to a hearing that can determine the credibility of the new evidence: "As bad as it would be to execute an innocent man, it's also possible the real guilty person who shot Officer MacPhail is not being prosecuted."

On April 16, 2009 the three-judge panel denied Davis' petition by a 2-1 majority. Judges Dubina and Marcus wrote that they were rejecting the petition *based on procedural rules* [Emphasis added – Ed.]. The two judges focused on two procedural requirements contained in **AEDPA**, which must be met in order to consider his innocence claim. Based on these "gatekeeping re-

quirements," the judges rejected the petition, thus denying Davis the opportunity to bring his innocence claim to a court of law.

Judge Barkett, the dissenting judge, ruled that Davis' strong innocence claim supported by new evidence which has never been weighed in a court of law justifies granting the petition:

"Simply put, the issue is whether Troy Anthony Davis may be lawfully executed when no court has ever conducted a hearing to assess the reliability of the score of affidavits that, if reliable, would satisfy the 'threshold showing' for 'a truly persuasive demonstration of actual innocence,' thus entitling Davis to habeas relief. ... When considered together, this evidence significantly undermines the evidence presented by the State at trial. ... Certainly, the execution of an actually innocent person would shock the conscience such that it runs afoul of the right to substantive due process. ... Nothing could be more contrary to contemporary standards of decency or more shocking to the conscience than to execute a person who is actually innocent. ... The majority takes the position that we cannot permit Davis to bring his evidence before the district court because our discretion to do so is constrained by AEDPA. But AEDPA cannot possibly be applied when to do so would offend the Constitution and the fundamental concept of justice that an innocent man should not be executed. ... To execute Davis, in the face of a significant amount of proffered evidence that may establish his actual innocence, is unconscionable and unconstitutional."

The 11th Circuit issued an order extending the stay of execution for 30 days to allow Davis the opportunity to file a habeas corpus petition with the U.S. Supreme Court.

The families of Troy Davis and the victim, Officer MacPhail, have also been involved in this struggle. Davis' sister, **Martina Correia**, has been actively campaigning on his behalf. She has attended all of Davis' court hearings, often sitting in the same room with relatives of MacPhail. After the December 9, 2008 hearing in the 11th Circuit Court, she addressed the concerns of the MacPhail family: "This is not family against family. We have no ill will against the MacPhail family. When justice is found for Troy, there will be justice for Officer MacPhail."

MacPhail's widow, **Joan**, has remarked about the successive appeals of Davis: "It's like another punch in the stomach. You have to relive that night over and over. That's so wrong. Why shouldn't we have peace in our lives?"

With all due sympathy to Mrs. MacPhail, to complain about the successive appeals of Davis, an almost certainly innocent man, not only denies the likelihood that MacPhail's real killer remains free but also raises serious questions about her motivation. Does she want the truth or does she simply want to see someone, *anyone*, pay the ultimate price for the loss of her husband, guilty or not? Too many times, victims' families are played by draconian police officers, corrupt prosecutors and hang-'em-high judges who cynically exploit their justifiable pain and desire for justice in pursuit of another opportunity to demonstrate their power over life and death. And to top it off, not only does the DA's office object to the examination of exculpatory evidence, but they tried to execute Davis in a macabre "rush to injustice" *before the higher courts could schedule their mandated reviews of his case*. Thus, in the face of international outrage, an overwhelming sum of exculpatory evidence and an increasing amount of dissenting analysis *from their own judges*, the State of Georgia *still* wants Troy Davis dead.

Are you *ready to do something about it?* You should be.

Deborah Peagler is dying fast. An execution date of June 17 was set for **Reggie Clemons**. And **Troy Davis** might not be far behind. Assuming that, by the time you read this, the Powers That Be have not yet committed their planned acts of State Sanctioned Murder, there is something you all can do. For more information and Action Alerts on these cases, go to their Web Sites:

Deborah Peagler: [www.freedebbie.org](http://www.freedebbie.org)  
 Reggie Clemons: [www.justiceforreggie.com](http://www.justiceforreggie.com)  
 Troy Davis: <http://freetroydavis.org>

**NEXT ISSUE:** Marshall E. Conway, *Mondo we Lan-ga, Still Paying the Price, America's Political Prisoners*

## Of Conferences and Racism

Continued from Page 1

Conference Against Racism, set for Durban, South Africa from August 31 - September 8, 2001, quickly became known as the **World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance**, and this title change opened the door for the inclusion of the issues of Anti-Semitism and Zionism, two nefarious sides of the same Israeli-Arab coin. And the flipping of this coin, more than even the Reparations issue, was what sabotaged the 2001 WCAR. That same coin-flip was used to undermine the **Durban Review Conference** in 2009.

### The 2001 WCAR

Efforts to organize the 2001 WCAR included a number of Regional Preparatory Conferences, or Prep Coms, in different parts of the world. While much haggling and struggle was involved in all of the Prep Coms, perhaps the most contentious one was the Asian Prep Com, held in Tehran, Iran, where, despite the insistence by Iranian authorities that Israelis would be fully included in the discussions, members of the Israeli delegation were reportedly delayed at customs and checkpoints until much of the Prep Com had been completed. This would only add fuel to the fire that the West, in support of Israel, had already begun to feed, and that acrimony would ultimately infect the World Conference.

*Wikipedia*, the Internet's self-described "free encyclopedia", describes the 2001 WCAR in the following way:

The conference dealt with several controversial issues, including compensation for slavery and the actions of Israel. The language of the final Declaration and Programme of Action produced by the conference was strongly disputed in these areas, both in the preparatory meetings in the months that preceded the conference and during the conference itself. Two delegations, the United States and Israel, withdrew from the conference claiming the conference was merely a pretext for the airing of virulent anti-semitism. *The final Declaration and Programme of Action did not contain the text that the U.S. and Israel had objected to, that text having been voted out by delegates in the days after the U.S. and Israel withdrew.* [Emphasis added – Ed.]

The issue of Compensation for Colonialism and Slavery ... was one of the most controversial issues debated at the conference. ... Western European states discussed informally amongst themselves, outside of the formal preparatory proceedings, *what measures and levels of non-cooperation they might adopt if the issue of compensation gained momentum* [Emphasis added] ....

At this point, the *Wikipedia* article examines the issue of assessing blame for the disintegration of the 2001 WCAR, noting that several analysts had blamed the radicalism of the **NGO Forum**, a series of side meetings by Non-Governmental Organizations that had issued statements much more critical of Israel and also demanding Reparations for slavery, and the actions of the **Organization of the Islamic Conference (OIC)**. And yet no blame was apportioned to the Western countries, which fought mightily against language which implicated them in the centuries of docu-

mented genocide, enslavement and exploitation against Afrikan, Indigenous and Asian peoples that helped them reach their current levels of advancement, or which sought to establish any means to correct their continued illicit advantage against their historical victims. No blame was given to Israel for its abject refusal to even sit at the table with the world's nations and peoples to seek a settlement to the grievances held against it by the Palestinians, the Lebanese (whose country Israel later attacked in the summer of 2006) or even Israel's less-confrontational critics. No scrutiny was given to the Western Bloc's insistence on maintaining language pertaining to the Holocaust (as though it was the only, the largest, or even most brutal genocide *ever* committed) while also refusing to discuss the rights of the Palestinians. All three – the Arab States, the Western nations and the Israel Lobby – had worked from their unique perspectives to wreck the 2001 WCAR. And in 2009, they were about to do it again.

### Durban Review 2009: The Storm Clouds Gather

As early as 2008, Western nations, particularly those that had walked out of 2001's WCAR, had already begun foreshadowing their rejection of the Durban Review Conference.

On January 23, 2008, Canada said it would not attend. On November 19, Israel announced it would boycott the Conference.

International news services chimed in. A March 10, 2009 Editorial in the *Japan Times* titled *Durban II in danger*, read: "Meetings like this undermine the UN and empower its critics. Acquiescing to this agenda is a mistake. The more countries protest against this meeting, the more hope there is for getting the UN back on track... The charitable explanation for the mentality behind the Durban meetings is the mistaken belief that the best way to remedy the sufferings of one group is to victimize another. Less charitably, one could argue that Durban is an attempt to punish Israel and the Jews, regardless of what they have done. By either explanation, Durban is flawed and should not proceed."

On March 16, 2009, the European Union (EU) stated it would boycott unless major changes were made to its declaration.

### In Support of Durban II

Then, in mid-March, it appeared that a solution might be at hand that would allow the Review Conference to proceed with all the world's nations in attendance. *Agence France Presse* reported from Geneva on March 17:

References to the Palestinian territories -- that led Western countries deeming them anti-Semitic to threaten a boycott of a UN racism conference -- have been cut from the meeting's draft declaration.

The revised and drastically shortened proposal, obtained by AFP, also dropped a passage on reparations for slavery, which African countries had been seeking ...

On March 21, the **December 12<sup>th</sup> Movement**, a Pan-Afrikan



human rights organization headquartered in New York, issued a Press Statement, co-signed by **Amadi Ajamu**, **Omowale Clay** and **Roger Wareham, Esq.**, which said, in part:

The first World Conference Against Racism met in Durban, SA in September 2001 and its final Declaration 'acknowledge(d) that slavery and the slave trade ... were appalling tragedies in the history of humanity not only because of their abhorrent barbarism but also in terms of their magnitude, organized nature and especially their negation of the essence of the victims, and further acknowledge that slavery and the slave trade are a crime against humanity and should always have been so ...'

This declaration ... was a culmination of centuries of work and suffering by our people to establish that the attack on our humanity by European nations was a crime. A crime of such proportions that time cannot protect or shield its perpetrators from facing justice and its victims from obtaining reparations.

Now, eight years later, this April 20<sup>th</sup> thru 24<sup>th</sup>, at the United Nations in Geneva, Switzerland, the Durban II Review of the historic World Conference Against Racism takes place. An international effort to review what progress has taken place and remains to be done to obtain justice, compensation and reconciliation for the victims of racism in general and the transatlantic slave trade in particular.

Once again, even with the first Black President of the United States, Barack Obama at the helm, the United States and its European allies are attempting to derail the process and reverse the 'correct verdicts' of the 2001 World Conference. ...

We demand the full and unconditional participation of the United States in the conference. The United States was built on brutal racism and the exploitation of enslaved African peoples labor. Systemic and institutional racism continues to this very day. We will continue to fight for justice for the crimes against humanity suffered by our people. They stole us, they sold us, they owe us! Reparations now!

But the boycotts continued. On April 18, the Obama Administration announced: "With regret, the United States will not join the review conference." On April 19, Australia, The Netherlands and New Zealand announced their intention to boycott Durban II, essentially due to fears that it would be a repeat of the 2001 conference. Great Britain announced that it would attend, but would "walk out" of the conference if "red lines" on language such relating to anti-Semitism, the Holocaust and Blasphemy are crossed. France made a similar announcement that it would attend but would "not tolerate any verbal slander."

This drew a response from Iranian President **Mahmoud Ahmedinejad**: "It is clear that the Zionists and their backers will undertake everything possible so that the voices of those people suppressed will be silenced. ... Zionists control an important part of the politics in the US and Europe and used this influence, especially in the media, to force their demands, which are nothing more than the plundering of nations, onto the world" (*Wikipedia*). Ahmedinejad's remarks on Durban II's first day, April 20, called Israel the "most cruel and racist regime" and pointed the finger at the United States and Europe for helping to establish the country after World War II "under the pretext of Jewish suffering." 40 European diplomats walked out during his speech.

The *Associated Press* also made note of the UN's decision to expel 64 members of three Jewish and Iranian organizations from the conference. The members had included individuals who donned clown wigs, threw objects and shouted at the Iranian

president, as well as Iranian activists who had allegedly distributed inflammatory material to delegates.

### Roots in Opposition to 2001's WCAR

We can see that the resistance to the Durban Review Conference, indeed, the resistance by the West to *any* World Conference Against Racism had been organized even before the one in 2001.

**Irwin Cotler**, on September 12, 2006, wrote a piece titled *The Disgrace of Durban, Five Years Later*, in which he had stated:

But if 9/11 was a transformative event, the same description must apply to another event that ended on the eve of 9/11. I am referring to "The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance" in Durban ... which was the 'tipping point' for the emergence of a new wave of anti-Semitism masquerading as anti-racism. Unfortunately, the 5th anniversary of this event has gone largely unremarked.

As one of my colleagues put it at the time, if 9/11 was the *Kristallnacht* of terror, Durban was the *Mein Kampf*. Those of us who personally witnessed the Durban festival of hate -- with its hateful declarations, incantations, pamphlets and marches -- have forever been transformed. For us, Durban is part of our everyday lexicon as a byword for racism and anti-Semitism, just as 9/11 is a byword for terrorist mass murder.

**Anne Bayevsky**, senior fellow at the Hudson Institute and editor of [EYeontheUN.org](http://EYeontheUN.org), in her April 28 essay *Durban II Double Standard*, said the following:

The Organization of the Islamic Conference has spent years dominating U.N. proceedings, and Durban II — the centerpiece of the U.N.'s alleged 'anti-racism' crusade — is their progeny. ...

Hope for a united Western front against this assault is now being placed on France's ascension to the EU Presidency in July, raising the prospect of the EU joining Canada, the U.S., and Israel in the unambiguous rejection of Durban II. Judging from its gutless behavior to date, however, it will take an earthquake to move the EU from its beloved U.N. turf. The lessons for future American foreign policy are considerable.

### Our take: The Middle East Flim-Flam

In the end, only a handful of Western nations chose to stay away from the Durban Review Conference. The vast majority of the nations of the world discussed a variety of pertinent issues. But the main perpetrators of racism and oppression on a global level, the Western European nations, were notable for their absence. As the nations with the advantage in military power and the most grievous perpetrators of exploitation against other peoples around the world, their absence made it nearly impossible to put them "on the spot" for their misdeeds or to force them to answer the charges against them in an honest way. With the exception of *Al Jazeera*, the West still controls most of the world's major media, and as a result, any progress made at the Durban Review Conference was kept hidden from the general public. Thus, with a little assist from the stubbornness of several Arab nations, the West was able to turn the conference into an Israeli-Arab battleground and pulled a Flim-Flam on the world's masses. As a result, it didn't take a terrorist attack to make people forget about this World Conference like it took in 2001. This time, all that was needed was for the major media to ignore it. Thus, the magic trick, the illusion, of making the issue of racism disappear was achieved with little fanfare and little effort.



The *Associated Press*, in an April 23 article, started to focus on the real injustices being perpetrated on WCAR and the Durban Review Conference. Among the issues that generally receive little attention is the plight of India's **Dalits**, Afrikan descendants also known as the "untouchables":

Some campaigners say the conference's focus on the Middle East occurred at the expense of other urgent cases of racism, such as the plight of "untouchables," the social outcasts at the bottom of India's complex caste system. "Caste discrimination is one of the most important issues being left out of this conference and because of the predominant attention to one specific issue, all other concerns within the field of racism, discrimination, xenophobia and racial intolerance, are being excluded," said **Peter Prove** of the Lutheran World Federation.

The **International Dalit Solidarity Network**, which campaigns on behalf of untouchables in India and elsewhere, says some 260 million people in Asia and Africa suffer discrimination because they are deemed to belong to inferior castes.

Of course, the ongoing destruction in DR Congo, the Niger River Delta, various Indigenous communities in north and South America and other hot spots around the world got precious little coverage in all the Arab-Israeli hoopla. The major media maintains its silence about issues such as the death penalty, political imprisonment and police brutality, all of which disproportionately target Americans of Afrikan descent, and the continued efforts to encircle Indigenous North and South American communities, cut down their forests, steal and patent their natural medicines and pollute their lands with toxic and nuclear waste.

All this because Israel and their Political BFFs, the Western European nations, cannot sit down with the rest of the world's suffering people and *really talk* about racism, xenophobia and intolerance. The Arab nations stayed, but their insistence on carrying on their dispute with Israel and raising it to a position of pre-eminence at the Conference did not help either.

The West and the Arabs should not have had this level of control over the Conference. Nowhere in all this controversy are the grievances of Afrikan and Indigenous people taken into account. Iran and the Middle-East Arab nations were clearly using the Holocaust-Palestinian issue to push their own agenda, ultimately at the expense of the Conference. Meanwhile, the US and Western European countries have joined with Israel in an effort to censor all debate on the issue of the Palestinians and Israel's treatment of them, especially in light of the "wall" and settlements in the West Bank and the recent war (complete with illegal white phosphorus chemical weapons) in civilian areas of Gaza.

Both sides, particularly the West, have attempted to paint themselves as the Ultimate Victims (with their allies holding an exalted place as Champions of Freedom), while in reality they are all members of the class of *Ultimate Oppressors* of Afrikan and Indigenous people around the world. Of course, all they did here was try to scuttle the Review Conference, much as they ruined the 2001 WCAR. Notice that there is no mention in any of this controversy of their *own* need to recognize and atone for the *Maafa* against Afrika and the genocide against indigenous populations of the Americas, *the two most horrific genocides in human history*, genocides that can be laid at the feet of the Western Europeans and the Arab nations. As a result, one more opportunity to give these ultimate crimes against humanity a world stage upon which to be discussed has been sabotaged by the main exploiters of Indigenous and Afrikan populations.

For their part, the Arab nations have recognized some of the blood on their own hands, as shown by their decision not to boycott the WCAR and the Durban Review Conference in spite of the watering-down of their declarations against Zionism. But they still need to fully recognize their role in the historical enslavement of Afrikan people and the continued "Arabization" of North Afrika. The West, however, remains adamant, still refusing to own up to their continued exploitation of Afrika and South America in particular, showing no remorse, not even an official apology for slavery, refusing to put a stop to their plans to further exploit Afrikan and Indigenous people around the world. For this reason, while the Arab nations share some of the responsibility for the expansion of racism, xenophobia and intolerance, the European West and the United States maintain their position as the Champions not of Freedom, not of Justice, but of Racism itself.

The major media's analysts have been little help. Irwin Cotler's article is a classically-Western (and over-dramatized) essay which, by insisting on viewing this issue solely through the lens of the Jewish Holocaust, not only implies that it was the worst crime ever perpetrated against humanity, but also short-circuits the real intent of the WCAR: to examine racism, xenophobia and intolerance around the world and to seek ways to stop it. Meanwhile, Anne Bayevsky calls for "a united Western front against this assault". Is there any better evidence that the arena of Racism has been hijacked by the racist regimes themselves?

By the way, this is *not* an effort to mount some anti-Jewish or anti-Israel rant. Not only because the Afrikan concept of *Ma'at* tells us that we who have suffered from hatred should not in turn become hateful of others. There is a practical reason. Look at the issue that is being used to discredit a World Conference that was supposed to largely be about *us*. Anti-Jewish rants simply place us on the side of the "Holocaust deniers" and the historical perpetrators of Nazi genocide, while at the same time *defining Racism, Xenophobia and Related Intolerance in Islamic-Jewish terms*, allowing Westerners and Arabs to hijack the WCAR and turn it into *their own personal ideological battleground*.

The next World Conference Against Racism should not be called or initiated by Westerners, Arabs, Jews, or perhaps even the United Nations. The Indigenous peoples of the world, the "Aborigines", the "Native Americans", the "Afrikans" and the people of the "Island Nations", should be the ones who will set the agenda for the next Conference. As the original oppressed and exploited peoples of the world, *we* should be the ones to organize together. *We* should set the agenda. *We* should create the Program of Action. *We* should state the desired - no, the *required* - Outcomes. *We* should hold the Preparatory Conferences in countries, few though they may be, where *we* have control, or at least a strong presence and allies. *We* should then call on the nations of the world to come and take their medicine. The nations of the world should come to the Prep Coms, as well as to the final World Conference, on Bended Knee, to hear all the criticisms the Original Oppressed Peoples of the Earth have for them, *without argument*. And then, the nations of the world should apologize. They should outline the steps they will take to right the long-unrighted wrongs they have committed against the Original Oppressed Peoples of the Earth. And they should pray to whatever God they serve that the Original Oppressed Peoples of the Earth do not organize to the extent that we can exact true justice upon the empires that have defiled God's creation and crushed His children under their feet.



# Local Focal

Some Little-Known Events and News on the Local Front of the Pan-Afrikan Diaspora

## **Tubman City (Baltimore, MD) - Mural Dedication to Alvin Brunson, Nov. 14, 1957 - March 30, 2008** *From the Brunson Family*

It's been just over a year since Baltimore-area Historian and Educator **Alvin Kirby Brunson** perished on March 30, 2008 under the rubble of a collapsed building in Baltimore, Maryland. This tragic event ended the life of a truly purpose-driven man.

For the previous three years, he had served as a distinguished panelist for the **Maryland State Arts Council's Arts in Communities Program**.

After years of mainstream employment, Alvin began to immerse himself in his passion and found his true life's purpose – creating **The Center for Culture Education (CCE)**. CCE's mission was to perform historical research, educate anyone and everyone who wanted to learn, and enlighten citizens by nurturing an appreciation for the achievements of Black Baltimoreans, particularly those who lived, worked and played along the Pennsylvania Avenue corridor which served as a thriving focal point for local and nationally-known artists, musicians and entertainers during the 1930s through 1950s. To that end, Alvin worked tirelessly at facilitating and hosting public events via libraries, schools, senior citizen homes, private and public functions, festivals and other cultural ventures. Part lecture, part Q-&A, part humor and part music, his one-of-a-kind shows were in big demand. Alvin would painstakingly set-up and break-down numerous exhibits including rare photographs and other artifacts in his quest to further The Avenue's legacy and to uncover and document those long-forgotten meritorious and culturally-significant facts. The Avenue neighborhood he revered was also Alvin's home, the CCE headquarters and operations center to its most requested component, **The African-American Traveling Museum**. The traveling museum served as a mobile venue to those physically impaired or restricted. Basically, he brought the history lesson to you, denying no one the opportunity to discover Baltimore's rich cultural past. The traveling museum was as much in demand for its convenient history lessons, as well as for

the enjoyment of Alvin's entertaining presentation skills. Alvin was quite renowned for his passion. Combined with his compassion, intelligence and credibility, his shows were nothing less than a powerfully presented, memorably historic event unto itself.

Alvin was the recipient of numerous awards and accolades including, voted "Baltimore's Best Historian - 2005" award. A graduate of Hampton Institute and Coppin State University, Alvin served as an adjunct college professor at Sojourner-Douglas College while simultaneously self-publishing two books on Baltimore history. In addition, Alvin was frequently the subject of print and broadcast media interviews as well as a regular editorial contributor to variety of local newspapers.

Last year, the Baltimore City Council officially honored Alvin by proclaiming November 14 **Alvin Kirby Brunson Day**.



*The Historic Mural with the portrait of Alvin Kirby Brunson at the center.*

In March a Pennsylvania Avenue Historic Mural Dedication Ceremony was held in his honor. The mural was commissioned by the **Pennsylvania Avenue Redevelopment Collaborative**, and tastefully and elegantly created by artist **Donald Tyson-Bey**. The mural's prototype was to be auctioned with proceeds going to establishing the Alvin Brunson Legacy Scholarship fund.

**EDITOR'S NOTE:** I had known Alvin for several years when we both worked for a State of Maryland government agency.

After a while, we went on our separate career paths, but I would see him again at occasional Black History Month programs at the State agency where I then worked. I learned a little bit about his calling – the revitalization of the Pennsylvania Avenue corridor in Baltimore and the uncovering of that area's rich cultural history. Over the last couple of years we had lost contact again, until I learned from Al's family about the circumstances of his untimely passing. It's our hope that his dream of lifting up the Pennsylvania Avenue corridor and the entire Baltimore area will live on. As we continue with the work of bringing Afrikan people together, we must remember the efforts and accomplishments of this committed activist and strive to keep his work alive in our organizing efforts. In that way, Alvin Kirby Brunson can indeed live on, in our hearts and minds, and his spirit can achieve the immortality that we all strive for.



**Got local news from your area about Pan-Afrikan issues, activists and communities? Send us the info and we may be able to place it in KUUMBAReport's Local Focal. Reach us by e-mail at: [kuumba@verizon.net](mailto:kuumba@verizon.net)**

## **Charles Deslondes City (New Orleans, LA) – FEMA Evictions at Start of Hurricane Season**

*From Advocates for Environmental Human Rights, The Advancement Project & the RFK Center on Human Rights*

Nearly four years has passed since Hurricane Katrina and thousands of families in the Gulf Coast region lost their homes. Due to government inaction many of these families have spent the past four years living in desperate conditions—FEMA trailers. June 1st marked the beginning of the 2009 hurricane season and FEMA's eviction deadline for those who had no choice but to live in FEMA trailers. The airwaves will be filled with messages about the importance of preparedness and the government's continuing inaction.

A coalition of civil rights groups, affordable housing advocates, and Hurricane Katrina survivors visited the nation's capitol on June 1 to ask the question: What has the Obama Administration done to fix the problems that Gulf Coast residents continue to endure today, whether still displaced or at home? How prepared is the Obama Administration to deal with the ramifications and the devastation that poor displaced survivors of Hurricane Katrina are currently facing due to his inaction on Gulf Coast recovery within his first 100 days in office?

This is President Obama's Gulf Coast now and nothing has been done yet to remedy the government's failures. Survivors of Hurricanes Katrina and Rita are calling upon him to show his commitment to the Gulf Coast by August 29 (Hurricane Katrina anniversary). His actions will determine his commitment to the hurricane survivors and to other poor people of color who find themselves displaced in the future due to another natural disaster.

We need the Obama Administration and Congress to: (1) Develop and implement a permanent housing plan; (2) Establish a preventive disaster recovery plan; (3) Pass the Gulf Coast Civic Works Act; and (4) Overhaul the Stafford Act.

Residents are fighting back! They are issuing a call to action and laying down the gauntlet for President Obama and Congress.

Contact: **Sabrina Williams**, Advancement Project, (202) 728-9557 or (305) 904-3960;

**Jeffery Buchanan**, RFK Center on Human Rights, (202) 257 9048 or [buchanan@rfkmemorial.org](mailto:buchanan@rfkmemorial.org)

**Michele L. Roberts**, Campaign and Policy Coordinator, Advocates for Environmental Human Rights, 1730 M. Street, Suite 412, Washington, DC 20036, (202) 775-0055, FAX: (202) 293-7110, [mroberts@ehumanrights.org](mailto:mroberts@ehumanrights.org).

AEHR Web Site: [www.ehumanrights.org](http://www.ehumanrights.org).



**THE ANCESTORS' CALL: Dr. Ivan Van Sertima** (*They Came Before Columbus*, historian-linguist-anthropologist), 1935-2009; **Dr. Tajudeen Abdul-Raheem** (Nigerian-Ugandan Pan-Afrikanist, UN Millennium Campaign), 1956-2009

## **SRDC Notes**

### **New York City - WADU, SRDC Building Momentum for National Coalition of Diaspora Organizers**

Since April, members of the New York chapters of the **World Afrikan Diaspora Union (WADU)** and the **Sixth Region Diaspora Caucus (SRDC)** have been meeting to forge a coalition between the two groups. Both organizations have been working, on a national and international level, to organize Afrikan people throughout the Diaspora to answer the invitation made by the African Union to send representatives to the AU's **Economic, Social and Cultural Council (ECOSOCC)**.

The invitation was made by the AU in 2003 in an effort to involve the Diaspora in reversing the "brain drain" (Afrika's educated citizens are leaving the Continent for Europe and the United States) as well as the "resource drain" (Afrika's precious resources are being extracted from Afrikan soil by major multinational corporations without benefiting the people of Afrika) that the Continent is currently undergoing.

The New York meetings have done much to foster a spirit of goodwill and cooperation between the WADU and SRDC chapters there. SRDC-NY Facilitators **Iman Hameen** and **Carmen Collymore**, along with SRDC-MD's **Ikemefuna Dessasae** and several SRDC-NY members, have met twice so far with WADU-NY Chief Elder **John Watusi Branch** and members of the WADU-NY Chapter. These meetings have forged a positive relationship between two organizations that could have chosen the less-constructive avenue of competition. Thankfully, they are working to establish a New York Coalition with **Afrikan Unity of Harlem** and other Pan-Afrikanist groups, and their combined efforts are praiseworthy as a model for the rest of the country to follow in creating a true Pan-Afrikan United Front.

SRDC and WADU have used different methods in working to organize Afrikan people. While WADU has enlisted a number of prominent Pan-Afrikanists in its cause, such as **Dr. Leonard**

**Jeffries**, Elder **Elombe Brath** and The Honorable Elder **Dudley Thompson**, former Jamaican Ambassador and current WADU International President, SRDC has established a democratic, representative system, consistent with the AU's own standards, that includes **Pan-Afrikan Community Town Halls, Councils of Elders** and elected **Representatives and Observers**. Both organizations are working steadily to advance their agendas, but organizing Afrikan people has been difficult, in the United States in particular, where pop culture and the illusions fostered by mainstream electoral poliTricks have worked to blunt most people's commitment to Pan-Afrikan organizing.

In that the two organizations have followed different paths toward organizing the Diaspora, there is considerable upside to the combining of their respective forces. A combining of the representative structure of SRDC with the "star power" of WADU could conceivably create a truly comprehensive approach to Pan-Afrikan organizing, combining the Intelligentsia with the Grass Roots, the Learned Elders with Functional Democracy, while simultaneously building a critical mass in cities where SRDC and WADU operate. It only makes sense that the two organizations would find a way to join forces in the true spirit of Pan-Afrikanism. There is still work to be done, and discussions are scheduled between the two groups' national leadership teams at the upcoming **WADU Convention** in Atlanta, Georgia in late July and the SRDC National September meeting, but we are hopeful that the true spirit of Afrikan Unity will prevail and these two committed organizations will be able to come together in a strong partnership. It's long past time that our organizations that profess to seek Afrikan Unity actually get to work forging it. Afrikan people need and deserve no less.





## The African Union and You

### What is the African Union?

The spirit of **Pan-African Unity** arose from the hearts and minds of oppressed African People throughout the World.

Among them, great leaders emerged: **Edward Wilmot Blyden, Marcus Garvey, Kwame Nkrumah, and Haile Selassie** to name a few. These men led those aspirations and founded the principles that gave life to the spirit of unity among African Peoples throughout the World, Pan-Africanism. From their dreams and struggles, the **Organization of African Unity** was born.

#### The African Union (AU)

is Africa's premier institution and principal guiding organization for the promotion of accelerated socio-economic integration of the Continent, which will lead to greater unity and solidarity between African countries and its peoples. As a Continental organization, it focuses on the promotion of peace, security and stability on the Continent as a prerequisite for the implementation of the development and integration agenda of the Union.

The AU is made up of an Executive Council, a General Assembly of Heads of State, an Authority Administration, a Court of Justice, a Peace and Security Council, a Permanent Representatives Council, and the Economic, Social, and Cultural Council.

### Why is the AU important?

#### The African Diaspora

consists of peoples of African origin living outside the continent, irrespective of their citizenship and nationality and who are willing to contribute to the development of the continent and the building of the African Union.

We have been called Negro, Colored, Black, African-American and so on. Our identity is marked by a history that starts before the slave ships arrived on these shores. Let us now identify with Africa, our Motherland, stronger and more connected than we have ever been. Africa is your immediate heritage, your cultural connection, your best social, economic, and political foundation to build a World Voice.

Those among us of the African Diaspora who are recent immigrants do well to keep connected to their respective countries, sending money home to assist family and the home nation's economy. Many also come the States for education and return home to assist their communities. This is the missing link for African-Americans, whose cultural, financial, and technical resources don't benefit their own communities. This can change through unity.

In order for us to be unified, we need organization, which requires leadership. We need the wisdom of our Elders and the tenacity and direction of our leaders. By dealing directly with the African Union, as the Sixth Region of the Union of African Nations, we can begin to realize our true strength as a unified people. Let us begin by organizing ourselves here in the United States of America.

### What is the goal?

The entire African Diaspora **must be unified** in order for us to experience progress as a people. All organizations with a Pan African Agenda must work together through a set of shared goals and objectives to secure our place inside the African Union (AU). The AU has offered the African Diaspora twenty (20) places for Official Representatives to sit on the Economic, Social, and Cultural Council, four (4) of which have been designated to represent the African Diaspora in the United States. At least an additional 20 Official Observers will also be elected.

**The Maryland Organizing Committee of the Sixth Region Diaspora Caucus-United States Subregion (SRDC-US-MD)** is working to build and consolidate the capacity of the African Diaspora in the United States in order to secure a permanent working relationship within the African Union.

To accomplish this goal, SRDC-US is organizing **Pan-African Town Hall Meetings** headed by a nominated Council of Elders, with the explicit purpose of explaining the AU Initiative, its merits, and the process through which we would gain permanent representation in the AU to serve our needs and aspirations as a unified people.

Currently, SRDC has nominated Councils of Elders and Elected Representatives in **California, Washington, Ohio, New York, South Carolina and Maryland.**

### What can you do?

- Join a Pan African Community Organization
- Participate in Town Hall Meetings
- Advocate African Unity
- Contribute your services
- Build Partnerships
- Become a member organization of the **Sixth Region Diaspora Caucus**

### SRDC-US Facilitators in Maryland

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**Don't Live in Maryland? Want to Join an Existing SRDC Chapter or Start One in Your State? Contact us at [kuumba@verizon.net](mailto:kuumba@verizon.net) for help in Getting Started.**