

**National Conference of Black Lawyers**

# A DECADE IN DEFENSE OF HUMAN RIGHTS 1968-1978



**NC  
BL**

**REPORT**

**THE NATIONAL CONFERENCE  
OF  
BLACK LAWYERS**



**A DECADE IN STRUGGLE  
1968-1978  
REPORT**

**Prepared by  
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# Declaration of Concern and Commitment

Today as virtually never before in our history, Black communities across the nation face a crisis of racism which threatens not merely our constitutional rights but our homes, our safety, and our survival.

Political offices at the highest level are won by those most committed to the cynical campaign cry of law and order which in fact, mandates calm in the ghetto through a mobilization of laws and at the sacrifice of justice.

Investigatory commissions find that white racism is at the core of the nations most serious domestic problem, and yet society's major response is acceleration of the police weapons race to the point that the smallest disturbance in a Black area initiates an invasion of police armed with instruments of war and destruction, ready to intimidate, maim and kill if necessary, to suppress the Black community.

The systematic suppression of Black people continues notwithstanding the plethora of court decisions civil rights law, anti-poverty legislation, human relations commissions, enlarged political representation and the other symbolic promises to blacks which serve as this

society's substitute for true equality.

The Black revolution sparked by the growing realization that White America does not intend to deal with Black people in accordance with Constitutional standards presents the concerned Black lawyer with questions of the most serious nature, the answer to which necessitates a re-evaluation of his role and his relationship to the Black community.

To the extent that the Black revolution calls for an attack on institutional and structural racism in this country, combating the crisis of maladministration of justice, and enlisting the total Black community in this effort for its mutual survival and uplift, we must make it.

Where the Black revolution requires the development of unique and unorthodox legal remedies to insure the effective implementation of the just demands of Black people for legal, economic and social security and protection, we must aid it.

If the Black revolution demands that Black attorneys organize for a mutual exchange of plans and programs for a major effort to achieve dignity and a fair share of power for Black people, we must do it.

And finally, if the Black revolution requires that we provide a unified Black voice of resistance designed to unmask the silent but no less criminal conduct of American institutions which condones the suppression of Black manhood, the lynching of Black leaders, and the frustration of Black efforts to save Black people, we must join it.

There is no existing institution of the legal profession as presently constituted available to address itself to the problem of white racism as it affects substantial justice for the Black Americans of this country.

For the above reasons, a National Conference of Black Lawyers on December 7, 1968, at Capahosic, Virginia, firmly pledged to create a permanent and ongoing body of all Black lawyers determined to join the Black revolution and committed to taking all steps necessary to assist Black people attain the goals to which they are rightly entitled by the most fundamental principles of law, morality and justice.

—Preamble to Constitution  
of The National Conference  
of Black Lawyers  
1968

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## Tenth Anniversary Greetings From NCBL Co-Chairpersons

The ten years which have passed since the founding of the National Conference of Black Lawyers have been breathtaking in the scope and character of the events and issues we as an organization have addressed. Our purpose, set forth by the founders, is to unearth and eliminate the root causes of racism. Our scope, set out in our name, was national.

We began as a small group of activist lawyers and law students, and in those ten years most of our current members, myself included, have survived the experience of law school and added our talents and skills to the struggle undertaken by those seventeen persons in Capahosic, Virginia.

1968 was still a time of excitement and optimism; the movement of black and other oppressed people was advancing although some setbacks had already occurred.

Law seemed to be one of the more effective weapons in the struggle, and NCBL, through its membership, yielded that weapon.

In the ten years of our existence as an organization, we have dealt with prisoners' rights, military law, racism in bar examination, affirmative action in employment, education, international affairs, and other areas which affected the conditions of poor and black people. We have enlarged from a national to an international base. As we have grown and our achievements have expanded, our understanding of the root causes of racism has deepened. We have seen the connection between the situation of blacks and of other poor people; we have explored the linkages between our struggle in this country and those struggles throughout the world in which people are contending for their rights to live in human dignity; we are examining the economic struggles which, if they remain intact guarantee our continued oppression. And we have continued our growth and development in context with the serious and increasing repression of the past four years.

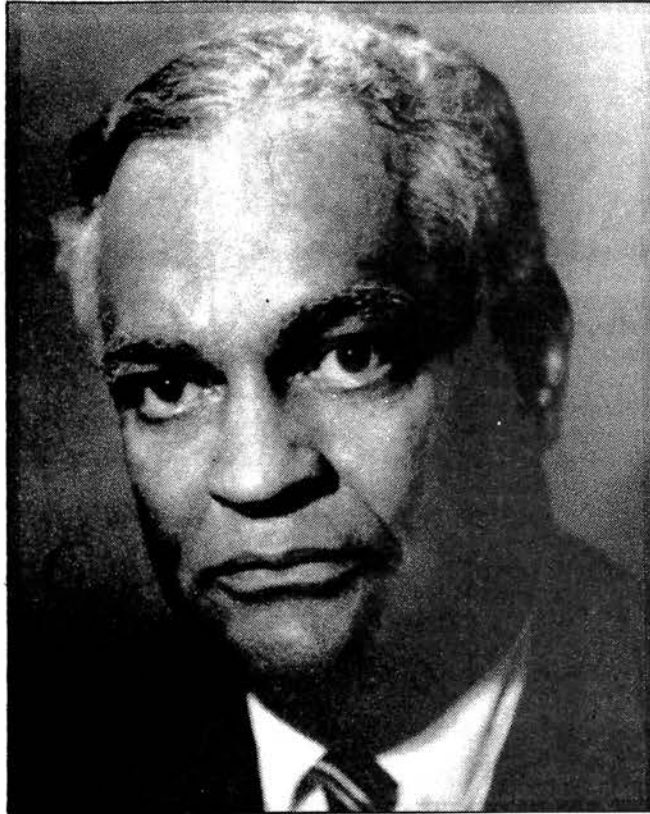
In the face of that repression which included the drying up of organizational resources, our commitment to struggle is

strengthened by the links we have forged with others, both nationally and internationally. It is strengthened by our ever increasing understanding that our struggle is but one aspect of a worldwide struggle for human dignity, through democracy and human rights. Our dedication is intensified by our realization that a broad, progressive movement is advancing throughout the world and that repression that we experience is the flailing of reactionary forces which see the bases of their power in decline.

In the ten years of our existence we have seen how law can be used for social progress; and NCBL has consistently been in the forefront of this movement. But we have also viewed the limits of law as a vehicle or tool. Law is a tool that can be used in the interest of any group. The effectiveness of this tool as of any, is determined in large part by the power of those who utilize it. By that I do not mean the lawyers, I refer to those in whose interest we act. Our effectiveness, our ability to move towards our goal is inextricably linked to the development of our political consciousness and concerted action by our people. Our role is not only to do legal battle but also to assist in the overall development of our people.

Human rights has most recently been pushed into the spotlight of international attention. But the thread which has woven together the various activities of NCBL over the past ten years has been a dedication to human rights. Our understanding of human rights is not that narrow conception which is being currently thrown about for limited political and economic advantage. It comprehends those qualities which makes possible the life of human dignity and justice. It is those rights which NCBL has defended for a decade. It is those rights to which we rededicate ourselves for the future. In struggle.

Judith Bourne, Esq.  
Co-Chairperson  
Board of Directors



**Hope R. Stevens**

In the ten years since the assassination of Dr. Martin Luther King, the National Conference of Black Lawyers has been a bar association through which lawyers of African descent in the United States and Canada have attempted with con-

siderable success to demonstrate that the political systems of North America as presently constituted are incapable of delivering justice to the poor, to minorities and to political dissenters. The culture that is supported by the judicial aspects of such systems is inherently racist and therefore unjust per se.

As a consequence the National Conference of Black Lawyers is mandated to intervene for the victims of North American racism, particularly those who confront, resist and defy these discriminatory features within the society, and find themselves without a champion. It has been our commitment never to allow the flag of true freedom to trail in the dust of unjust laws in the first completed decade of our struggle and it remains our intention to continue on that course.

With my best wishes to all my colleagues in struggle I am,

Hope R. Stevens  
Co-Chairperson  
Board of Directors  
National Conference of Black Lawyers

# Tenth Anniversary Greeting to NCBL from Judge Bruce Wright and Imari Abubakari Obadele, I President, The Republic of New Afrika

Lennox Hinds, Esq.  
National Director  
National Conference of Black Lawyers  
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Dear Lennox:

This letter should begin with a theme and variation of the famous Browning poem and so I ask, How do I thank thee? In a time of acute personal anguish, anger and persecution for me, when powerfully organized propaganda and muck-raking cartels were in hot pursuit of my judicial scalp, you rallied to my cause. Despite your burdensome schedule, including a trip to Africa, not to mention other critical commitments, you led my defense with that detailed application, zeal and learning which is the hallmark of the legal profession. But more than that, you brought to our briefs, petitions, arguments and colloquy the energetic and brilliant effort of Jim Carroll and Lawrence Cumberbatch. In a legal fight which embraced federal litigation, administrative proceedings and special proceedings, stretching from Manhattan to Albany, you were opposed by both the Attorney General of New York and one of the largest Wall Street-style firms in the country. Attorney General Lefkowitz told me personally that he had put one of his best men of the job to oppose you.

Despite your other work and despite the necessity of Jim and Lawrence to earn a living in their own practice, all of you never flagged and the high quality of who would achieve the highest pinnacle of professional competence. All of this was done at great financial cost. My own estimate of the cost, had I been compelled to retain private counsel of the caliber of you and the others, is, modestly, \$100,000.00. You did this at a time when the modest treasury of the National Conference had been depleted by the fraud of others to whose aid you had also come. I could not have survived, professionally or otherwise, without the heroic efforts and sacrifice of the NCBL. Mere thanks will never be enough to express my gratitude. I hope that those who may be next to be selected for persecution and prosecution (and this can mean any of us), will help preserve the NCBL. This is special and precious to me and to the humanity it serves. Long may it thrive and labor for those vital causes which, without NCBL, would perish, along with the best of this country's Constitutional ideals.

With warm affection to you and all the others, I am  
Gratefully,  
Bruce McM. Wright

## WELCOME

by Imari Abubakari Obadele, I  
President, The Provisional Government  
THE REPUBLIC OF NEW AFRIKA

PERHAPS this generation is beginning to see, better than any generation before, a vision of the true destiny of our mightily oppressed people on this side of the ocean, a New Afrikan people - not just in the United States, but the 70-million of us throughout the Western Hemisphere.

There was a time when Black ministers in America taught prophetically - if uncertainly - that our mission to the world, the purpose of the immense tragedy of the slave-trade and 300-years of enslavement and degradation in the English Colonies and their successor United States, was to "save America," to rescue this nation from its high-speed hell-bent romance with greed and racism.

Perhaps this philosophical conclusion was a major motor behind the NAACP and its lawyers as they secured for themselves in the early thirties the dominant role in our people's enduring struggle against racism.

In our continuing tension between extremes, the NAACP victory was a victory for integration - both as short-range and long-range goals - over independence. Yet, in the struggle against oppression - in our titanic effort to win merely space to breathe and earn a living and educate our children for a better day, at a moment when we lived in the midst of rampant lynching and rampant economic exploitation and rampant debasement of our human worth - the NAACP lawyers for four long decades served us well. They said: "If we are U.S. citizens, then we want all to which U.S. citizens are entitled." And they challenged the enemy, the American power structure, in the courts. In league, consciously, with our individual martyrs like Florida's Howard Moore, who in the Sixties would become an army following Martin Luther King and Fred Shuttlesworth and Stokeley Carmichael, and in league, unconsciously, with Kwame Nkrumah, Jomo Kenyatta, and Patrice Lumumba on the continent, and with Paul Robeson, Malcolm X, Rap Brown, and their followers at home - the NAACP - focused lawyers made the enemy give it up, all that the Courts could give, plus some from Congress. Lynching ended. The legal degradation ceased. Education was challenged. The formal job barriers were breached. And We got the vote. There was space.

Ten years ago, however, with these other victories barely passed into history, the voice of a passionate young lawyer named Haywood Burns, speaking for black associates of equal passion, was heard in the land. He was adumbrating a Farther Vision. The National Conference of Black Lawyers (NCBL) was born. For to these lawyers, to a deeply troubling degree, their profession - the black legal profession - was not giving what it might, was not leading where it ought.

Professor Inez Reid, NCBL member, would rise to shake the comfortable legal confidence, assuring her colleagues that any black sense of optimism toward the efficacy of the courts is unwarranted. Professor Derrick Bell, NCBL member, would rise to challenge the arrogant primacy of lawyers, castigating his colleagues for a rigidity of approach, notably in NAACP school desegregation cases, which tended to do violence to the real interests of clients.

Across the decade the Farther Vision of NCBL has gradually taken on form palpable, form exciting, materializing legitimately from the work of the organization. It was the Farther Vision which sent NCBL lawyers and resources to the aid of the Enraged Forgotten at Attica. The Farther Vision has fuelled NCBL support of the harried cadres of the Republic of New Afrika (RNA), who have had the audacity to begin the building of Our Father's grander dream—a new and greater Kush, a New and Greater Ethiopia in this hemisphere—from the place where the Freedom-Democratic Party left off in Mississippi. It was the Farther Vision which has sent the NCBL National Director, Lennox Hinds, and his associates boldly and openly to Cuba, time and again, and won for him an International Observer's place during the court proceedings in Angola. The Farther Vision has brought NCBL to the defense of Assata Shakur, a young woman whom the enemy (the American power structure, which is "enemy" because it wages a war of genocide against our people) calls the Commander of the Black Liberation Army.

What is the essential nature of this Farther Vision? Perhaps Chancellor Williams knows. In his vital book, "Destruction of Black Civilization," he asks this question of the historically threatened Afrikan societies which surmounted their threats, over the centuries: "Whence came their strength and courage to carry on? It may well be that the answers lie in the death-

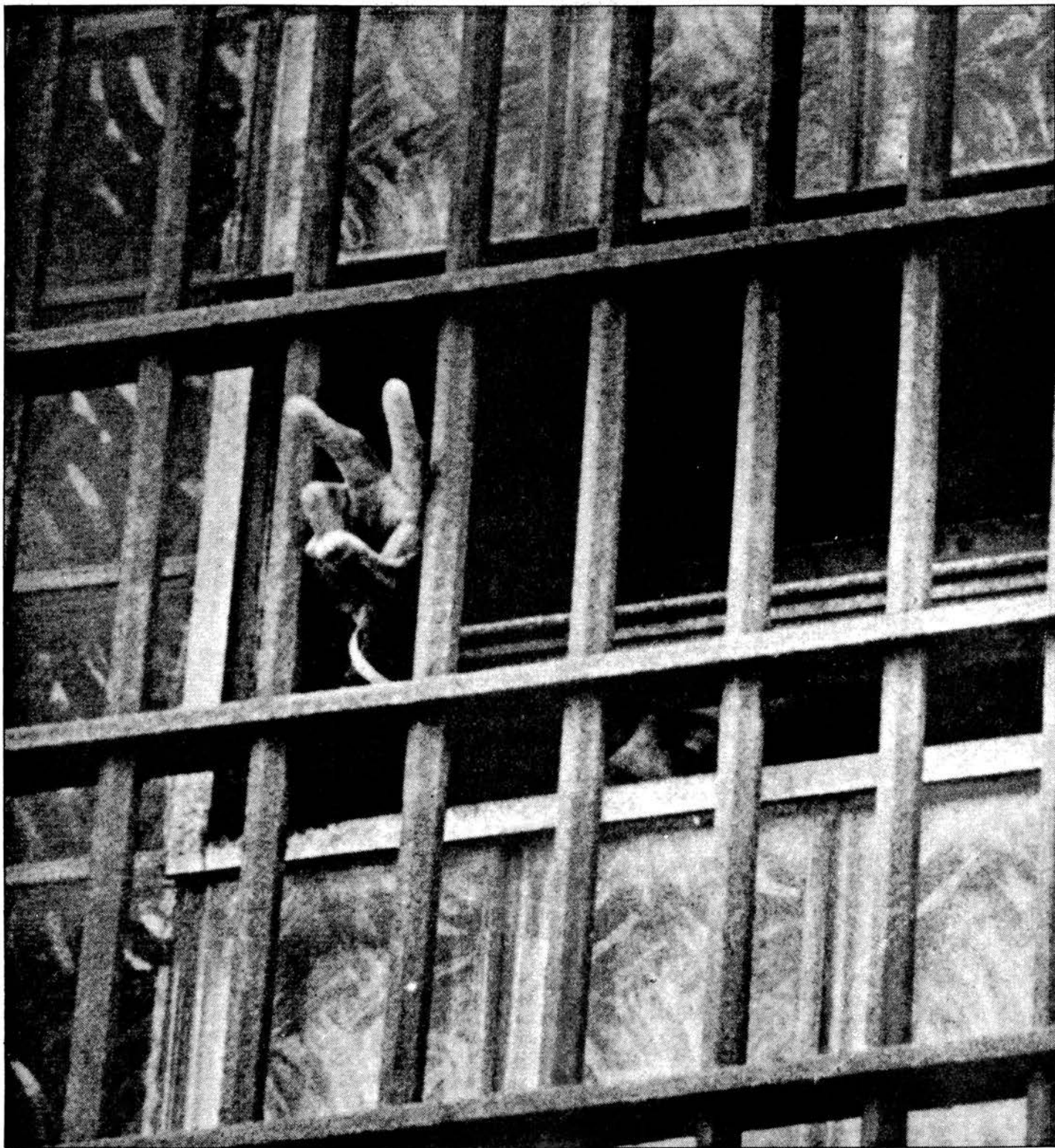


defying pyramids they built in Egypt when the land was theirs. There must be a number of pre-conditions without which the genius of any people for thinking, inventing, discovering and building will be inhibited and may even die under extreme conditions."

Then he suggests a few "pre-conditions for progress": (1) Freedom from famine, an end to roaming in search of food and water. (2) Nation-building, led by leaders who, on a suitable territory, negotiate the unity of the fragmented group.

(3) Development of a sense of national community - "and this is a crucial pre-condition." (4) A strong army for defense. And (5) "The reign of law and justice, applying equally to all classes in the society. The people must feel absolutely secure as individuals, and that in their country there is equal justice for all."

Welcome to the Farther Vision! Welcome to this historic and promise-filled Tenth Anniversary Convention of the National Conference of Black Lawyers!





## Dedication

As my tenure as National Director draws to an end, and as I review the work of the Conference over the past decade in the preparation of this report, I am profoundly moved by the courage, the dedication, the strength and commitment of our members and our clients as they seek an answer to the question posed most bluntly, and ironically, by Judge Taney in his opinion in *Dred Scott v. Sanford* 60 U.S. (19 How.) 393 (1857).

The question is simply this: can a negro (*sic*), whose ancestors were imported into this country, and sold as slaves, become a member of the political community formed and brought into existence by the Constitution of the United States, and as such become entitled to all the rights, and privileges, and immunities, guaranteed by that instrument to the citizen?

It is to those struggling in the courts and those struggling in the streets for justice and human rights that this report is most respectfully and lovingly dedicated.

Thank you for the honor of working beside you.

July, 1978  
New York City

Lennox S. Hinds

## Special Acknowledgements

This author gratefully acknowledges the invaluable assistance of the following persons in the preparation of this Ten year report. Rutgers law student **Denise Mullins**; Associate Director **Victor Goode, Esq.**; NCBL Office Manager **Jacqueline Sams**; New York law student **Marlene Archer**; and **Sharon Carter** and **Michael Key**, Urban Legal Studies students of the City College, Center for Legal Education.

# National Conference of Black Lawyers 1968-1978

## A Decade in Defense of Human Rights

### INTRODUCTION:

On August 10-12, 1978 members and supporters of the National Conference of Black Lawyers will convene in New Orleans, La. to consider our past decade and to plan for the future. This report is an attempt to sketch the outlines of our work over the past ten years. None of it would have been possible without the generosity, commitment, skill, and energies of our members and supporters and the patience of our clients.

## 1968-The Beginning

In December 1968, in Capahosic, Virginia, a small band of black lawyers gathered from different parts of the country to consider the relationship of the black bar and the black community in white America, as political events had placed the minority community in a heightened stage of confrontation with racism in the institutions of this society. At that meeting it was decided that here was an especial need for an activist organization of the black bar that would use its skills in the struggle against racism and for black people's liberation. As a result of the Capahosic meeting, in May 1969 several hundred black lawyers and jurists, and law students gathered in Chicago to launch the National Conference of Black Lawyers (NCBL), comprised of lawyers from throughout the country and members of the Black American Law Students Association (BALSA).

The NCBL Declaration of Concern and Commitment<sup>1</sup> was drafted in Capahosic as an articulation of the struggles of Black people in America and the definition of the goals to which the conference would strive: "Substantial justice for the (oppressed) of this country."

In these ten years, *The Declaration of Concern* has proven to be both apt and prophetic and continues to inform the scope and substance of our work.



### RACIAL WAR RAGES IN DETROIT — 1967

**DETROIT:** The gutted remains of buildings graphically testifies to the presence of racial war in the nation's fifth largest city. After four nights of violent rioting, the end was not in sight July 26th and all indications were that the Detroit insurrection would surpass Watts, Calif., as the worst riot in U.S. history.

UPI PHOTO 7/26/67

<sup>1</sup>See inside front cover.



The political events of 1967-1968 had placed black, brown and white dissidents in plain and dangerous confrontation with the traditional institutions of this society.

Detroit, Watts, Newark, Omaha, the inner cities were burning. The Black Panther Party emerged on the streets of Oakland and New York presenting a bold, youthful and compelling image of affirmative resistance to racism; an image which challenged non-violent sit-ins, wade-ins, pray-ins and similar strategies of the Civil Rights movement. For many, the hope of the non-violence strategy seemed to have died with the death of Dr. King.



In 1968, L.B.J. had escalated the war in Viet Nam; more and more black young men had been shipped over seas to die in a racist war; the peace movement had spread throughout the United States; young demonstrators at the Democratic Convention had been crushed by the Chicago police before network television cameras. The white middle-class began "to believe" in police brutality.

The Chicago eight were indicted. The Kerner Commission issued a report which affirmed nationally what black people knew. "...This nation is moving toward two societies, separate and unequal." Richard Nixon was elected President. Martin Luther King, Jr. was killed on the balcony of the Lorraine Hotel, as he was beginning to broaden the Civil Rights movement to struggle for the economic, political and

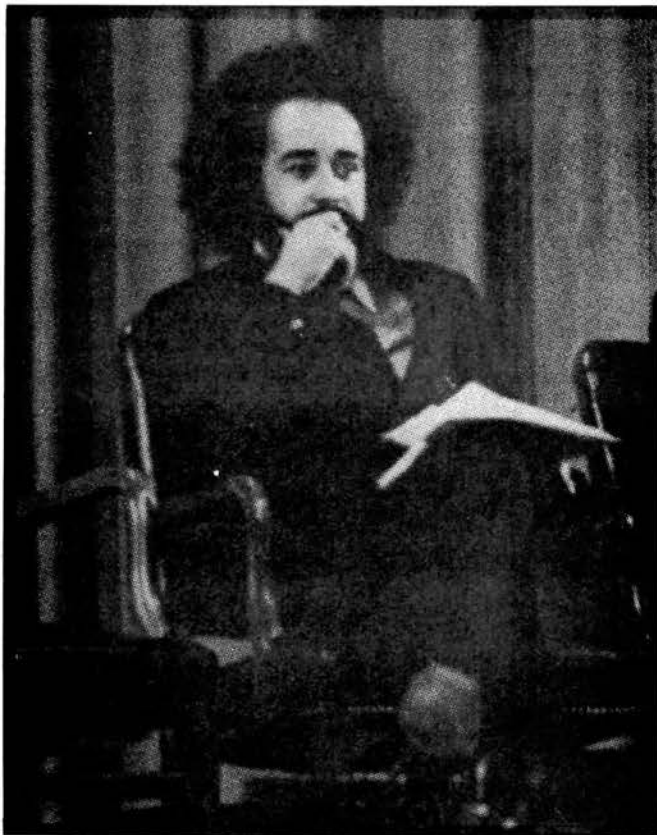


human rights of all oppressed Americans who were denied the Dream.

Since those turbulent days of the late sixties, NCBL attorneys have continued this struggle against institutional racism in all its myriad societal forms; using the law as the sword and shield for those struggling for change and survival. In this decade NCBL strategies have been defined by the events of our times — by involuntary sterilizations; by the street executions of minority youth by the police; by political and human events as they happen. History defined our priorities. We do what must be done.

## 1969-1973—The Early Years

In 1969, the first NCBL Co-Chairpersons were Floyd B. McKissick and Robert L. Carter. A steering committee composed of Algernon J. Cooper; then Chairperson of BALSAs, Chester I. Lewis and Ivan A. Michael and the Co-Chairpersons drafted an NCBL Constitution and the organization was incorporated in the District of Columbia.



**Haywood Burns**

In January, 1970 NCBL opened its first National office and appointed Haywood Burns as National Director and embarked on its first major struggle: the fight to block the confirmations of Haynesworth and Carswell to the U.S. Supreme Court by the Congress. These Nixon appointees, whose records as judges were both demonstrably racist and retrogressive, were denounced by NCBL before the Congress. The following excerpt from the organization's first efforts as a watch dog over the Executive appointments to the bench sets forth the Conference's consistent analysis of the law as an instrumentality of oppression of black people.

"On behalf of the National Conference of Black Lawyers, I come before you today to speak in opposition to the confirmation of Judge Clement F. Haynesworth, Jr. In view of our organization, Judge Haynesworth is fit neither professionally nor personally to sit as an Associate Justice of the United States Supreme Court.

"As a Court of Appeals Judge, he invariably had taken a segregationist position where the Court was sharply divided on civil rights issues.

"As a dissenter from progress he has shown himself hostile to the fundamental Constitutional rights of black Americans. The Constitutional requirement of confirmation by the Senate must mean more than a perfunctory ratification of the President's choice. The Supreme Court plays a unique role in the shaping and growth of our institutions. It describes the contours of freedom and sets the course of national direction. It is the court from which there is no appeal—the last resort of the men who accept and believe in our system of law. Whatever may have been Judge Haynsworth's suitability to serve on a lower federal court, completely different considerations must come into play when the question is one of a seat on the highest court in the land.

"Black people have long been the victims of the law in this society. It was the law which created, protected and enhanced the institution of American chattel slavery. It was the law which provided the onerous slave codes to govern in oppressive detail the lives of millions of blacks before their emancipation, and which returned to perform the same function through the notorious Black Codes after emancipation. It was with the law that the racist architects of segregation built a Jim Crow society which is still intact a decade and a half after *Brown v. Board of Education* and more than a century after the Emancipation Proclamation. It is the law, through its structural inequality amounting to institutional racism, which daily by way of the money bail system, consumer laws and myriad other means works to the disproportionate disadvantage of the nation's poor and non-white.

"If, relying on the legal system, we are to continue to give our people hope, then that system must give us *cause* for hope. If we are to continue growing into health as a nation of free and diverse men, we cannot afford a retreat now from the struggle for racial justice. The ascendance of Judge Haynsworth to the bench of the United States Supreme Court, as the first step in such a retreat, would dim the light of hope for change through legal means in the hearts of millions of Americans and diminish, world-wide, confidence in the American system of justice."



Other NCBL activities in 1970 mirrored the political events of the time; to cite but a few: The National Director was asked to serve as a member of a citizen's Commission of Inquiry into the killings of Black Panthers by police across the nation, and most particularly the killings of Fred Hampton and Mark Clark in Chicago.

The (N.Y.) metropolitan chapter developed a backup team of NCBL lawyers for the defense in the Panther twenty-one (N.Y.) trials.

NCBL attorney Eleanor Holmes Norton and others brought a suit on behalf of Panther leader Bobby Seale, a defendant in the Chicago conspiracy trial who had been chained and gagged in Judge Hoffman's court room as he protested the court's decision to go forward in his prosecution in the absence of his attorney.

National Director Burns represented Black students at Cornell facing criminal charges in connection with the 1968 student demonstrations and take over.

The beginning set the foundation for the future: National events and peoples' struggles set activists with dissenting postures in confrontation with traditional institutions of government and society.

Wherever members of the Black community struggled for their humanity, and assertion of their rights - for economic and political equities, NCBL members in the early years provided... "black lawyers committed to taking all steps necessary to assist Black people to attain the goals to which they are rightful entitled by the most fundamental principles of law, morality and justice."<sup>2</sup>

So it was from the beginning; so it continued.

In 1971, the annual meeting was held in Atlanta, Ga., concurrently with the National Bar Association. A number of major events of 1971-72 molded the Conference's legal work in that year and the years to come. *ATTICA* and the indictment of Angela Davis; the trial of the Wilmington Ten; the arrest of the RNA Eleven, and other seemingly political criminal prosecutions of Black and minority activists.

*ANGELA DAVIS* came to our attention in the Fall of 1967 when as an Asst. Prof. of Philosophy at U.C.L.A., accused of being a member of the Communist Party, she answered "yes, I am a Communist". Although her lectures on Frederick Douglas; and the politics of racism, drew record attendances of 1,500 students, she was discharged from her position in June 1970. Soon after, Angela took part in the mass movement to "Save the Soledad Brothers" which became a popular slogan signaling broad-based resistance to the special kind of oppression that is the lot of Black, Chicano and poor people.

On August 7, 1970 a shootout erupted at the courthouse in Marin County, California.



<sup>2</sup>Declaration of Concern and Commitment of NCBL.



Jonathan Jackson, 17 year-old brother of George (Soledad Brother), entered the Marin County courtroom in California and armed James McClain, Ruchelle Magee and William Christmas who were leaders of a resistance movement inside San Quentin prison. After the four of them had a discussion with the jurors who were sitting in McClain's trial, they left the courtroom with Judge Haley, a Deputy D.A. and three women jurors as hostages. Upon entering a van, they were met by a hail of gunfire from numerous law enforcement officers. McClain, Christmas, Jonathan and Judge Haley were killed. Angela Davis was accused of buying the weapons used by Jackson and his comrades. Angela was sought throughout the U.S. by the F.B.I. and State law enforcement officers. She was finally apprehended in New York City.

From her arrest and pre-trial detention in New York City to her acquittal in California in 1972, NCBL was substantially involved in the defense of Angela Y. Davis who the Conference identified as a proto-typical political defendant: one who was criminally accused because of her race, political stance and uncompromising dissent to established order and whom other legal public interest organizations were reluctant to defend.



**Howard W. Moore, Jr. and Angela Davis at the trial.**

NCBL attorney Margaret Burnham, now a Boston judge, was prominently involved in the New York extradition fight and stayed on as one of the trial counsel when the case moved to California. She was on the defense team until its successful conclusion. NCBL filed *amicus curiae* briefs on various questions related to the extradition and to the defense. NCBL attorneys Harold Washington, Napoleon B. Williams, Margaret Burnham, Alice Graham Rhodes, and Haywood Burns prosecuted a federal law suit, *DAVIS v. LINDSAY*, which succeeded in obtaining Ms. Davis' release from solitary confinement in the Women's House of Detention. This landmark case was argued by the National Director.

The National Office played a critical role in organizing the Davis defense team. After conversations with Ms. Davis in the Women's House of Detention, NCBL attorneys Burnham and Burns brought in a number of NCBL trial lawyers to confer with Ms. Davis concerning her representation. By this process Ms. Davis selected NCBL Attorney Howard W. Moore, Jr., of Atlanta, Ga. as her chief counsel, later to be ably assisted at trial by California black lawyer Leo Branton and Doris Brin Walker. Thus NCBL established an important precedent in helping to provide a black organized, led, and controlled defense team for a prominent black activist of international stature.

The satisfaction that came with the vindication of Angela and *Soledad Brothers* Fleeta Drumgo and John Cluchette was mitigated by the murder of the third *Soledad Brother George Jackson*, whose death had occurred during the Soledad trial. NCBL involvement in this successful defense was by way of an *amicus curiae* brief on a venue point filed in the California Courts, as well as through conferring with West Coast lawyers connected with the case.

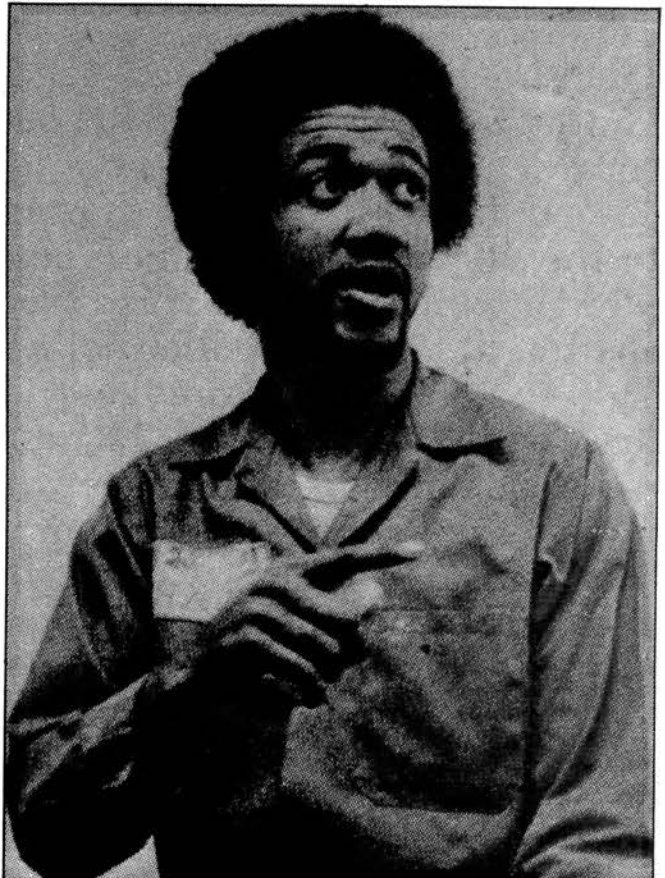
NCBL attempted to aid the defense of the *San Quentin 6*, California inmates charged in connection with the events related to the death of George Jackson and several others in 1971.

In Jackson, Mississippi eleven members of the *Republic of New Africa (RNA)* were charged with a battery of crimes including murder and treason against the State of Mississippi, after a dawn raid and shootout at RNA headquarters. Defense efforts in Jackson were headed up by NCBL Attorney John Brittain, assisted by NCBL Attorneys Dorothy Graham, Maureen Malone, as well as Fred Banks, and Ray Willis. Virginia NCBL Attorney Jeroyd X Greene and NCBL lawyer Napoleon B. Williams, Professor at N.Y.U. School of Law, agreed to assist in an affirmative civil action directed at police harassment and abuse of the RNA.

After the arrest of *ex-SNCC leader H. RAP BROWN* in New York in late 1971, the National Office led the organization of a defense team for Mr. Brown and his co-defendants.

In New York NCBL attorney Conrad Lynn was one of the lead lawyers in the *HARLEM FOUR* case, involving a group of young men arrested eight years earlier as teenagers, during a period of community hysteria over black rebelliousness and were charged with the death of a white shopkeeper. The boys, now men, endured a succession of hung juries for eight years (most of which were spent in jail) and faced a fourth trial at which they subsequently were acquitted.

Lynn was also part of the defense team that won an acquittal for *Puerto Rican activist CARLOS FELICIANO*, charged in connection with alleged political bombings in the Bronx, New York.



NCBL attorney James Ferguson headed up the defense of North Carolina activist *Rev. Ben Chavis and his ten co-defendants*. Rev. Chavis was charged with a number of serious felonies in connection with his freedom movement organizing activity in the state, in particular in *Wilmington*, North Carolina where there were major racial disturbances.<sup>3</sup>

NCBL was represented in the defense of several black ac-

<sup>3</sup>The ordeal of Rev. Chavis and his 10 co-defendants will be detailed below as it continues to be a priority of NCBL work.

tivists, allegedly associated with the **REVOLUTIONARY ACTION MOVEMENT (RAM)**, facing charges in connection with a supposed political conspiracy.

Notorious instances of police abuse also came under NCBL scrutiny in these years. NCBL Board Member Donald McCullum successfully prosecuted a civil damage action on behalf of an Oakland, California, black woman whose home was shot up by city police attempting to apprehend Eldridge Cleaver and other members of **The Black Panther Party**. The plaintiff's, allegations of negligent shooting on the part of the police prevailed and money damages were awarded to his client.

In Ossining, New York, NCBL sued the local police and village officials in a class action on behalf of the black citizens of Ossining in general, and the local activist **BLACK**



**LIBERATION FRONT**, in particular. The suit charged systematic brutality and suppression of First Amendment rights in the area of leaflet distribution and it established formal grievance mechanisms to deal with citizen complaints against the police. Lawyers from the Metropolitan New York Chapter of NCBL began involvement in criminal defense work on behalf of members of the Black Liberation Front who were subjected to a series of harassment arrests related to their political activity.<sup>4</sup>

In 1972-73, governmental misconduct via illegal surveillance and other abuses began to engage NCBL's attention while viewed, in those years, with incredulity and scepticism by the general public. In 1972, we had the first official recognition of the FBI's **COINTELPRO** program to discredit black leadership and other illegal law enforcement surveillance stratagems.



In mid 1972, the **Black Congressional Caucus** under the direction of Congressman Ronald V. Dellums, held hearings on "governmental lawlessness." Professor Herbert O. Reid

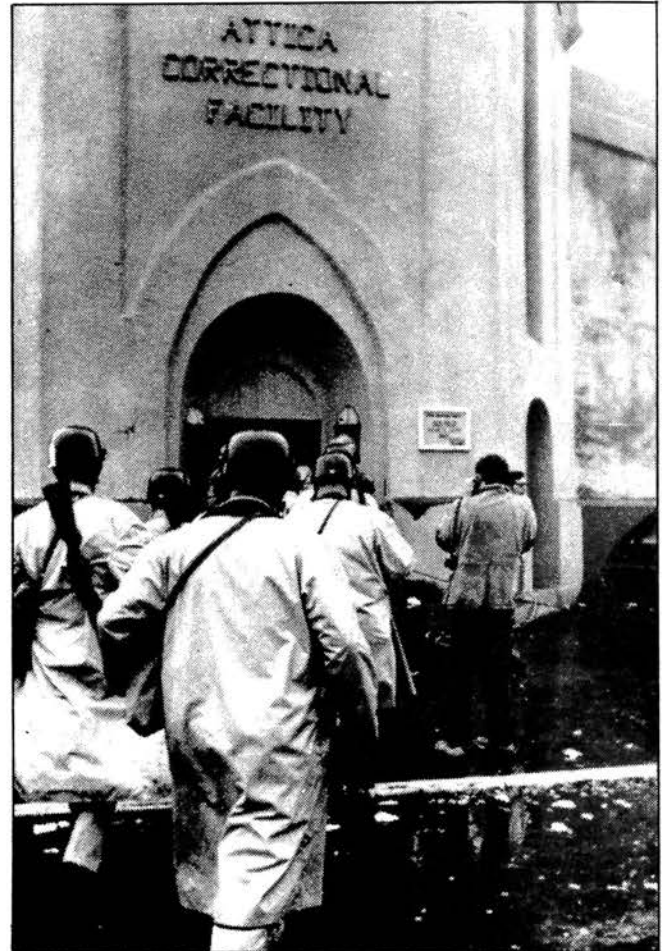
testified on behalf of NCBL, detailing governmental abuses and political uses of the law. At these same hearings Columnist Jack Anderson revealed the existence of large-scale surveillance of black activists and other black figures by the F.B.I. and Secret Service. He indicated and presented proof that dossiers were kept on hundreds upon hundreds of black people, completely unrelated to any finding or even suspicion of illegal conduct on their part. NCBL undertook a full study of this situation and sought the proper remedies through litigation.<sup>5</sup>

NCBL was already involved with others in a federal law suit against the **BUREAU OF SPECIAL SERVICES (B.O.S.S.)** of the New York City Police Force in connection with their illegal practices in surveilling and infiltrating political groups that are engaged in lawful, protected, first amendment activity.

## Attica

"We are MEN. We are not beasts and we do not intend to be beaten or driven as such. We will not compromise on any terms, except those terms that are agreeable to us."

**ATTICA BROTHERS MANIFESTO**



NCBL became involved in the defense of the Attica Brothers uprising of September 9-13, 1971 immediately after the brutal slaughter of 43 persons in the Attica yard by State troopers armed with machine guns and other weapons. Our efforts included suits to enjoin brutality and mistreatment of prisoners; to put the prison into federal receivership for managerial purposes; to secure due process for those who had been placed in segregation *en masse* after the rebellion; and to block the

'Black Liberation Army (BLA) defendants will be discussed in detail below. The prosecutions of, especially Assata Shakur continue to date.

<sup>5</sup>As we subsequently learned, COINTELPRO affected the prosecutions and maltreatment of a number of our clients: RNA Eleven; BLA members, and other black activists as well as Dr. King.



transfer and dispersal of Attica prisoners who were possible indictment targets throughout the state (because of the hindrance their dispersal would be to the preparation of a defense).

The National Office provided legal advice to black N.Y. State Legislator Arthur O. Eve, who was Chairman of the *Attica Observers Group*, and who filed a petition of impeachment in the State Legislature against Gov. Nelson Rockefeller for his complicity in the deaths of 43 persons at Attica. The National Office was also instrumental in getting television reply time for Assemblyman Eve to answer statements made by Governor Rockefeller concerning his handling of the Attica Uprising. Finally, NCBL played a key role in the *Attica Defense Committee*, organizing defense work in anticipation of the 37 separate criminal indictments handed down against 60 men. Haywood Burns, after leaving the Directorship of NCBL in 1973 coordinated the Attica Defense from Buffalo. The trials continued through late 1975 when all but one trial (John Hill-Dacajewa) resulted in either acquittal or dismissal.



**George Jackson**

Another major involvement of NCBL during 1972 was in the international arena, and laid the precedent for the *Tenth Anniversary Commissions of inquiry into Human Rights violations* and petition to the United Nations. As the representative of Mrs. Georgia Jackson, mother of slain *Soledad Brother George Jackson*, NCBL was instrumental in putting before the *United Nations a petition on behalf of Mrs. Jackson and all prisoners in the United States*, alleging that conditions in U.S. prisons violate international law and fall short of the international minimum standards governing the treatment of prisoners. This action represented an important first step in opening up other than domestic fora for the airing and redress of grievances. NCBL was granted formal recognition at the United Nations as a Non-Governmental Organization (NGO) in this year. A status which has been maintained ever since - in consideration of our understanding of the relationship between domestic and international issues to the interests of minority people.

At the annual meeting held at Howard University Law School in December, 1972, a position paper was presented to the membership on expanding the resources of the Conference by "*The Establishment of an NCBL Legal Defense Network*" and we began to chart a four year plan for NCBL's growth and expansion. It also was Lennox S. Hinds formal introduction to the membership of NCBL as Associate Director.

Plans for growth took root in 1973. Membership grew, linkages with other community and legal organizations were

established. NCBL moved to its present offices in a fine old Harlem brownstone at 126 W. 119th Street. For the first time, NCBL carried on an organized membership drive and developed task forces to provide a focus to the work of individual members.

The first task forces were: *Prisoners Rights, Military Justice, Health Rights, Employment and Racism, International Affairs, Legal Education and Bar Admission, Criminal Justice and Legislation*. Increasingly active in International Affairs, NCBL was well represented at the *World Peace Through Law Conference* in Abidjin, Ivory Coast during the summer. An outgrowth of the conference was NCBL's participation in a coalition of black organizations raising aid for the six West African nations gripped by drought and famine.

Other organizational developments in 1973 were the formation of an NCBL chapter in Canada, and the development of chapters in New York, New Jersey, D.C., Virginia, Maryland, Mississippi, Georgia, Ohio, Illinois, Missouri, Texas and California.

Among the key struggles with which NCBL was involved in 1973 was with the Nixon-controlled OEO which then funded legal services for the indigent.

The National Conference of Black Lawyers agreed in May, 1973, to bring a suit on behalf of prospective *Reginald Heber Smith Fellows*, whose fellowships were placed in jeopardy by OEO action and inaction.

The Reggie program administered by Howard University, was then funded by O.E.O. to recruit and train new lawyers throughout the country, and place them with legal services projects in large urban areas, small towns, Indian Reservations, migrant labor areas and in Appalachia. Forty percent of the lawyers then holding Fellowships were members of ethnic and racial minority groups.

The defendants in the suit were Howard Phillips, the then acting director of O.E.O. appointed by Nixon to preside over its dismantling, and J. Laurence McCarty, Acting Associate Director for Legal Services.

The complaints asked for declaratory and injunctive relief against Phillips and McCarty for failing to honor OEO's commitment to provide funds for renewal of existing Reggie contracts, to honor contracts given new fellows and for failure to provide funds for training and administration of the nationwide program which was to include at least 225 fellows this year. Wide spread protests by lawyers, law students and community people throughout the country kept the Reggie program alive and funded.

NCBL first began representation of *Joanne Chesimard (ASSATA SHAKUR)*, the alleged "Queen of the Black Liberation Army" in 1973. Our representation of Ms. Shakur continues to this date as she is singled out for uniquely repressive treatment as a black woman activist.

She was charged in New Jersey with murder stemming from an alleged shootout with State troopers on the New Jersey Turnpike which was covered in the local press for months. After Assata was severed from her co-defendants in the New Jersey case by reason of her pregnancy, she was extradited to New York, where assisting in her own defense she was acquitted of all pending indictments in New York State by 1975.

Immediately upon her acquittals, in January, 1976, Assata Shakur was returned to New Jersey to stand trial for the Turnpike shooting in Middlesex County. All other female pre-trial detainees and prisoners before her and since have been confined in the Middlesex County Workhouse.

Because of the inhuman and punitive nature of her confinement, NCBL filed a civil rights complaint in the U.S. District Court for the District of New Jersey early in March, 1976, alleging that Ms. Shakur's constitutional rights under the First, Fourth, Sixth, Eighth, Ninth, and Fourteenth Amendments had been violated and relying on *Davis v. Lindsay* (Supra).

On July 12, 1976, the District Court issued a preliminary injunction stating that her right to procedural due process was infringed since she was not afforded an administrative hearing as mandated by *Wolff v. McDonnell* and because the state could

not demonstrate that her solitary confinement served a legitimate state interest.



**Assata Shakur**

Pursuant to the District Court order, administrative hearings were held on July 27, 1976 and on August 4, 1976, the hearing officer, a local attorney selected by the county defendants, ruled that since no justifiable grounds existed for the segregation of Ms. Shakur, she should be transferred to the Middlesex County Workhouse.



What happened next is a legal anomaly for the State of New Jersey. The county appealed the unfavorable ruling of its hand-picked hearing officer, to the State court, claiming that his decision was not only arbitrary but also capricious.

In November 1976, NCBL filed a motion in Federal Court requesting a mandatory order which would compel the defendants to comply with its hearing officer's decision and transfer Ms. Shakur. The motion was granted. The order, however, gave defendants ten days to either transfer Ms. Shakur or apply for a stay of the hearing officer's decision in State Court, which they did.

The entire action was then dismissed by the Federal Court and an appeal was taken to the Third Circuit Court of Appeals by way of *habeas*. On January 26, 1977 this court stated in a

footnote that despite the respite received by Ms. Shakur from her solitary confinement—by being in court everyday—she should receive fresh air and outdoor exercise.

Another significant issue raised in the *habeas* petition surrounded Ms. Shakur's First Amendment right to freely exercise her religious beliefs as a Muslim. The trial court has repeatedly ignored motions and requests that court should be adjourned on Fridays in recognition of the Islamic sabbath.

The Court of Appeals agreed with defense contentions, but on February 3, 1977, this court vacated its previous order and reversed its decision. Assata, unlike any other Muslim defendant who requested respect for her religious belief was forced to stand trial on her Sabbath day.

In March of 1977, after a trial in which NCBL General counsel Lewis Meyers was a member of the defense team, Assata Shakur was convicted, sentenced to life imprisonment and sent to the Clinton Correctional Center for Women. The conviction is presently under appeal.

On April 5, 1977, without notice to her lawyers or family, she was taken, in chains, to Yardville Reformatory for men and kept in 24-hour isolation, locked-up in a box-like enclosure, where her private functionings were exposed to any male passerby.

In pointing out that Assata was the first woman to be incarcerated in a male prison in the history of New Jersey and possibly the United States, NCBL attorneys Evelyn Williams and Lennox Hinds emphasized that her entire confinement, both pre-trial and after conviction, exemplified unprecedented severity and barbaric punishment. NCBL filed a civil rights action on her behalf and raised a number of equal protection, due process and Eighth Amendment issues.

Although a U.S. District Court judge signed an order directing attorneys for the Corrections Commissioner to show why Assata Shakur should not be returned to the Clinton Correctional Center, the motion for preliminary and permanent injunctions was denied.

In order to avoid this litigation the State of New Jersey, transferred Assata Shakur to Alderson, West Virginia, Federal Prison for women where she is confined with the Manson defendants in a maxi-maxi unit.

As of this date, both her transfer and her confinement to the men's prison are on appeal. The involvement of NCBL attorneys and law students in Assata's case continue as we see her as a victim of racism, political repression, and sexism unique in the history of the United States.

At the end of 1973, after the NCBL annual meeting in December, Lennox S. Hinds was appointed National Director as Haywood Burns left to work with the Attica defense.

## 1974-1976

### Building the Organization

By the beginning of 1974 NCBL was growing. Victor Goode, our new Associate Director, took charge of building the Membership and broadening the NCBL Network of relationships with legal and community groups throughout the United States. Our involvement in the legal issues and cases that affected the interests of poor and minority people developed significantly. Our legal work with the cases that resulted from the social ferment of the sixties continued.

The four year plan of growth and development for NCBL, ratified by the members at the December, 1973 annual meeting incorporated existing programs and augmented organizational elements needed in the areas of litigation, lawyers services, membership development, fund raising, public policy, and international affairs. Task forces in a number of key areas had been established<sup>5</sup> and *NOTES*, edited by Phillip John, the NCBL publication, was being distributed to an expanded audience of legal workers and community people as well as lawyers.

<sup>5</sup>See the *NCBL Task Forces and Chairpersons* which play an increasingly important role in the legal and policy formulations that provide a substantial foundation for the work of the conference listed in this report.



Our involvement in the international community took a *quantum* leap in this period as well. The increasing impact of international events on the interests and expectations of the American Third World Community was inescapable.



The role of American foreign policy makers, by both covert and overt action was as deeply implicated in obstructing the human and political rights of the African people as domestic national policy was eroding the rights of poor and minority people in the United States. It also became clear in these years that the number of blacks in prison and the unspeakable conditions in these prisons and jails, the increasing brutality of law enforcement officers to minority young people on the streets and in the back rooms of police stations, and the attempt to legalize the destruction of the Bill of Rights by the Nixon-Mitchell Criminal Code revision, known as Senate Bill One (S-1), and attacks on activist lawyers and judges constituted a pattern and practice of institutionalized racism and political repression that was neither accidental, idiosyncratic nor casual in its thrust.

Dissent from national policy, protest against economic, social and political injustice by the people of this country were to be stopped by any means necessary; including the establishment of a rule of law which would permit the government unbridled and unrestrained power to suppress activism and dissent. As we review some of the cases and issues in which NCBL was involved during this period, we can see the portent of many of the concerns we deal with today in 1978, and can anticipate in the future.

## Martin Sostre

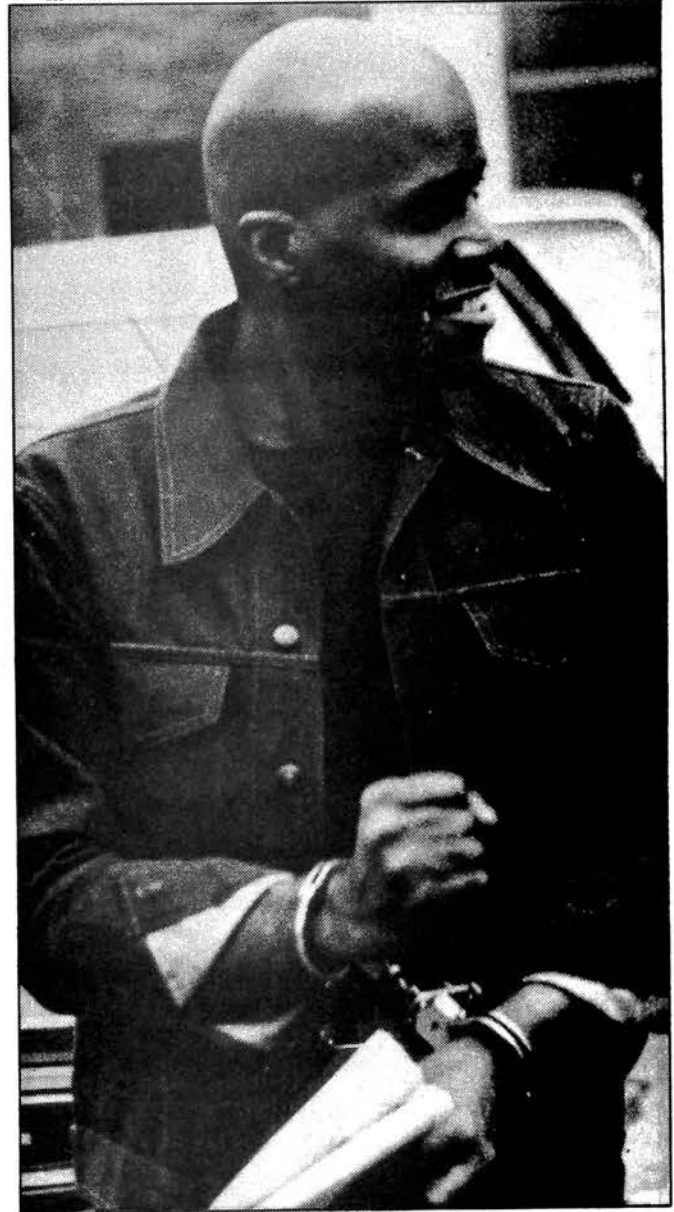
In 1973, NCBL attorneys Haywood Burns, Lennox Hinds and Robert Pickett had been successful in locating Arto Williams in California; Williams was the chief prosecution witness against Martin Sostre whose struggles against repressive prison conditions is legendary.

Mr. Williams was returned to New York by a Federal Habeas proceeding where he recanted his prior testimony that Martin Sostre had sold him drugs. Arguments on Sostre's behalf before the court were made by Haywood Burns and NCBL attorney Lynn Walker, among others. The court refused to grant the motion for a new trial.

After 8½ months in Federal protective custody, Martin Sostre was returned to solitary confinement at Clinton State Prison in Dannemora, New York. Because of the many beatings Sostre had received at the hands of Clinton guards in the past, NCBL attorneys and community representatives contacted Correctional Department officials in Albany in advance of the move. This public concern undoubtedly saved Sostre from other beatings. He wrote to his defense committee in a letter dated September 4, 1974:

"Nothing has changed. I am in the box in the same cell and returned to *status quo ante*—no earphones, no yard, etc. However, I am many times better off politically and

legally than I was before. . . Moreover, Watergate has made the people more knowledgeable and less naive concerning the repressive mentality of those who stand for 'law and order.'"



Martin Sostre

In a surprise move, Federal Judge T. Curtain issued an order directing New York State to Show Cause by September 30th why Sostre should not be granted a new trial or released from prison. Curtain was the "liberal" judge who had denied Sostre a new trial despite the testimony from the State's main witness, Arto Williams, that he perjured himself at the 1968 trial and lied when he said he bought heroin in Sostre's Buffalo, New York Afro-Asian Bookshop, and that he was actually working as a police agent to frame Sostre, and despite the fact that Police Sergeant Alvin Gristmacher, who planned the frame-up, has been indicted for grand larceny in connection with \$500,000 worth of heroin missing from the Buffalo Police locker. Despite the destruction of the prosecution's case upon which Sostre, a well known community activist had been convicted by a jury in Buffalo in 1968 during urban uprisings; no new trial was ordered. Martin Sostre was pardoned by Gov. Carey of New York in 1975 only after he had been named an international prisoner of conscience by Amnesty International in 1974. (cf. *Republic of New Africa Defendants, The Wilmington Ten. Infra.*)

NCBL's involvement with the *WILMINGTON TEN* began in 1972, preceding the 1974-76 period. NCBL Attorney

James Ferguson, a distinguished member of the North Carolina Bar had represented Reverend Ben Chavis from the early



THE WILMINGTON TEN

days of his indictment. Our involvement continues and intensifies to this date as this case exemplifies the violation of political and human rights in the United States.

Two other national organizations have been instrumental in keeping the Wilmington Ten before the public, since the initial conviction: *The Commission for Racial Justice* of the United Church of Christ whose coordinator Irv Joyner was an NCBL Board person at this time, and *The National Alliance Against Racist and Political Repression*.

We are reprinting below an article reprinted from *Barrister Magazine*, Fall 1977, reprinted in "CRIMINAL JUSTICE ISSUES" the publication of *THE COMMISSION FOR RACIAL JUSTICE* which sets forth the unmistakably racist and repressive character of their legal treatment even as viewed by the traditional press.

## How Due Process Died in Wilmington, North Carolina

by

Stan Swoffos, Greensboro Daily News

"I THINK THE HUMAN RIGHTS POLICY OF THE UNITED STATES IS BASED ON THE FACT THAT WE ARE NOT OURSELVES PERFECT. UNLIKE MANY OF THE COUNTRIES THAT WE DEAL WITH, WE DO HAVE DUE PROCESS, AND, WHILE IN MOST INSTANCES THAT WORKS TOWARD THE FULFILLMENT OF JUSTICE, IN SOME INSTANCES THE VERY DUE PROCESS OF OUR SYSTEM MAKES IT DIFFICULT FOR US TO GET JUSTICE. FOR INSTANCE, THE WILMINGTON 10, I THINK, ARE VERY INNOCENT. AND YET, THEY WERE TRIED AND CONVICTED."

U.N. Ambassador Andrew Young  
Caracas, Venezuela, August 13, 1977

Due process of law for the Wilmington 10 began in March of 1972 when the nine young black men, led by the Rev. Benjamin Chavis Jr., and one white woman, an anti-poverty worker, were arrested by Wilmington, North Carolina police on charges of unlawfully burning a grocery store and conspiring to shoot police and firemen. The processes leading to their arrests, convictions and lengthy prison terms, however, began a long time before.

Wilmington, a city of about 40,000 on the extreme southeastern North Carolina coast, was once a major port of entry for the slave trade. Consequently, during the Reconstruction years a rather solid black middle class emerged and became quite active commercially, intellectually and politically.

But in 1898, with the return of so-called "home rule" and whites-only politics in North Carolina, that sort of participation by blacks in the everyday affairs of society ended—and

in Wilmington the end was particularly harsh and abrupt. Bands of white vigilantes set out to eradicate once and for all any semblance of black leadership. Black members of the board of aldermen were forced to resign at gunpoint. The offices of two black newspapers were wrecked and burned, and their owners and editors were ordered never to publish again. Black business and civic leaders were escorted out of town. Many of them never made it out of town. They were shot and dumped into the Cape Fear River. The black leadership of Wilmington was wiped out almost overnight. It was to remain nonexistent, or cowed to such a degree that it was almost totally ineffective, for the next 70 years.

By 1970, however, Wilmington was about to have a confrontation with the times, and the effects brought on by court-ordered change. There was still little or no leadership among the city's 10,000 or so blacks, but there was a great deal of rumbling and discontent among young black high school students.

The city's all-black high school had been closed as part of an attempt to comply with court desegregation rulings. Black students were transferred to the previously all-white high school and had become incensed over what they considered to be inequitable representation in the school administration and faculty; unfair representation in the student governmental organizations, clubs and athletic teams; and the school's failure to establish black history and cultural studies. Fights and scuffles between white and black students became frequent. Finally, in January of 1971, after school authorities refused a request to hold a memorial service to the late Rev. Martin Luther King Jr., blacks began a boycott of the school.

## Whites React With Anger, Fear, Distrust

At that time Gregory Congregational Church, a part of the United Church of Christ, was an all-black church except for its young white minister, the Rev. Eugene Templeton. The boycotting black students asked Templeton if they could use Gregory Congregational Church as their meeting place and as a place for an "alternative school." Templeton, after consulting with the church trustees, gave his permission. But he also went further.

Sensing the students' need for leadership, he requested the United Church of Christ to send someone trained in the methods of organization, someone the students would respect and follow. The church responded by sending *Ben Chavis*, a young fieldworker and trouble-shooter for the Commission for Racial Justice, an arm of the United Church of Christ.





Although Chavis was only 24, he already was a veteran at organizing, participating in, leading and/or mediating black civil rights protest movements throughout North Carolina and Virginia. He was well known to both whites and blacks in North Carolina.

When Chavis arrived in Wilmington in January, 1971, tensions in the town were running high. Nevertheless, he began to organize the students, and he also began to organize and gain the trust of their parents.

Nevertheless, that statement and others, plus the marches and demonstrations, angered many people and inflamed some—including the Ku Klux Klan and a similar organization named Rights of White People.

By Thursday, February 4, the tension in Wilmington was at a breaking point. Shooting broke out that afternoon. Templeton, his wife Donna and others who were at or in the vicinity of Gregory Congregational Church during that first week of February have described the shooting publicly and under oath in court proceedings. "There seemed to be an unending convoy of white men in pickup trucks driving slowly by the church," Templeton said. "At first they only stared. Then they began shooting at the church and parsonage."

Some of the blacks in and around the church parsonage began to arm themselves. Chavis, himself, was armed with a handgun at one time. "We felt that we had to stay and protect the church," Templeton said. "Everyone was very much aware of what happened in 1898. We were literally under siege, getting shot at. We were on the phone constantly begging for police protection and a curfew. We got neither."

Present and former state officials have confirmed that Chavis was indeed pleading for police protection and a curfew. The Rev. Aaron Johnson, who was at that time a member of the North Carolina Good Neighbor Council, the agency charged with finding ways to end racial strife, was in Wilmington that week trying to halt the violence. "I never heard Chavis or any other member of the so-called Wilmington 10 plan to shoot anybody or burn down anything," Johnson declared recently. "All I know is that he was asking for a curfew and for the police to come into the area of the church. I relayed this message back to the mayor and the police chief. Why a curfew was not ordered until after a white man was killed, I'll never know."

## A Weekend of Terror and Killing

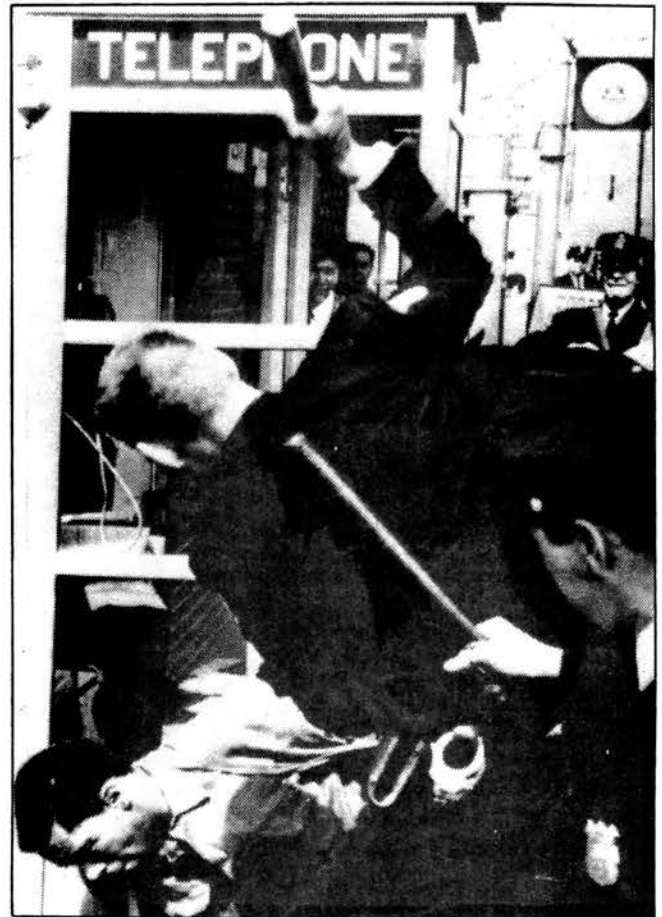
On February 6, a Saturday, Mike's Grocery, which stood a few hundred feet from the church, was destroyed by a fire which began shortly after 9 p.m. During the height of the blaze Steve Mitchell, a black youth, was shot to death by a policeman. The officer was not charged in the slaying. He said Mitchell aimed a gun at him.

Early Sunday morning a white man, Harvey Cumber, was shot to death about a block from the church. He allegedly had driven his pickup around a barricade that had been erected to keep whites out of the area. Witnesses said he stopped, got out of his truck and then pointed a gun toward the church. A loaded revolver was found beside his body.

Within hours of the death of Cumber, martial law and a curfew were declared in the city of Wilmington. The violence ended immediately. The Templetons left Wilmington very soon after the end of the hostilities. "We continued to receive threats, and the police said they could do nothing for us," Mr. Templeton said. Chavis stayed on in Wilmington for several months.

In March of 1972, more than a year after the violence, Chavis and eight young blacks—Marvin Patrick, Connie Tindall, Jerry Jacobs, Willie Earl Vereen, James McKoy, Reginald Epps, Wayne Moore and Joe Wright—were arrested by Wilmington police and charged with the unlawful burning of Mike's Grocery and conspiracy to assault emergency personnel. The white woman, Ann Shephard, was charged with being an accessory before the fact of those

crimes. Except for minor traffic offenses, not one of the group had a prior criminal record.



James (Jay) Stroud was the assistant New Hanover County District Attorney in 1972 and the man who prosecuted the Wilmington 10. James Ferguson of the respected civil rights law firm Chambers, Stein, Ferguson and Becton, was the chief defense attorney. He has remained so throughout the long appeals process.

Because of the extensive publicity the case had received, neighboring Pender County was selected as the trial site. The trial ended abruptly, however, in June, before the jury selection process had been completed. Ten blacks had been selected to hear the case when Stroud, complaining of stomach problems, sought and was granted a continuance.

## Problems With Witnesses Highlight the Trial

The Wilmington 10 trial began anew in September, 1972. The jury seated this time was composed of 10 whites and two blacks, a domestic servant and a janitor.

Stroud's key witness at the trial was 18-year-old Allen Hall, a huge young man who had a tested IQ of 78, a history of mental disorders, and a lengthy police record.

Hall had been picked up by Wilmington police more than a year earlier on an unrelated assault case. While undergoing questioning by the police, he confessed to burning Mike's Grocery. He also said Chavis and the other Wilmington 10 defendants assisted in the burning. He was Stroud's only alleged eyewitness. Hall had just been sentenced to 12 years in prison for his confessed participation in the store burning. About a month after the trial, Hall's sentence was changed to youthful offender status at Stroud's request.

Stroud had two witnesses at the 1972 trial who, to some degree, corroborated Hall's testimony. The first was Jerome Mitchell, a young black man who several months before the Wilmington 10 trial had been declared an outlaw by the state



**Reverend Benjamin Chavis**

of North Carolina. Under North Carolina law at that time, an outlaw could be shot on sight by any citizen of the state. A few weeks before Mitchell finally agreed to testify for the state, Superior Court Judge Winifred T. Wells handed Mitchell a youthful offender sentence of one day to 30 years. He had been charged with a brutal murder and armed robbery, charges unrelated to the 1971 racial upheaval in Wilmington. Stroud told the jury that Mitchell had nothing to gain; he already had been sentenced to 30 years.

Stroud's third major witness was 13-year-old Eric Junious, a child who could have passed for eight years old, and who testified that he saw Chavis and the others leaving the church to firebomb Mike's Grocery.

Ferguson vigorously attacked the testimony of Hall, Mitchell and Junious. (At one point Hall lunged for Ferguson and had to be restrained by bailiffs.) Ferguson was particularly interested in whether Hall had been the recipient of any special favors from the state or had been promised anything. Hall testified that he had received no promises or favors. Ferguson also fought vigorously, but unsuccessfully, for the inclusion into evidence of a statement Hall had signed for an agent of the federal Bureau of Alcohol, Tobacco and Firearms. That statement differed in detail from the statement Hall had later given Stroud and which was accepted by the court. Ferguson also argued that photographs of the 10 defendants had been marked by the prosecution to enable the state's star witness to readily identify them.

Ferguson had no witnesses to offer at the trial. Up until almost the last moment he had been counting on the testimony of the Templetons and of Aaron Johnson, the state Good Neighbor Council troubleshooter.

The Templetons were prepared to testify that Chavis was at their home when Mike's Grocery was burned and that they had never heard Chavis exhort others to commit violence. The Templetons, however, never made it to the trial. When they arrived in North Carolina from their new home in New Jersey they heard a rumor to the effect that they would be arrested if they showed up at the trial. "We are not proud of that," Templeton was to say five years later. "But we were

terrified. We were told that police would be waiting for us at the airport and that it would be the Wilmington 12 instead of the Wilmington 10." The Templetons went back to New Jersey.

Johnson and another state Good Neighbor Council worker, Preston Hill, were subpoenaed by Ferguson to appear and testify at the trial. The subpoena called also for any records the council might have relating to the violent days in Wilmington. Neither Johnson nor Hill made it to the trial.

Five years later Johnson was to explain publicly for the first time that his superiors on the Good Neighbor Council had strong misgivings at the prospect of any council worker testifying at the trial, particularly on behalf of Ben Chavis. "We were very much aware that our funding came from the legislature," Johnson said. He added that he and Hill were on their way to the trial, prepared to testify that Chavis had tried to end the violence, not exacerbate it, when they heard over their car radio that the defense had rested. Johnson said he turned the car around and headed back to Raleigh. Ferguson was unaware that his subpoena had finally caught up with Johnson and Hill.

Judge Martin sentenced the defendants to terms averaging more than 28 years. Chavis drew the stiffest sentence, a maximum of 34 years. Shephard received the lightest sentence, 10 years. The combined sentences totaled 282 years. Total appeal bond was set at \$400,000, an amount the United Church of Christ Commission for Racial Justice, which financed, and continues to finance, the defense of the Wilmington 10, quickly met.

Two years ago, after the U.S. Supreme Court refused, without comment, to review the convictions, the Wilmington 10 surrendered to authorities and went to prison.

About the time the Wilmington 10 defendants were preparing themselves for prison, the star witness against them, Allen Hall, was getting out. He was released in June of 1975. A year and a half later, Hall was back in prison, his parole revoked. Hall's activities and statements preceding that parole revocation were of tremendous importance to the Wilmington 10.

## **Prosecution's Witnesses Recant, Confess to Perjury**

On September 24, 1976 Hall stated publicly that he lied under oath during the trial of the Wilmington 10, and that he was coached and coerced into lying by Stroud and the Wilmington police. Hall also said publicly, and in sworn affidavits, that his testimony against Chavis concerning explosives and "Molotov cocktails" was coached by ATF agent Bill Walden. He said his entire testimony was a lie. Hall said his conscience had bothered him so much since the trial that he had been "unable to live with myself as a black man."

Ferguson immediately sought to include Hall's recantation and admission to perjury in his petition for a writ of habeas corpus, which had been pending, and is still pending, in U.S. District Court in Raleigh. The motion to amend the petition was denied by U.S. Magistrate Logan Howell. Howell ruled that the state should have the opportunity to hear the matter first.

Four months after Hall's public recantation another major witness against the 10 defendants, young Eric Junious, signed a statement declaring that he lied at the trial. Junious said he lied because Stroud promised him a minibike and a job.

These statements by Hall and Junious prompted U.S. Attorney General Griffin Bell to order a Justice Department investigation to determine whether the civil rights of the Wilmington 10 had been violated. A federal grand jury convened in Raleigh in March to hear testimony from Hall, Junious, Mitchell and Stroud. Mitchell at that time became the third and final major witness against the 10 to recant his trial testimony. He told the jurors that Stroud had promised him he would be released from prison within a few months if he testified for the state. Mitchell also testified that he was not in



the vicinity of Gregory Congregational Church or Mike's Grocery the night of the fire. Both Mitchell and Hall testified that Stroud coached them extensively in exactly what and what not to say on the stand.

Stroud denied emphatically that he arranged any deal with Hall and Mitchell in exchange for their testimony. He admitted, however, that he and a Wilmington detective bought Junious a minibike. He said he did this because he liked Junious and felt sorry for him. The grand jury, which was essentially investigative in nature according to a Justice Department attorney, returned no indictments.

When Hall, Mitchell and Junious testified before the grand jury, they did so as prisoners of the state. Hall's parole had been revoked upon his conviction in February of breaking into an unoccupied residence. Hall told police that he broke into the house because members of the Klan were chasing him.

Mitchell's parole was revoked only a few weeks after his release in late 1976. He was convicted of attempting to pass a counterfeit bill. Junious was serving a sentence for larceny.

## Despite Recantations, Retrial Petition Denied

Two months after their federal grand jury testimony, Hall, Mitchell and Junious testified before a post-conviction hearing for the Wilmington 10 at the same courthouse in Pender County that the 10 were convicted in five years before. The hearing, before Supreme Court Judge George Fountain, took almost two weeks to complete. Representatives of the North Carolina attorney general's office vigorously opposed the new trial request. Assistant State Attorney General Richard League had previously acknowledged that the state would not prosecute the 10 again if Judge Fountain granted a new trial. The state would have no case, he said. All of the important prosecution witnesses had recanted their testimonies.

At the hearing, Hall, Mitchell and Junious again testified that they lied for the state during the 1972 trial. Both the Templetons, their fear of arrest diminished after five years, testified that Chavis was at their home when Mike's Grocery burned. They recreated for Judge Fountain the three nights of siege under fire at the parsonage.

It was established at the hearing that the leader of a faction of the Klan in North Carolina visited the beach cottage in which deputies were keeping Mitchell and Hall during the 1972 trial. It also was established that in June of 1972, just before Stroud was granted a continuance until September, Hall was becoming very upset and unpredictable because of his worrying about a girl-friend 300 miles away. Hall was Stroud's only major witness at that time. Mitchell had not yet agreed to testify. Stroud admitted at the hearing that to ease his star witness' mind, he sent two detectives on a 600-mile round trip after the young woman. The officers returned with her the day after Stroud requested a continuance because of illness.

It was also established that long after the convictions of the Wilmington 10, Stroud continued to visit with Hall and Mitchell in prison, and to give them small amounts of money. Stroud testified he did this because as a prosecuting attorney, he always takes an interest in his major witnesses for the state. He said he considered Hall "a friend."

At the end of the long hearing, Judge Fountain ruled immediately from the bench that the constitutional rights of the Wilmington 10 had not been violated and that no new "credible" evidence had been presented in their favor. In his written order filed weeks later, he rejected completely every issue raised by the Wilmington 10 defense. Ferguson immediately gave notice of appeal.

A few weeks after Judge Fountain's adverse decision, Ferguson formally petitioned North Carolina Governor James Hunt for pardons of innocence for the Wilmington 10. Attorney General Griffin Bell, at the request of 60 members

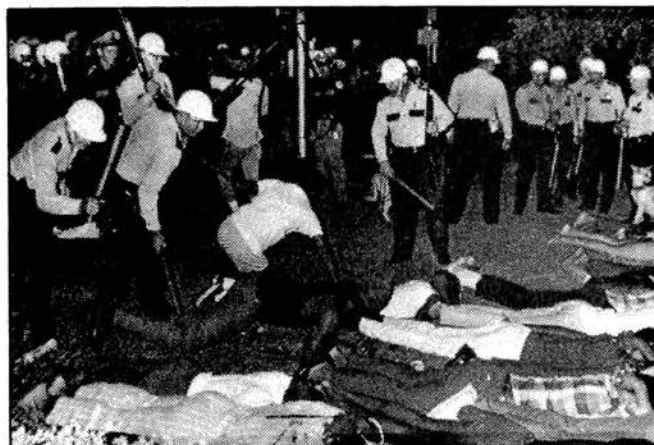
of Congress, has urged Hunt to seriously consider the pardon request.

Hunt has made no formal decision on the pardon petition and probably will not until after November 8, the date of a statewide referendum to determine whether the Governor can succeed himself in office. Hunt has stated publicly, however, that he is instinctively opposed to intervening in any case until all avenues of appeal, all routes of "due process," have been exhausted.

Rev. Chavis and The Wilmington 10<sup>6</sup> were not pardoned and remained in North Carolina's prisons. (see 1977-78 for a further update of this case).

## Republic of New Afrika Eleven

Imari Abubakari Obadele I, is the President of the Provisional Government of the Republic of New Afrika. Since 1971, the provisional government has been attempting to secure sovereignty over what he describes as the New African national territory: the black-majority countries and parishes of Mississippi, Louisiana and Arkansas known as Kush—by means of a peaceful plebiscite. During the early course of this work to organize a plebiscite, in August of 1971, a force of heavily armed police and FBI agents conducted a dawn raid of the official residence of the Provisional Government in Jackson, Mississippi.



Five men and two women in the house escaped injury, but a policeman lost his life in the attack and an FBI agent and policeman were wounded. The FBI Agent-in-charge said he was trying to serve a warrant on a fugitive. The fugitive was not there.

A smaller but similar force simultaneously "raided" the office of the Provisional Government several blocks away, where the President, two men and the national Minister of Information, a woman, had spent the night. No shooting occurred here, but all four persons, like the seven at the Residence, were arrested, becoming known as the *RNA-II*, and charged with murder.

In 1972 NCBL attorneys headed the defense effort to bring an affirmative civil action directed at police harassment and abuse of the RNA.

In September, 1973 the President and six others were tried in federal court in Biloxi, Mississippi and found guilty on all charges. Charges included conspiracy to assault federal officers, assaulting them, and using firearms to commit a felony. The President was sentenced to twelve years, despite his motion to dismiss on the grounds that these attacks were part of an illegal conspiracy by the FBI and state officials to destroy the Black Liberation movement. In March, 1976, the 5th Circuit Court of Appeals confirmed all but one conviction.

The U.S. Supreme Court denied certiorari in October 1976. President Obadele having been free on bond, surrendered and was sent to the U.S. Penitentiary at Terre Haute, Indiana.

<sup>6</sup>As of July 1978, two defendants Ann Sheppard and Joe Wright have been paroled and national and international protests in support of the Wilmington 10 continue.

Since that time NCBL has filed a Writ of Habeas Corpus following the FBI release of information admitting the *Cointelpro* plot against President Obadele.

After being shipped to prison in Pennsylvania, Imari mailed habeas forms to the District Court for the middle District of Pennsylvania. He indicated that he was making a challenge to custody by invoking jurisdiction under 28 U.S.C. §2241. His fundamental position was and is, that he is President of a Provisional Government of a separate nation, the Republic of New Afrika and owes no allegiance to the U.S. There are three grounds for his charges of unlawful custody:

(1) Art. 3 of the U.S. Constitution which precludes the federal detention of any Chief of State.

(2) Custody of the petitioner is violative of U.S. statutes: 18 U.S.C. §1112 & 1116.

(3) Custody of petitioner is not in conformance with provisions of the Geneva Convention of 1949 Treaty.

On August 24, 1977, the District Court ordered respondents Director of the U.S. Bureau of Prisons and Griffin Bell, U.S. Attorney General to show cause within 20 days why petitioner should not be granted habeas corpus or mandatory injunctive relief.

After a response was filed the District Ct. granted the President's motion to amend his petition to include the *Cointelpro* connection.

After the District Court ruled the Government's response to the show cause order "clearly insufficient," Obadele moved for summary judgement or in the alternative the setting of a hearing date.

Subsequently, the court ruled that it did not have subject matter jurisdiction under FRCN.P. 12(h) (3) and dismissed the petition without a hearing.



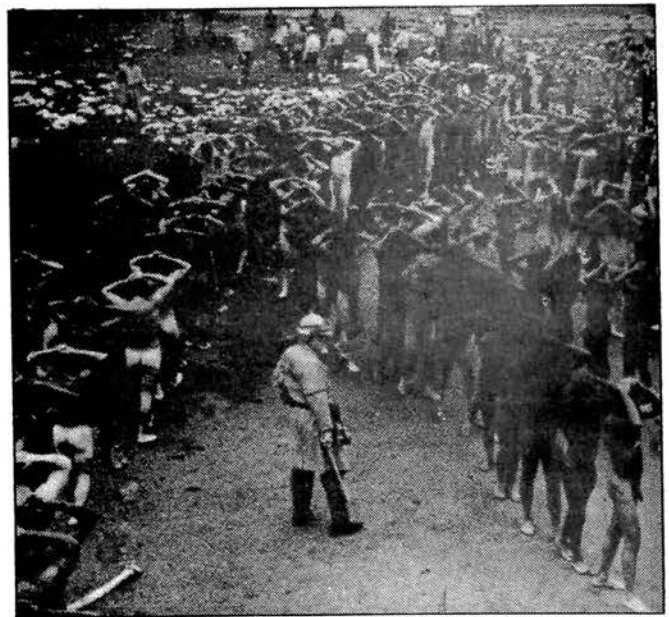
**The Arrest of the RNA Eleven**

NCBL brought the matter before the 3rd Circuit Court of Appeals alleging that the District Court acted prematurely in dismissing the Writ of Habeas without a hearing. By applying the Federal Rule of Civil Procedure 12(h) (3), the NCBL defense argued that the language of the statute makes the holding of a hearing mandatory after the return of the writ since 12(h) (3) may not be interrupted as abolishing the Appellant's substantive right to hearing created by 28 U.S.C. 2243. Additionally NCBL argued that the holding of Pres. Obadele in custody was in conflict with the 13th Amendment, Article 3 & 6 and the 9th Amendment to the Constitution.

The defense team asked the Court of Appeals to vacate the lower court opinion, to dismiss and implement its own powers of habeas corpus and injunctive relief by setting him at liberty without delay. In Spring of 1978 all RNA motions were denied.

## Prison Cases

In addition to the Attica defenses, NCBL continued throughout this period to be involved in challenges to the



brutalizing and dehumanizing conditions in the nation's *prisons and jails*. Susan Perry was appointed National Director of the NCBL prison project.

A sampling of these cases<sup>7</sup> include:

*McNeil et al. vs. Klein et al. (1974)*

A class action challenge on behalf of all pretrial detainees and convicted persons in all county jails and workhouse in the State of New Jersey; against all sheriffs, wardens, freeholders and the Commissioner of Institutions and Agencies, filed in Mercer County Superior Court. Professor Charles Jones, of Rutgers Law School, is the NCBL attorney on the suit which attacks as unconstitutional: living conditions, absence of medical treatment, religious exercise and mail rights, *inter alia*.

*Carter et al. vs. Klein et al. (1974)*

This 42 USC §1983 action filed in U.S. District Court for the State of New Jersey attacks as unconstitutional the punitive transfer, after making a peaceable speech, of Ruben (Hurricane) Carter and other duly elected Prisoner's Council Representatives of Rahway (N.J.) State Prison. Lennox S. Hinds was co-counsel on the case for NCBL with the ACLU. After a 5-day evidentiary hearing, the court refused to rule on the First Amendment rights of prisoners raised, but directed the State to remove Carter and his co-plaintiff Thomas Tarantino from punitive segregation in the notorious Vroom Readjustment Unit (Isolation Unit) at the Trenton State Hospital for the Criminally Insane.

*Bailey et al. vs. Mandel et al. (1974)*

NCBL responded to a request from the Black Student Union of the University of Maryland and prisoners of the Jessup State Prison in Maryland to investigate and expose the program of Bio-medical research conducted by the University of Maryland School of Medicine on prisoners confined in the Maryland House of Corrections in Jessup. Prisoners were injected with several drugs and serums including typhoid, malaria, influenza and viral diarrhea.

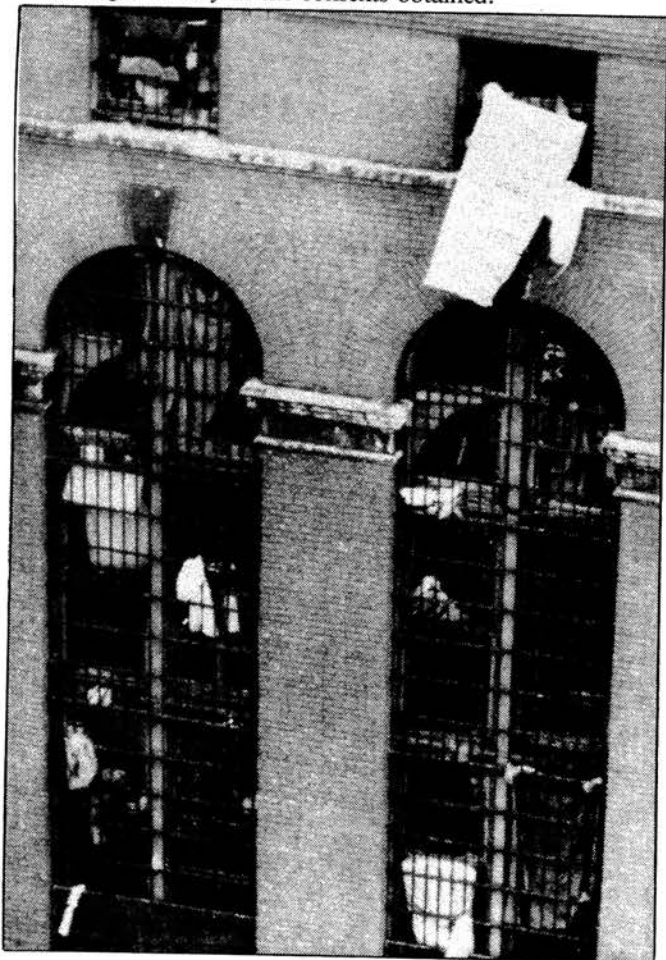
In October, 1974 NCBL with the National Prison project of the ACLU filed a complaint against the Governor, the Defense Dept., HEW, *inter alia* in U.S. District Court to enjoin them from continuing these dangerous experiments and asking for over a million dollars in damages.

The complaint covered several broad areas of human rights violations. First, the Defendants failed to obtain free and voluntary consent. Litigants asserted that the

<sup>7</sup>A number of these cases are still before the courts as of 1978.



coercive conditions and factors of the prison undermined the legal validity of the consents obtained.



the second count of the complaint charged that the Defendants did not explain the purpose or description of the experiment and more importantly, they did not explain the likelihood of development of disease.

As a result of the suit, all medical experimentation was ended at Jessup. Additionally, the national concern generated by this suit and public pressure have forced the Army and other federal agencies to cease using prisoners as subjects for experimentation.

#### *Barnes et al. v. Holshouser et al. (1975)*

The National Director and three other NCBL attorneys filed a complaint for \$27,000,000 in damages on injunctive relief in Federal District Court for the Eastern District of North Carolina on behalf of some forty women prisoners involved in a work stoppage and peaceful demonstration in June of 1975 at the North Carolina Correctional Center for Women (NCCW) at Raleigh, North Carolina. Prison officials responded to this demonstration with great brutality and by summarily transferring many of the women to a male prison halfway across the state. Many of the plaintiffs were locked in administrative (punitive) segregation for many months. The suit alleged denial of Fourteenth Amendment due process and equal protection rights, First Amendment rights, and alleged cruel and unusual punishment in violation of the Eighth Amendment.

This organized struggle by the women imprisoned at NCCW against the horrors of their working conditions in the laundry and inhumane treatment is unprecedented in the United States and is the first suit of its kind to be litigated on behalf of women prisoners.

#### *Clark Squire et al. v. Byrne et al. (1976)*

On or about January 17, 1976 a shooting and alleged attempted escape occurred at Trenton State Prison (New

Jersey) which led to repressive measures resulting in the complete isolation of Trenton State prisoners: no mail, incoming or outgoing was permitted; telephone calls and all attorney-client visits were suspended indefinitely. A temporary restraining order and motion for preliminary injunction was filed in United States District the District for New Jersey arguing that the violation of the First, Fifth, and Sixth amendment rights of plaintiffs who included Clark Squire (Sundiata Acoli), alleged BLA leader, whom officials via the media had accused of being the "mastermind" of the shooting and escape attempt although to date no weapons or any other evidence have been connected to the incident.

The Court refused to sign the TRO but arranged for immediate access of Counsel to plaintiffs, the motion for preliminary injunction which included demands for a declaratory judgement and the promulgation by the State of constitutionally acceptable guidelines defining attorney-client access under emergency conditions was argued at the hearing.

#### *Hodges et al. v. Klein et al. (1976)*

Prior to the events described above in *Squire v. Byrne*, after an October prisoner killing at Trenton State Prison, alleged to result from tension between rival Muslim factions, severely repressive measures were instituted resulting in the placement of over 200 men in maxi-lockup in Seven Wing: a prison within a prison including 24 hour a day lockup in strip cells, inadequate food and medical care and a complete suspension of all rehabilitative programs. Early in December, jail house lawyers, Louis Hodges and Ernest Pace, filed a pro se Class Action 42 USC §1983 complaint in United States District Court, The District of New Jersey (Trenton) alleging violations of their First, Fifth, Sixth, Eighth, Thirteenth and Fourteenth Amendments rights.

Prisoners sent out a call for lawyers to assist them. NCBL attorneys Professor Charles Jones of Rutgers Law School and Lennox S. Hinds joined the case.

After extensive and protracted evidentiary hearings between March and May during which the court issued a number of temporary restraining orders to enjoin Defendant correctional officers from brutalizing the Plaintiffs during the course of the suit and issued an opinion at 412 Fed. Supp. 896 (Third Cir. 1976) favorable to Plaintiffs forbidding routine rectal searches. A final opinion issued in October 1976 resulted in unfavorable rulings on our basic contentions that a management and control unit for prisoners in anticipation of their misconduct was unconstitutional. *Meachum v. Fano* a Supreme Court opinion which came down in the months between our presentation of evidence and the Judge's opinion was held controlling. In *Meachum* the Burger Court granted almost absolute discretion to correctional officials to transfer prisoners for "Administrative purposes."

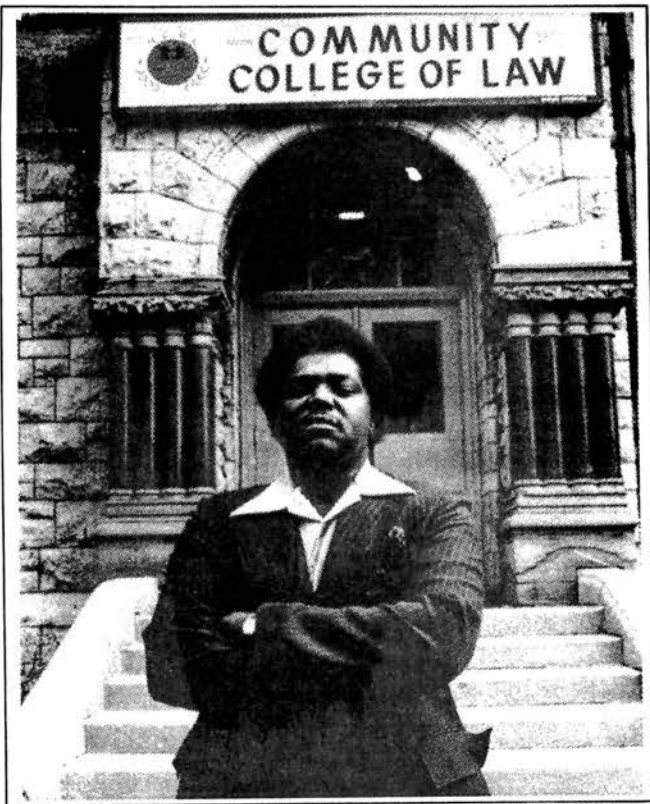
Other matters of marked significance to the development of NCBL as national and international organization during this period that should be mentioned include the following.

## NCBL College of Law and International Diplomacy

The Fred Hampton (now NCBL) College of Law and International Diplomacy was opened in Chicago on September 20, 1976 at a dinner with 500 people in attendance. It was initially named in honor of the chairman of the Illinois Black Panther Party killed in a police raid in 1969.

The first year law school program was opened to 100 students, the para-legal program to 50 students and the International diplomacy program to 20 students. Community organizations recruit most students who will be expected to return after graduation to use their skills for the betterment of the community.

Then School president Charles Knox speaking at the banquet outlined the philosophy of the school.



Charles Knox,

**Board Chairman NCBL Community College of Law**

"Being lawyers, we are perhaps in the most strategic position to assess the roles that lawyers in general and specifically, black lawyers, have assumed in our struggle against oppression and exploitation. The record is far from being impeccable, a fact which may be directly attributed to the type of legal training received in traditional law schools.

"We looked with dismay as traditional education equipped our black professionals for life in the so-called mainstream of American society, where, unfortunately, our people are not to be found. To borrow the profound analysis of our National Director, Lennox Hinds, our black lawyers were schooled in remedies for landlords not tenants; creditor's rights and not debtor's rights. The conclusion is inescapable. The law as taught to us, defined us as being without its protection.

"In the clear illumination of this historical context, we saw the need for a new breed of advocate for justice. This barrister must play an instrumental role in dismantling those social institutions which were constructed for perpetuating our subjugation and dependence. The Cuban example has taught us that racism can be eradicated by destroying those objective conditions—the institutional structures—upon which they are sustained. The subjective conditions—prejudices—are conquered with education and example.

"To achieve these formidable objectives, therefore, we are molding a new jurist who will be armed to the teeth with the weapon of correct theoretical perspective. In our estimation, this is vital to the accomplishment of both the demolition of repressive institutions, and, ultimately, the construction of people's institutions.

"First, our students are not taught to agree with legal rules or reasoning, but rather, to understand and criticize them. Secondly, we do not mystify the law. By confronting it head-on, our students are better able to view its practical implications. We are not desirous of making law a palatable product.

"Finally, as a criterion for admission, students must have demonstrated prior and present commitment to their communities through actual involvement with a

community based organization. The student is thereby accountable to his or her community organization, the latter being answerable to its community clientele.

"Our graduates in International Diplomacy will be trained to analyze international issues from a perspective which stresses the similarities and differences of those problems confronting us and Third World countries. The theoretical foundation will be integrated with a practical, problem-solving component, so as to equip majors in this field for work a resource persons in every sphere of international affairs.

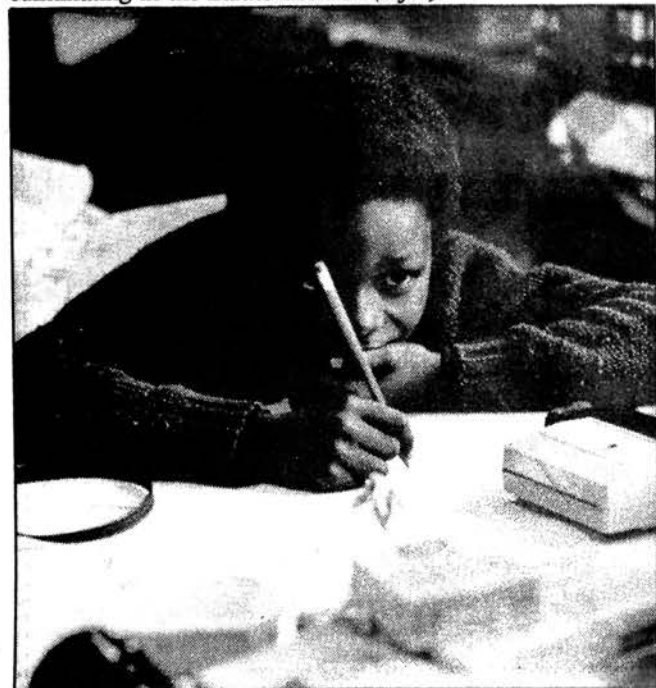
"In conclusion, the purpose clause of the NCBL constitution, which follows, is our guiding principle to achieve ends:

- (1) Seek out and eradicate the roots and causes racism.
- (2) Vigorously defend black people from those who consciously or otherwise deny them basic human and legal right.
- (3) Assist the black community in eliminating the root causes of poverty and powerlessness.
- (4) Make use of legal tools and legal discipline for the advancement of economic, political, educational and social institutions for black people."

Subsequent meetings between the NCBL Board of Directors and Chairman Knox who was the driving force behind the opening of the college resulted in the establishment of the formal relationship between the school and the conference which now exists in 1978.

**Defunis vs. Odegaard (1975)**

NCBL cooperating attorney and Past Board Member, Professor Derrick Bell of Harvard Law School, prepared an extensive brief with the National Office in the *Defunis* appeal which was the first Supreme Court challenge to Special Law School admissions programs for minority students. The *Amicus brief* traces the roots of racism in legal education and the development of legal remedies to eradicate it. Former Board Member Howard Moore was instrumental in initiating NCBL's involvement in this critical case which had enormous implications not just for legal education, but for all affirmative action higher education programs for black and minority students. The lack of a clear statement in support of affirmative action in the decision, helped produce the plethora of new challenges on the *Defunis* model to other affirmative action programs culminating in the *Bakke* decision (*infra*).





### **Bakke v. The Regents of the University of California (1976)**

NCBL member, Professor Emma Coleman Jones of the School of Law of the University of California at Davis, filed the first NCBL *Amicus Curiae* brief in support of the position of the Regents of the University of California petition for a rehearing in the Supreme Court of California. Mr. Bakke had challenged the University's affirmative recruitment program for their medical school and alleged his exclusion from admission in favor of "lesser qualified" minority applicants by "reverse discrimination". See 1977-1978 for subsequent NCBL Bakke involvement.

**Wolff v. Rice** on Writ of Certiorari in the Supreme Court was argued on February 24, 1976 and represented the most serious attack on the Fourth Amendment yet argued before the Burger Court. The petitioner State of Nebraska had asked the court to overrule *Mapp v. Ohio* and eliminate Fourth Amendment claims from Federal Habeas Corpus.

Respondent Rice, an alleged Black Panther, was found guilty in the Nebraska State Courts of first-degree murder following the bombing death of an Omaha police officer when police discovered blasting caps, dynamite and other explosive paraphernalia in his house during the course of a search in 1968.

The U.S. District Court issued a Writ of Habeas Corpus ordering Rice released from custody on the ground that the Search Warrant was not based on probable cause. On Appeal by Nebraska, the Eighth Circuit affirmed Rice's release.

In an extensive *Amicus Curiae* brief by NCBL, it was argued that the erosion of the Federal protection of the Fourth Amendment is particularly threatening to the rights of black and minority people who are most often the victims of unrestrained police action and that neither law nor justice can sustain without injury a retrogressive decision to not bind the States to the same Fourth Amendment standard as the Federal Government. A number of states and law enforcement organizations filed in support of the Petitioner State of Nebraska. The Court upheld appellant State of Nebraska and reversed the Eighth Circuit Court of Appeals and further eroded the Fourth Amendment without overruling *Mapp* and federal *Habeas Corpus*.



**Joan Little**

The trial of *Joan Little* and ultimate acquittal in 1975 for murder in the stabbing of jailer Clarence Allgood to ward off a sexual attack, was a victory marred by subsequent attacks on her attorney.

At the conclusion of the trial on August 15, 1975, Defense Counsel Jerry Paul who represented her with NCBL attorney Karen Galloway was sentenced to a 14 day jail term by the trial judge for contempt alleged to have been committed during jury selection proceedings. He was incarcerated immediately and although NCBL attorneys appealed the sentence, he was forced to serve five days before he won a stay of the sentence pending review. The order to the trial judge was ultimately upheld in state and federal courts (see 551 F.2d 575), and in October, 1977, Paul served the remainder of his sentence.

On April 9, 1976, the North Carolina State Bar filed a complaint against Paul before the council of the North Carolina State Bar charging him with seven counts of violations of the N.C. Canon of Ethics and Code of Professional Responsibility for statements allegedly made during the course of his representation of Ms. Little and after her trial. Mr. Paul's case is now pending in Superior Court, where Paul claimed a jury. Defendant's motions to dismiss the motion having been denied, the Bar continued to seek his disbarment in Durham.

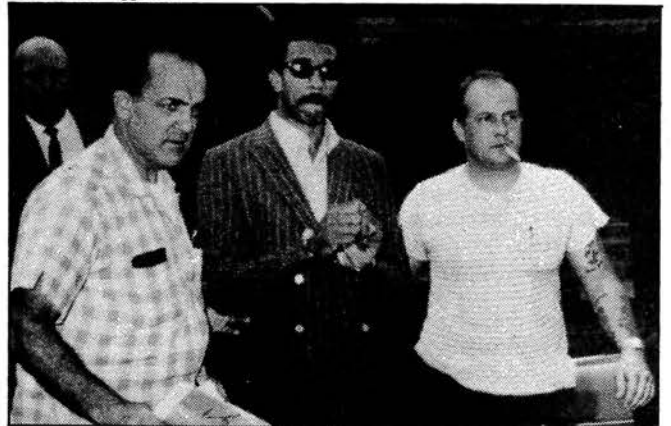
Subsequently in 1978 at a hearing at which Mr. Paul was represented by the National Director among others, all but two counts of the alleged Ethics violations.

As will be discussed in the Special Note to the Section. *1977-1978 and Beyond*, attacks on activist judges and lawyers who take politically unpopular positions and represent dissident clients are becoming increasingly prevalent.

Joan Little was arrested in Brooklyn in December of 1977, as a fugitive from North Carolina prison and was charged with several minor state offenses as well as being a fugitive from justice in North Carolina.

NCBL and The Black and Puerto Rican Legislative caucus filed an amicus for leave to file brief to grant an evidentiary hearing on the issue of her extradition. In addition, the *Amicus* raised the issue of reinstatement of bond denied by the lower court and was subsequently set at \$51,000 by the N.Y. Supreme Court.

During her months at liberty before extradition back to North Carolina, Joan Little was a legal trainee at the *NCBL National Office*.



**H. Rap Brown**

NCBL first became involved with *H. Rap Brown* in 1972 after his arrest in late 1971 when he was accused of holding up a bar. H. Rap Brown an ex-SNCC leader had emerged as one of the most powerful voices of the movement for social justice in the late sixties.

During his 1973 trial NCBL attorneys filed a successful motion on his behalf to permit him to act as co-counsel in his trial.

On September 1974, National Director Lennox S. Hinds filed an *Amicus Curiae* brief in support of the Motion to Vacate Judgement of the conviction of H. Rap Brown on May 29, 1973 on charges of robbery and assault. The NCBL memorandum states that the contents of the *COINTELPRO* documents disclose a policy of selective prosecution in its most blatant and racially selective form that was designed to discredit Brown's standing in the Black community so as to minimize those criticising U.S. policies toward Black Americans.

In documents released during the prosecutions of the Wounded Knee defendants, American Indian Movement leaders Russell Banks and Dennis Means, the "Counter-Intelligence Program-Black Extremists" (*COINTELPRO*) of the FBI was outlined. It is now acknowledged by the District Attorney that H. Rap Brown was specifically mentioned by name as a prime target for law enforcement harassment, surveillance, use of agent provocateurs, and selective prosecution in the FBI's efforts "to expose, disrupt, misdirect, discredit and otherwise neutralize the activities of Black Na-

tionalist, hate-type organizations and groupings, memberships and supporters." Agents were urged in the documents to take an "enthusiastic and imaginative approach to this new counter-intelligence approach to this new counter-intelligence endeavor."

Rap Brown was ultimately granted parole in 1976 and is living in seclusion in the South after his exoneration at retrial of a 1971 weapons charge arising out of a 60's demonstration in Maryland.



In 1975, the vicious racist attack on Judge Bruce McM. Wright of the Criminal Court of the City of New York commanded every possible resource of the conference.

In 1975, Judge Wright, an early NCBL member before his elevation to the bench, was prophetic in his article in NCBL NOTES entitled: "Bangs and Whimpers; Police and the Administration of Justice," *NOTES*, Fall, 1975 when he wrote about racism in the police department and courtrooms. He quoted Law Professor Kalven who did extensive research on the attitudes of Northern Jurors and selected this statement of a juror as reflective of many jurors and police attitudes to black defendants.

"The niggers have to learn to behave.

If he hadn't done what he was accused of doing, he'd probably done something much worse and we thought we should put him away for a good long while."

These attitudes apparently extended not only to black defendants but to black judges as well.

In 1975, Judge Wright was illegally transferred from the New York City Criminal Court to the Civil bench as a result of the collusion of court administrators and concerted public vilification by the Patrolmen's Benevolent Association and media. Judge Wright requested that the National Director, Lennox Hinds serve as his chief counsel before the ethics committee on charges of injudicial conduct against him and in an action for declaratory and injunctive Relief pursuant to 28 U.S.C. §1343 and §2202, and for damages sustained for deprivation of rights, privileges and immunities guaranteed through the First, Fifth, Sixth, Eighth, Ninth, Thirteenth and Fourteenth Amendments to the U.S. Constitution and as a result of a conspiracy by the defendants to deprive Judge Wright of his rights pursuant to 42 U.S.C. §§1983 and 1985. Attorney Hinds arranged for all ethics charges to be dropped and continued work on the affirmative action suit.

NCBL, with the Center for Constitutional Rights, filed memoranda in opposition to the defendants' demand for pro-

TECTIVE orders and summary judgement. The Court denied the defendant's motion for summary judgement, and granted defense requested for full discovery. NCBL attorneys then pressed for discovery in an effort to conduct extensive depositions of members of the Bar Association of the City of New York, Judiciary Committee. Defendants invoked privilege to impede Judge Wright's access to records and statements within their control. NCBL counsel moved in opposition to their assertions of privilege. Trial was scheduled to begin, Fall, 1977 when defendants fearful of compelled discovery into the Ethics Committee conduct during the attack on Wright encouraged his return to the criminal bench in return for the dismissal of the case.

Judge Wright, is presently running as a candidate for the Supreme Court of New York.

## Other NCBL Activities

Even a symbolic listing of NCBL activities in this period must include the following:

In 1976 NCBL joined the National Coalition Against the Death Penalty (NCADP). Coordinated strategies, information sharing, executive clemency, legislation and public advocacy were among the tasks of this coalition; whose work continues in 1978. The N.A.A.C.P. Legal Defense Fund and the Southern Poverty Law Center, and other coalition members pledged them themselves to represent each person on death row in Florida, Texas and Georgia (the three states whose death penalty statutes were specifically upheld by the Supreme Court on July 2, 1976) and to file new habeas petitions or petitions of clemency to prevent these people from being executed.

NCBL representatives testified before state and federal legislatures on Grand Jury Abuse, wire tap and surveillance; behavior modification, the death penalty and bail practices, Senate Bill one to name but some of the topics on which we established public and legislative educational priorities in 1974-1976.

## International Affairs 1974-1976



Soweto

NCBL's international contacts markedly increased during this period. At the invitation of the Institute *Cubana amistad de los Pueblos*, the first Black Lawyers delegation of NCBL members, visited Cuba. The trip provided NCBL people an opportunity to observe the roles and status of Black people in the New Cuba and to examine the recently revised legal code and judicial system as well as to visit schools, factories and cultural institutions.





Cuba

Subsequently, NCBL delegations of lawyers, law students and elected officials as guests of the Government have traveled to Cuba in 1975, 1976, 1977 and will go in 1978.

Other international contacts of note in this period include the NCBL reception for Sir Adetumbo Ademola, the revered First Chief Judge of the *Supreme Court of Nigeria*. Hope Stevens, Co-Chairperson of the NCBL Board attended an *International conference on Racism and zionism* in Tripoli, Libya sponsored by the Libyan Arab Republic and the Libyan Bar Association. The National Director was a guest of MPLA before the *liberation of Angola*.

## International Commission of Enquiry on Mercenarism

*The Trial of the Mercenaries*  
July 1976—Luanda-Angola

Hope Stevens, NCBL Co-Chairperson and Lennox Hinds and NCBL attorney Kermit Coleman, from Chicago, Ill. were selected as the American delegates and trial observers to participate in the *International Commission of Enquiry on Mercenarism* and to assist with the drafting of the Convention on Mercenarism for submission to the United Nations. All expenses for this historic trip were paid for by the Ministry of Justice of Angola. Participants developed reports and memoranda on the due process afforded the thirteen European and U.S. Mercenaries on trial and other legal aspects. An extensive report including prevailing law of Angola; the law of the MPLA; the indictments with bills of particulars; the verdict; the Constitution of Angola; other relevant UN and International reports and the reports of the International Commission of Enquiry which included participants from Europe, Asia and Africa was prepared. Invitations to conferences in China, Algiers, a number of African countries and from the African Liberation Movements were also extended to NCBL during this period.

## 1977-1978 and Beyond: The Period of Consolidation

At the 1976 Annual Meeting in Detroit, it was decided that in 1977, rather than one large convention, each region would convene a meeting whose theme would reflect regional concerns and legal priorities. It was also agreed that the Annual Meeting of 1978 would be planned with special attention to the ten years of the organization and its existence.

Attendance at the regional meetings of 1977-1978 demonstrated the growing membership and the conference's working relationship with other legal organizations, community groups and activist individuals.

Regional conferences were held in all regions except II during 1977-78. They were Region I, Oct. 14-15, 1977 Boston,

Mass.; Region III, Jan. 14-15, 1978 in Baton Rouge, La.; Region IV, September 10-11, in Colchester, Canada; Region V, January 21-22, 1978, St. Louis, Mo.; Region VI, June 1977, in Denver, Colorado; Region VII, December 3-4, 1977 in San Diego, Ca. National Office Staff attended these conferences.

Domestic and international themes dominated the work of NCBL during these years as we continued our prior involvements with the issues and litigations undertaken in the defense of human and legal rights and responded to contemporary events and peoples' requests for assistance as they arose.

The *Bakke* case, for obvious reasons, involved a large share of our energies throughout this period.



It should be noted that NCBL's involvement in the *Bakke* Case consisted of more than the two Amicus briefs which were filed. In October of 1976 Professor Ralph Smith, the chairperson of our *Legal Education and Bar Admissions Task Force* delivered a paper on the future of minority legal education at the National Convention in Detroit. Following this address the membership of NCBL passed a resolution directing Professor Smith to begin developing legal strategies to address the issues raised by the *Bakke* decision in the Supreme Court of California.

Ralph immediately began organizing the members of the NCBL Legal Education Task Force around this effort which resulted in nearly a year of continuous work by him, other NCBL lawyers and law students and launched a series of activities that culminated in the filing of the NCBL brief *amicus curiae* before the United States Supreme Court.

NCBL began activity on the *Bakke* case in early October, 1976, when, along with other groups the conference filed a petition for a rehearing of the case before the California State Supreme Court. In November of 1976 NCBL joined a coalition of civil rights groups which met with and filed petitions before the Finance Committee of the California Board of Regents. In January of 1977 NCBL participated with a similar coalition in filing a brief *amicus curiae* before the U.S. Supreme Court on the issue of certiorari. In February of 1977 NCBL and the National Lawyers Guild filed a supplementary memorandum raising important issues not originally brought out in the brief on *cert*.

As the momentum for a confrontation on the merits of the case began to build, it became apparent that some discussion and coordination were needed among the various civil rights organizations who would file briefs opposing the *Bakke* decision. Again, NCBL moved to the forefront and convened a special conference in conjunction with the University of Pennsylvania Law School for the lawyers who were developing legal theories and briefs on the case. This meeting proved to be vital to the development of the scope and quality of issues that were finally raised by these various *amici* briefs. Finally, on June 7, 1977, the NCBL Brief, along with other briefs on the merits, were filed and the case was set for oral argument.

In between these meetings and filing dates, hundreds of hours were spent in research, strategy sessions and drafting. In addition, the NCBL Legal Education Task Force and the National Office conducted a vigorous campaign for public education and organizing around the case. NCBL co-sponsored and provided speakers for several national and regional *Bakke*

conferences. We addressed the national meetings of the Urban League, the National Medical Association, BALSAs, the National Black United Fund and numerous smaller meetings involving students, unions and community organizations.

NCBL served as advisors to the Congressional Black Caucus on the case and our analysis was vital to the critical scrutiny that the Caucus provided on the brief which was finally submitted by the Justice Department. NCBL Task Force members were heard on national radio, television and before a number of debate forums around the country. The organization, expended all possible efforts on this most important civil rights case of this decade.

None of this work would have been possible without the tireless effort and leadership provided by Ralph Smith. It is impossible to mention all the NCBL lawyers who contributed to this effort and the work that resulted. Several Task Force members provided extraordinary commitment to this project. They are: Professor Emma Coleman Jones of the U.C. Davis Law School, past NCBL Board Co-Chairperson Michele Washington, Professor Ann Abraham of the Southwestern School of Law, Attorney Vance Fort of Washington, D.C., Professor Al Slocum of The Rutgers School of Law, Professor Denise Carty-Bennia of the Northeastern School of Law and the many other students and lawyers who provided assistance to the NCBL Legal Education Task Force. We must also extend a special thanks to our colleagues in the struggle for social justice who made vital contributions to this NCBL project. They include Jeanne Mirer of the National Lawyers Guild, Ralph Abascal of California Rural Legal Assistance Inc. and Deborah Jordan from the firm of Paul, Weiss, Ribkin, Warton and Garrison.



The National director reflected on the significance of the Supreme Court's decision in the *Amsterdam News* (N.Y.) on June 28, 1978:

On June 28, only 24 years after the landmark school desegregation case of *BROWN VS. BOARD OF EDUCATION*, the Supreme Court decided that a white man, Allen Bakke, was a victim of race discrimination when he was denied admission to a medical school which had reserved 16 of its 100 places for minority applicants.

"It is ironic to those of us who have studied the history of Black people in this country, that the five-man majority of the court, should justify its decision to turn back the clock on Black people's aspirations by declaring that affirmative steps taken by a university to eliminate historically imposed racial imbalances in educational opportunity are incompatible with constitutional principles of equality.

"The constitution and its amendments have never been "color blind" or neutral.

"The constitution was not color blind when Chief Justice Taney ruled in 1857 in the *DRED SCOTT* decision that Blacks were merely property and "beings of an inferior order" and "had no rights a white man was bound to respect."

"It was not color blind when it ruled in *PLESSY V. FERGUSON* in 1896 that the fourteenth amendment was not intended "to abolish definitions based upon color or to enforce social equality" or the "commingling of the two races."

"The long history of color conscious definitions of legally sanctioned racism seemed to begin to be restrained in the *BROWN* decision of 1954.

"Many of us born since that time have leaned on the Supreme Court as the sword and shield which would end the racism which permeates every institution of this society.

"But *BAKKE* teaches us that the court is moved by political considerations in 1978 just as it was in 1876 and in the years after the Civil War when the rights of Black people were defined by political expediency.

"Just as the Republicans in 1876 conceded the rights of freed slaves to placate the southern slavocracy to support their candidate, Rutherford Hayes, in 1978, in the rising tide of public discontent with a shrinking job market, inflation and distrust of public and elected officials, the Supreme Court has said to us all, that we can not find the key to liberation in the highest court in the land; that ultimately, the court will be moved by considerations of politics and not law; by considerations of expediency and not justice.

"The message is clear.

"We have gone full circle in a few short years and the struggle must begin anew. It is clear that the impact of this ambiguous decision will define much of our legal work in the future."

*Other domestic events* of this period commanded our attention as well. Some of these are cited below:





The random arrests of Black and Hispanic men, women and children during the *New York City blackout* on July 13-14, 1977, were unparalleled in the modern history of the city. Almost 4,000 people were arrested and held under the most shocking of conditions for days. Among other things, they were jammed into sweltering detention pens with none or wholly inadequate sanitary facilities, denied sufficient food and water for hours and, in some cases, even days, not allowed to contact families or lawyers and not brought before a court for arraignment and the setting of bail until long after the legally permissible period.

The National Conference of Black Lawyers, in conjunction with the Center for Constitutional Rights, the Association of Legal Aid Attorneys, and other lawyers, filed a 500 million dollar damage suit against the City of New York charging Mayor Beame, Police Commissioner, Michael Codd, Corrections Commissioner Benjamin Malcolm and other City Officials with responsibility for the police brutality (*Walton v. Beame*), the arrests of hundreds of innocent persons, the inhumane treatment of detainees and the other constitutional violations that occurred during the blackout and its aftermath.

The defendants were also charged with responsibility for the innumerable arrests made without supporting evidence, illegal searches and seizures and the incarceration of minor children with adult prisoners.

NCBL noted the racist character of the "official" action taken during the blackout as well as the "righteous" stance assumed by the press and called upon all people and organizations to join together to focus attention on the desperate economic situation of the communities hardest hit by the looting. NCBL took the position that looting can be prevented only when social and economic inequalities in this city have been erased. NCBL also called for a *Citizens' Commission of Inquiry*, a body composed of church, civic and legal organizations to investigate the causes of the violence and to make recommendations regarding future disorders.

The National Office co-sponsored a *National Public Policy Conference* with other advocacy groups concerned with the erosion of human services throughout the country: child care; employment; criminal justice; nutrition; welfare; and health to meet under the overall theme, "*A New Spirit for Domestic Action*," grassroots and professional advocacy groups held simultaneous caucuses to develop alternate models for the delivery of human services for Federal decision makers.

Michael Lasley, Esq. of the D.C. Chapter and Chapter Chairperson John Garland worked closely on the agenda for this conference held in March, 1977 in Washington, D.C.

In January, 1977, Co-Chairperson Hope Stevens moved the admission of seven NCBL lawyers before the *Supreme Court*. Co-Chairperson Judith Bourne, S.C.; Stan Tolliver, Ohio; Derrick Humphries, Washington D.C.; Gilbert Holmes, N.Y.C.; Henry McFarland, S.C.; Alvin Chambliss, Miss.; and Lennox S. Hinds constituted the first NCBL group swearing-in in the history of the Supreme Court. John Garland and Ivy Davis of the D.C. Chapter coordinated the second group of admittees in 1978.

Also in January of 1977, the National Director gave testimony on behalf of the Conference against the *nomination of Griffin Bell* as Attorney General before the *Senate Judiciary Committee*. In a statement presented by Professor Haywood Burns, the Conference expressed its concern about Mr. Bell's role in the Fifth Circuit Court of Appeals as one of the prime architects in the pattern of opposition to desegregation which blunted the Supreme Court's mandates by impeding their implementation and by narrowing their construction and reach. In addition, NCBL expressed our opposition to the Bell candidacy based on his conduct as Chief of Staff to Georgia Governor Vandiver at the time of the state's overt massive resistance to desegregation when Mr. Bell played a crucial legal role in Georgia's segregationist stance. NCBL further commented on Mr. Bell's inappropriateness for selection as the head of the Justice Department by the justification and rationalizations of his memberships in private clubs with notorious racist admissions policies.

NCBL's opposition to Mr. Bell was offered with the NAACP, The Congressional Black Caucus, Julian Bond and others.

As the peoples of *Africa* intensified their struggles for liberation in this period, the nexus between American foreign policy and domestic racism became manifest.

In 1976, during the struggle to liberate *Angola*, mercenaries were overtly being recruited in the United States to fight with South Africa and other reactionary forces in contravention of 18 U.S.C. §958, 959, 960. When Lennox Hinds and Hope Stevens served on the *International Commission of Enquiry on Mercenaries* and were involved in the drafting of the convention on the prevention and suppression of mercenarism (*Luan-da Convention*). They observed the trials of the American and British Mercenaries who testified on the complicity of U.S. and British officials in their recruitment.

Subsequent congressional hearings corroborated the intervention of the CIA in the attempt to frustrate the establishment of a liberated Angola.

American corporate investments in *Southern Africa* support the racist minority government and the economy which is built on the sweat and exploitation of the African people.



In 1977, Co-Chairperson Judith Bourne served as a delegate to the *World Conference Against Apartheid and Colonialism* in Southern Africa, held in Lisbon, Portugal, which was scheduled to coincide with the commemoration of the Soweto uprising.

Lennox Hinds presented a paper on the *Legal Aspects of Mercenarism* to the Eighth Conference on the *Law of the World* held in Manila, the Philippines in August, 1977 at the invitation of the *World Peace Through Law Center*.

In November, 1977, the National Director was extended the unique honor and opportunity to present a statement before the United Nations Special Political Committee on *Apartheid*. This invitation was extended to the conference after Hope Stevens was denied a visa to South Africa so that he could act as an observer at the inquiry into the brutal death of Steve Biko. The National office had issued a series of statements to the media and to the U.N. community in opposition to the increasing lawlessness in South Africa.

The text of the National Director's presentation at the U.N. is presented below as an example of NCBL's concern for the human rights of Black and Third World people throughout the world and an agenda for demonstrating that concern in the United States.

Mr. Chairman, members of the Special Committee, delegates, members of the International Community, fellow NGO's, the National Conference of Black Lawyers welcomes this opportunity to address this committee on the issue of *Apartheid*.

Since its inception in 1968, the National Conference of Black Lawyers (NCBL) has been deeply involved in the struggle against racism and economic oppression in the United States. In that struggle NCBL has established itself as an activist organization of the Black bar, utilizing the skills and expertise of its membership of approximately 1,000 Black attorneys and jurists and over 5,000 law students to litigate issues of community concern, defend the politically unpopular, monitor governmental

activities that affect the Black community and challenge attempts to decrease the Black bar through lower law school admissions, discriminatory bar examinations and judicial or bar sanctions.



**Anti-Apartheid Demonstration, Johannesburg  
BREAK UP PROTEST**

**JOHANNESBURG, SOUTH AFRICA: Police break up anti-Apartheid demonstration.**

By 1972 NCBL had recognized the relationship between domestic and international issues and our responsibility to oppose U.S. foreign policy; we recognized our true constituency as Black and Third World people throughout the world. This broadened perspective led NCBL to acquire the status of Non-Governmental Organization (NGO) at the United Nations and to establish an *International Affairs Task Force* as the organizational mechanism through which the policy for NCBL's international programs would be developed and implemented. The work of the Task Force has been wideranging and has included the following activities: participation on the Committee for Justice in Chile; an investigation of possible legal recourse against the United States for its role in the overthrow of the government of Dr. Salvador Allende; support for the drought ridden African Sahel; briefings for the Congressional Black Caucus of the U.S. Congress on the issue of the U.S. embargo of Cuba; and representation at a special Seminar on Angola held in Havana, Cuba in February, 1976.

In addition, NCBL has sent delegates to the *Tenth International Conference of the I.A.D.L. in Algiers* and the *Emergency Conference* held in Luanda, Angola in February, 1976 by the Afro-Asian Peoples Solidarity Organization. Delegates from NCBL served on the International Commission of Enquiry on Mercenaries in Luanda, Angola in June, 1976 and presented a paper on the Legal Status of Mercenaries to the Eighth Conference of the Law of the World, Manila, Philippines in August, 1977. In June, 1977, NCBL participated in the World Conference against Apartheid, Racism and Colonialism in Southern Africa.

During the years 1975 and 1976 NCBL's international activities have concentrated most heavily on the struggles in *Southern Africa*. In consultation with representatives of the *liberation movements of Zimbabwe, Namibia and South Africa*, NCBL has taken steps to investigate the legality of the recruitment of U.S. mercenaries to fight anywhere in Southern Africa; prevail upon the U.S. to declare a complete arms and technical embargo on the illegal white minority regimes of southern Africa; establish an NCBL research group on the activities of U.S. *multinational corporations* in Southern Africa; and press for appropriate sanctions against multi-nationals

doing business in or with the illegal minority regimes in Southern Africa, including loss of power to do business in the U.S. and loss of tax advantages.

In opposition to *Apartheid*, specifically, NCBL's national convention passed resolutions mandating the organization to formulate strategies for the expulsion of South Africa from the United Nations; support the cultural boycott of South Africa; exert pressure on the U.S. to break diplomatic relations with South Africa; support the efforts of nations bordering the Indian Ocean to have the Indian Ocean declared a zone of peace and have the U.S. base at Diego Garcia dismantled; oppose any official U.S. recognition of the Bantustans; and to offer ongoing legal support for the *African National Congress* of South Africa and the *Pan Africanist Congress* on Azania.

In keeping with its traditional role as an advocate of prisoners whose incarceration was a direct result of political activities, NCBL, in its opposition to *Apartheid*, has focused primary attention on the plight of political prisoners in South Africa. Hundreds of opponents to *Apartheid* are now under detention in *South Africa* and *Namibia*. The charges stem from activities which merely criticized the government or expressed Black pride. New arrests and convictions are constantly occurring--on March 19, 1976, Joseph Mduli died in jail 24 hours after being detained for questioning; on May 12, 1976, four members of the SWAPO 6 were convicted, two were sentenced to death and two were sentenced to five to seven years of imprisonment.

Since 1963, forty one political detainees have died in South Africa.\*

1. The number of deaths in detention has increased at an alarming rate. Nineteen of the 41 dead occurred since 1976. The breakdown:

YEAR	NUMBER DEAD
1977	11
1976	8
1971	2
1969	8
1968	1
1967	2
1966	3
1965	2
1964	2
1963	2

2. Of the 41 who have died, 13 have died within a week of detention; of the 13, nine have died within 24 hours and two within four hours. The longest period that a detainee has been held prior to death has been 140 days, and that detainee was the first of the 41 to die. The shortest period has been within two hours of detention.

3. The majority of those found dead in detention, have, according to police reports, died as a result of suicide by hanging. The figures:

Suicide by hanging	15
Natural causes	11
Falling from stairs or window	6
Suicide	2
Slipped in shower	2
Application of force to neck	1
Starvation	1
Causes still undisclosed	3

4. Most of the deaths have occurred in the Pretoria/Johannesburg region. Of the fifteen deaths attributed to suicide by hanging, six occurred in Pretoria alone.

\*Statistics were compiled by the Southern Africa Project of the Lawyers' Committee for Civil Rights Under Law



Pretoria	11
Johannesburg	7
Transkei	3
Port Elizabeth	3
Capetown	3
Durban	3
Pietermaritzburg	2
Leslie	1
Kimberly	1
East London	1
Natal	1
Unknown	4

5. The majority of those detained were held in terms of the Terrorism Act. Indeed, following its enactment, only three of those who died were held under other legislation:

Terrorism Act, No. 83 or 1967	24
Criminal Procedure Amendment Act, No. 96 or 1965	4
General Law Amendment Act, No. 37 of 1963	3
Transkei Proc. R400 of 1960	3
General Law Amendment Act, No. 62 of 1966	2
Riotous Assemblies Act of 1914 as amended	1
Statute unknown	4



6. Most of the deaths occurred in the months of September and January. The breakdown:

September	10
January	7
February	4
August	4
March	3
November	3
June	2
July	2
October	2
December	1
May	1
April	1

7. The oldest to die while in detention: Bayempin Mzizi, Age 62.

8. Youngest to die in detention: Dumisane Mbathe, Age 16.

9. Mention should be made that while 41 political detainees have died since 1963, countless numbers of non-political detainees have died while in police custody. Their number, like those of political detainees, has escalated in the last year. In 1975, ninety-two political detainees died in police custody. In 1976, that figure had risen to 117 dead.

1. MAMPE, Bellington	September, 1963
2. NGUDLE, Looksmart Solwandle	September 5, 1963
3. TYITA, James	January 27, 1904
4. SALOOJEE, Suliman	September 9, 1964

5. GAGA, Negene	July 5, 1965
6. YOYE, Pongoloshe	May 9, 1965
7. HAMAKWAYO, James	1966
8. SHONYEKA, Hangula	October 9, 1966
9. PIN, Leong Y.	November 19, 1966
10. YAN, Ah	January 5, 1967
11. MADIBA, Alpheus	September 9, 1967
12. TUBAKWE, J.B.	September 11, 1968
13. UNKNOWN	January, 1969
14. KGOATHE, Nicodimus	February 4, 1969
15. MODIPANE, Solomon	February 28, 1969
16. LENKOE, James	March 10, 1969
17. MAYEKISO, Caleb	June 1, 1969
18. SHIVUTE, Michael	June 16, 1969
19. MONNAKGOTLA, Jacob (Mark)	September 10, 1969
20. HARON, Iman Abdullah	September 27, 1969
21. CUTHSELA, Mthayeni	January 21, 1971
22. TIMOL, Ahmed	October 27, 1971
23. MDLULI, Joseph	March 19, 1976
24. MOHAPI, Mapetla	August 5, 1976
25. MAZWEMBE, Luke	September 2, 1976
26. MBATHA, Dumisane	September 26, 1976
27. MAMASILA, Ernest	November 18, 1976
28. MOSALA, Thalo	November 26, 1976
29. TSHAZIBANE, Wellington Mlungisi	December 11, 1976
30. BOTHA, George	December 15, 1976
31. NTSHUNTSI, Nanoath Dr.	January 8, 1977
32. NDZANGA, Lawrence	January 8, 1977
33. MALELE, Elmon	January 20, 1977
34. MABELANE, Matthews	February 15, 1977
35. MALINGA, Samuel	February 22, 1977
36. KHOZA, Aaron	March 26, 1977
37. MABIJA, Phakamile	July 7, 1977
38. LOZA, Elijah	August 2, 1977
39. HAFJEJEE, Hoosen Mia	August 3, 1977
40. MZIZI, Bayenpin	August 15, 1977
41. BIKO, Steve	September 12, 1977



Lennox Hinds addressing the OAU, Addis Ababa, 1978

NCBL made extensive preparations to send two legal observers—one, a prominent member of the Black bar and Co-Chairperson of NCBL's Board of Directors and a distinguished Black judge—to attend the trials of the nine members of the South African Student Organization being tried in Pretoria under the South African Terrorism Act. An overall consideration of the indictments in this trial and more particularly the specific activities around which the accused were being charged, leaves little doubt that the trial was directed at the whole concept of Black consciousness and its implications for the South African situation. We are convinced that these trials, as well as the direction of many other *Apartheid* prisoners, are being used as a means of retarding Black opposition to the government barbaric and repressive policy of "separate development." The trials should, however, be used by oppo-

nents to *Apartheid* to expose the harsh and stringent security laws and sophisticated forms of repression which belie the conception that the South African government is making a real effort at meaningful social change.

For the above stated reasons these trials must not go unnoticed by the concerned international community. International legal observers are important because they not only represent an expression of concern for those on trial, but, by their presence during the trial, they exert some pressure on the court to maintain at least the measure of procedural fairness provided by the law. In addition international observers would guarantee a level of publicity to the proceedings that would normally be suppressed by the South African government.

It is particularly important for representatives from the National Conference of Black Lawyers to observe these trials. As an organization concerned particularly with justice, NCBL should not fail to participate in a trial which so obviously threatens international concepts of justice. As an organization which has been so deeply involved in the defense of political prisoners in this country, and which has involved itself generally in international affairs, NCBL should extend its concerns for political prisoners in a meaningful way to the international level. Finally, as an organization of Black Americans who developed the idea of Black consciousness into a political tactic, it is particularly fitting that NCBL be present when that tactic is put on trial in South Africa and to show solidarity with our brothers and sisters in the struggle.

Last week the NCBL requested a permission from the South African government for New York Attorney Hope R. Stevens, Co-Chairperson of the NCBL Board of Directors to attend the Government Inquest into the unexplained death of SASO founder, Steve Biko, in a Pretoria jail while in political detention.

As yet the South African government has failed to grant the visa applications to the proposed NCBL legal observer. The NCBL questions, therefore, the intent of the South African government to hold open trials which will stand the test of international concepts of justice and due process. The reluctance to permit international legal observers to attend the trials suggests that the campaign of arrest, detention and torture of the innocent Black citizens of South Africa will be continued by mock trials which will only validate death sentences that were actually rendered before the so-called "crimes" were committed. NCBL, therefore, calls on all governments, international organizations, and movements actively opposing Apartheid to:

**denounce** the South African government's use of the repressive Terrorism and Suppression of Communism Acts to suppress legitimate protest for human and social rights:

**denounce** the imprisonment and torture of hundreds of opponents to *Apartheid* in South Africa and Namibia; and

**urge** the Secretary-General of the United Nations, in the interest of justice and human rights, to demand that the government of South Africa open all political trials to the international community without restriction and permit legal observers from the National Conference of Black Lawyers to attend the inquest presently in progress in Pretoria, South Africa.

In addition, as a national organization within the United States, the NCBL calls upon the President of the United States to

1. Recall the U.S. Ambassador to South Africa for consultation.
2. Downgrade the U.S. mission to South Africa.
3. Eliminate U.S. commercial, defense and agricultural attaches to South Africa. End all U.S. - South African co-operative agency agreements such as the ones with Treasury, Department of Defense.

## A Special Cautionary Note on Harassment of Black Judges and Lawyers:

Over the last decade of NCBL's existence Judicial and Bar association attacks on activist lawyers and judges who are outspoken on behalf of their clients and critical of the racist and oppressive character of the criminal justice system have sharply increased, coincident with the increase in the number of minority and activist persons entering the practice of law.



It is the Conference's position that only concerted national efforts by lawyers and the community will protect the first amendment rights of lawyers and judges to speak openly against the repressive conduct of judges and prosecutors in the courtroom; prison administrators and guards in the jails and prisons and in the performance of law enforcement officers. We must be concerned not only because individual lawyers livelihood are threatened but because the rights of minorities and activists can only be protected by an aggressive bar that will not stand mute in the conspiracy of silence that provides tacit acquiescence to the inequitable operation of this legal system.

Below is a listing of just a few of our members who have been threatened by bar sanctions for their uncompromising representation of our constituency. Earlier, we discussed the case of our colleague *Jerry Paul*, Joanne Little's counsel as he continues his fight against disbarment in North Carolina for his successful representation of *Joanne Little*.

*Judge Bruce M. Wright*, whose transfer from the criminal bench in 1975 was a primary focus of the Conference, has been consistently harassed in official circles and the media by the PBA, judicial bodies and the New York Prosecutor office from the time he assumed the bench.

In 1972, Judge Wright, who is a former Treasurer of the Metropolitan New York NCBL Chapter, came in for official



sanctions because of remarks he made from the bench rebuking a white prosecutor for his manifest racism. Judge Wright had already been under heavy criticism because he was thought to be too lenient in his bail setting practices in the cases of impecunious defendants—especially black and Puerto Ricans. NCBL made legal counsel available to Judge Wright, and the National Office took up the matter with the supervisory judge. During this period the local NCBL chapter held a well-attended testimonial dinner in honor of Judge Wright.

There was also a prominent NCBL support in 1972 for Black lawyer *Hudson Reed* who was set upon and beaten by police officers in a Brooklyn, New York, police station while attempting to visit a client.

In 1972-1973, the National Director personally appeared as counsel for two NCBL attorneys—on different coasts—*Sa'ad El'Amin*, then, Jeroyd X. Greene of Richmond, Virginia, had refused to go forward with the defense in the capital case of a black teenager charged with killing a white man when it appeared to him that the jury venire had been manipulated to ensure an all-white jury. After a hearing, a jail sentence for Mr. Greene was suspended, and shortly thereafter the court initiated action to bar him from practicing in the Richmond Criminal Courts.

At approximately the same time, NCBL San Francisco attorney *Ed Bell* refused to go forward when a local judge declined to honor Mr. Bell's statutory right to automatically disqualify the judge for prejudice. Although Mr. Bell was sentenced and jailed after a hearing, his release was speedily obtained on a federal habeas corpus.

*Joseph R. Mack*, Co-Chairman of the NCBL Metropolitan New York Chapter, was found in contempt and sentenced to jail or an alternative fine for attempting to inquire as to the racial bias of a prospective juror on voir dire. NCBL attorneys won stay of the sentence pending appeal. *National Co-Chairman Robert L. Carter* took the matter up with the administrative and presiding justices of the Court, and a leading columnist devoted an entire column to the case. An exhaustive brief was filed on Mr. Mack's behalf by NCBL attorneys Napoleon Williams, Robbie Dix, and James S. Carroll. Without hearing argument, a unanimous appellate court overturned the contempt conviction and ruled in Mr. Mack's favor.



In 1974-75, *Howard Moore* was cited with contempt during the course of the proceedings in *People vs. Bingham*, California. He was represented by Haywood Burns, Ed Bell, and Leo Branton in his appeal of the contempt finding.

*Evelyn Williams* was sentenced and served ten days in jail for contempt by Judge Gagliardi during the course of the Chesimard-Hilton trial. NCBL attorneys Harold McDougall, Lennox Hinds, Leroy Clark, and Napoleon Williams handled the appeal which was denied. NCBL member Prof. Norman Amaker assisted Ms. Williams in her unsuccessful petition for certiorari to the U.S. Supreme Court.

*Margaret Burnham* was subjected to an investigatory probe by the Ethics Committee of the Massachusetts Bar which resulted from her objection to the racial biases of the judge towards a client during trial. The National Office consulted with Ms. Burnham during the pendency of the investigation which was subsequently dropped.

In 1975-76, the National Director intervened on behalf of NCBL attorney *Conrad Lynn* who was being subjected to investigations by the Ninth Judicial Bar Association grievance committee stemming from a complaint filed by the Police Benevolent Association (PBA).

At issue was a statement made during the course of a speech before the County Legislature's Criminal Justice Committee, in which Attorney Lynn described the shooting of a Spring Valley, (N.Y.) minister by local police as "murder" - allegedly prejudicing the case against the officer who has been charged with negligent homicide. In an Opinion letter to the Bar Committee, the National Director asserted the First Amendment protection of Mr. Lynn's statement, and additionally argued that all activist attorneys have an affirmative duty to speak out and criticize the criminal justice system of which they are an essential part.

Mr. Lynn moved in the Appellate Division, Second Department for an order requiring the Bar Committee to drop its charges on the basis of the United States Constitution guarantee of freedom of speech which was granted.

In January, 1977, during the *Assata Shakur trial* in New Brunswick, a press conference was called to publicize the perceived racism in the prosecution of Assata Shakur. After the press conference, *Lennox Hinds* was quoted in the New York and New Jersey press as saying that he believed that the trial was a travesty; that the presiding judge did not have the judicial temperament or racial sensitivity to sit as an impartial judge; that it was a lynching; that members of the defense team had been gagged by the judge; that the questions posed by the judge to the jurors were leading to the creation of a hangman's court; and that the judge should recuse himself. Some weeks later, the New Jersey Middlesex County Ethics Committee informed Mr. Hinds that an investigation of him was initiated. It was the National Office's position that Hinds' statements were made in his capacity as chief spokesperson for the NCBL and were no more than the valid exercise of the First Amendment rights guaranteed to every citizen.

Despite massive citizens' and community organization protests, the Ethics Committee did not abandon their task; the investigation continued, and they subsequently formally charged him in 1978.



In response to the filing of formal charges, the *Garden State Bar Association*, the *New Jersey Association of Black Women Lawyers* and the NCBL filed a 42 USC §1983, 1985 complaint in Federal District Court against the Middlesex County Ethics Committee for an injunction to restrain defendants from continuing disciplinary proceeding against Hinds which affected not only his rights but chilled the work of all black attorneys in the state. The organizations further asked that the disciplinary rules of the New Jersey Supreme Court be declared unconstitutional.

They claimed further that the proceedings as invoked against Hinds were intended to curb him and other activist attorneys from speaking out against racism in the courtroom and legal system. Plaintiffs alleged that the actions of the Ethics Committee interfered with the ability of any

Black Bar Association or its members exercise of the fundamental rights of free speech, assembly and association as well as their right and duty to eliminate racism within the United States and its institutions, as a vestige of slavery in violation of the 1st, 13th and 14th amendments to the United States constitution.

The Federal District Court abstained from the issue under the doctrine of *Younger v. Harris*, on the theory that Ethics inquiries are state proceedings. The Federal ruling is being appealed.

Meanwhile, the Ethics Committee is moving forward against Hinds, despite the thousands of community people who have petitioned them to desist and the many letters from lawyers and lawyer groups throughout the United States who have written on behalf of the chief spokesperson of the NCBL.

Since 1977, *Charles Roach* Chairperson of the International Affairs Taskforce, Founder of the *Canadian Chapter*, has been under threat of disciplinary action from events arising from his representation of a client who filed a law suit against Toronto police officers for injuries he sustained in a beating.

In 1978, race hate groups are burgeoning throughout the United States; *the Klan is rising* in the South. In *Tupelo, Miss.*, as a result of their vigorous legal defenses of community activists demonstrating against the Klan, NCBL General Counsel *Lewis Myers* and other NCBL attorneys of North Mississippi Rural Legal Services are being threatened with disciplinary charges.

Also in Mississippi, while Board Person *Sentwali Aiyetoro* was representing a client on a disorderly persons charge, he challenged the judges' alleged bias toward the defendant. He was summarily fined \$200.00 (\$100.00 more than the Statutory limit) after a short incarceration, and barred from this

judge's courtroom for a year. The Circuit judge who heard *Sentwali's* appeal remarked that the court below had been too lenient.

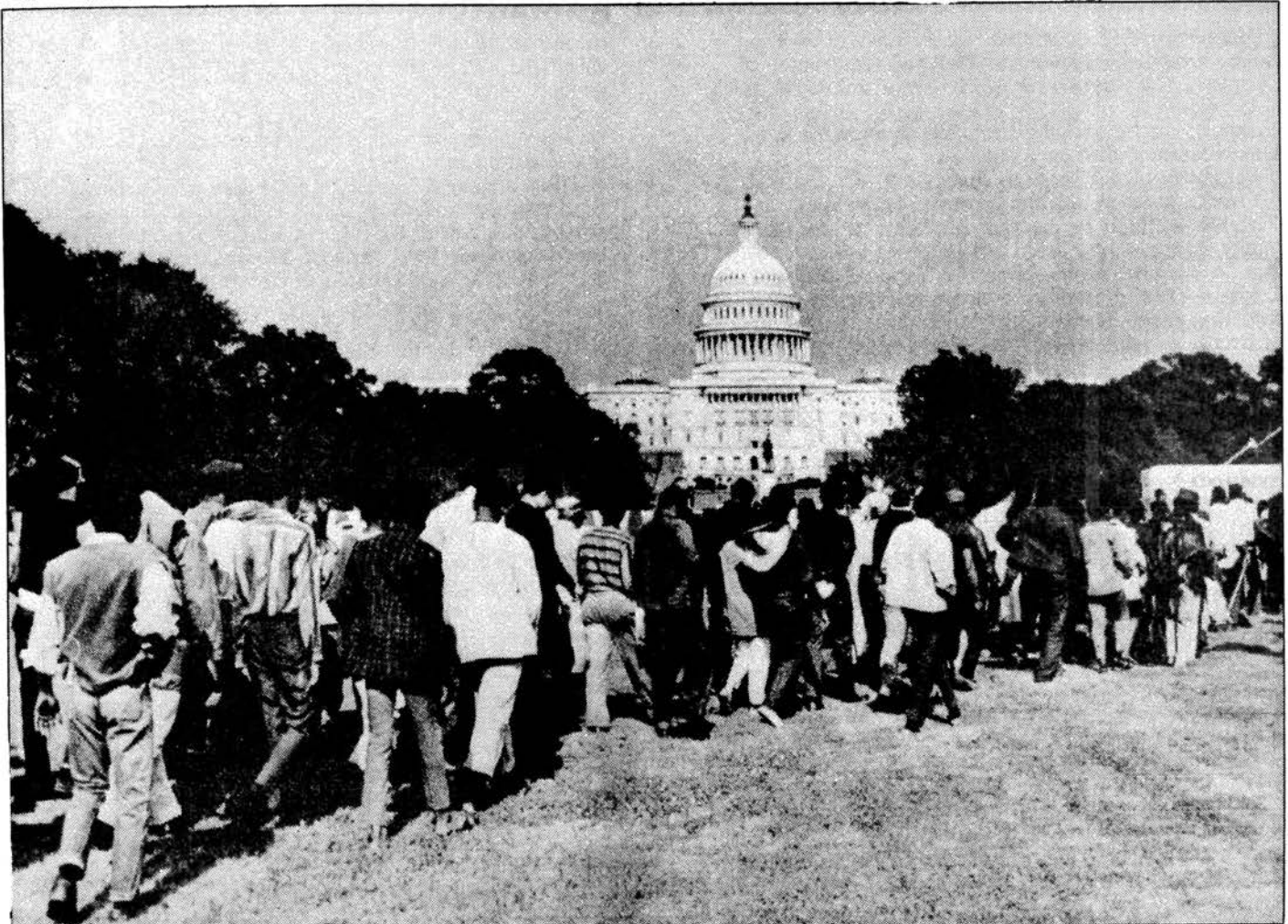
Only a few of our members who have been formally prosecuted for their aggressive leadership and articulate defense of the legal and human rights of minority people before the courts are cited here. We are aware of the daily skirmishes our members face in the normal course of their practice as a staple of their existence. We can anticipate that these attacks will only accelerate as we see increasingly repressive policies and practices in regards to minority people in the United States.

It can not be too strongly emphasized that we must be tightly organized and uncompromising in our unified reaction to harassment and charges which flow from our responsibility to our constituency. Each of us is vulnerable individually. ***Members are urged to notify the National office of any attorney or judge in their region who is being subjected to harassment for their dedication to the principles of eliminating racism wherever it may be.***

Looking back upon this report, I realize how many issues and activities we have not mentioned; how many people we have not lauded for their work and contribution to the organization and to the interests of the people.

About one thing we can be clear: NCBL Brothers and Sisters have been involved in every major event of this decade in support of the peoples movement and in defense of justice. My tenure in the National office in association with our creative, dedicated and principled membership and clients has and will be the source of my own commitment to change in the years to come. . .

“Only Through Struggle.”





# NCBL Financial Supporters: A Partial Listing

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Commission for Racial Justice

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Sincere appreciation is also extended to all individual contributors and NCBL members for their support.

## NCBL: The National Organization

In December, 1968 seventeen black lawyers met in Capahosic, Virginia to launch the National Conference of Black Lawyers. The purposes for which they organized NCBL were:

1. To analyze and study problems of Black attorneys in the United States in their legal practices.
2. To encourage Black youth to study law.
3. To work for the elimination of racism in the law.
4. To give attention to the root problems of the Black community.

In the decade since its inception the National Offices of NCBL has worked to establish a structure designed to implement these goals. The organizational structure that has evolved over these years reflects the very character and nature of NCBL.

NCBL is an activist bar association designed to utilize the skills and services of its membership to attack institutional racism through the mechanisms of law. Although the organization provides services to its members, NCBL differs from most purely professional associations by focusing its efforts on the problems of the larger Black community.

Over the years NCBL has distinguished itself by carrying out a program of criminal defense of the politically unpopular, and by initiating affirmative suits to enforce the rights of Black people in prisons, educational institutions, employment and in all areas of the judicial process. The National Conference of Black Lawyers National Office provides services to its membership through attorney-client referrals, continuing legal education programs, employment referrals and watchdog activities on law school admissions, retention problems, bar examinations, and the defense of Black lawyers and judges facing racially motivated judicial or bar sanctions.

## Structure of the Organization NCBL Chapters

The individual members of NCBL are organized around a national network divided into seven geographical regions each

encompassing several states and municipal chapters. Each local NCBL is a creation of the parent corporation but operates under the direction of their locally elected officers.

Chapters may be comprised of lawyers from a single municipality or where the membership is scattered, the chapter may cover an entire state.

There are seven regional directors on the National Conference of Black Lawyers Board, each representing a separate geographical area of the country. In addition to their duties as board members, these regional directors help coordinate the activities of the local chapters in their respective region.

## NCBL Task Forces

In addition to the chapter structure, NCBL maintains several Task Forces that make policy recommendations to the National Office and conduct research in the various areas of law to which they are assigned. These task Forces are made up of members who have experience or expertise in the assigned field. Current NCBL Task Forces include:

- Prisoners Rights
- Military Justice
- International Affairs
- Legal Education and Bar Admissions
- Criminal Justice
- Juvenile Justice
- Communications Law
- Legal Services
- Economic Justice

Task Forces are created by the recommendations of the membership at the annual conventions. When these recommendations are approved by resolution of the general membership, the National Office will formerly designate a task force, appoint members and move its initial organizing meeting.

## National Office

The local chapters, the Task Forces and various special projects are all coordinated by the National Office of NCBL. This

office is staffed full time by a director, an associate director, administrative assistant, special project staff and support staff, and is assisted by numerous cooperating attorneys and volunteer staff. The National Office and the Board are also represented by a general counsel to the corporation.

The Task Forces assist the Board by providing in depth analysis of various issues that may evolve into policy positions, and they aid the National Office by providing technical assistance and issue analysis in the various areas of law in which the organization is active.

## Interrelationships with other Organizations

Board Members and National Staff persons provide linkages with a broad array of professional and community organizations. In addition, where every possible, state and local chapters of NCBL attempt to involve other groups and individuals who are prepared to work jointly on any aspect of NCBL activities. Among the organizations with which NCBL is working cooperatively are:

- Black American Law Students Association
  - National Bar Association
  - La Raza
  - American Indian Student Association
  - National Lawyers Guild
  - American Civil Liberties Union
  - Law Students Civil Rights Research Council
  - Coalition of Concerned Black Americans
  - Center for Constitutional Rights
  - National Black United Fund
  - Operation Push
  - NAACP Legal Defense and Education Fund Inc.
  - Urban League
  - Black Economic Research Center
  - Congressional Black Caucus
- and many others . . .

The National Conference of Black Lawyers is a unique organization. Our membership includes judges, lawyers, law students, government officials, and concerned lay people; all dedicated to utilizing the mechanisms of the law to defend the rights of black people, advance the cause of social justice and to secure for Black Americans and the rest of the country a life of dignity where the protection of fundamental human rights prevails.

## Past Awardees of the National Conference of Black Lawyers

- 1972 - Lawyer of the Year      Howard Moore, Esq.,  
California
- 1972 - Judge of the Year      Hon. Robert L. Carter,  
New York

- 1973 - Lawyer of the Year      Conrad Lynn, Esq.,  
New York
- 1973 - Judge of the Year      Hon. Damon Keith,  
Michigan
- 1973 - Chapter of the Year      Mississippi Chapter
- 1973 - Frank D. Reeves  
Award      Prof. Herbert Reid,  
Washington, D.C.
- 1974 - Lawyer of the Year      Sa'ad El Amin, Esq.,  
Virginia
- 1974 - Judge of the Year      Hon. Bruce Wright,  
New York
- 1974 - Chapter of the Year      Northern and Southern  
California
- 1974 - Frank D. Reeves  
Award      Hon. Barbara Jordan  
Texas
- 1975 - Lawyer of the Year      C. B. King, Esq., Georgia
- 1975 - Judge of the Year      Hon. George Crockett  
Michigan
- 1975 - Chapter of the Year      Cleveland
- 1975 - Frank D. Reeves  
Award      Derrick Bell, Esq.,  
Massachusetts
- 1975 - Special Services  
Award      Timothy Jenkins, Esq.,  
Washington, D.C.
- 1976 - Lawyer of the Year      Karen B. Galloway, Esq.,  
No. Carolina
- 1976 - Judge of the Year      Hon. H. T. Alexander,  
Washington, D.C.
- 1976 - Chapter of the Year      Chicago
- 1976 - Frank D. Reeves  
Award      Kenneth V. Cockrel, Esq.,  
Michigan
- 1976 - Special Service Award      Charles Knox, Esq., Illinois

## Members of the NCBL Boards of Directors 1968 — 1978

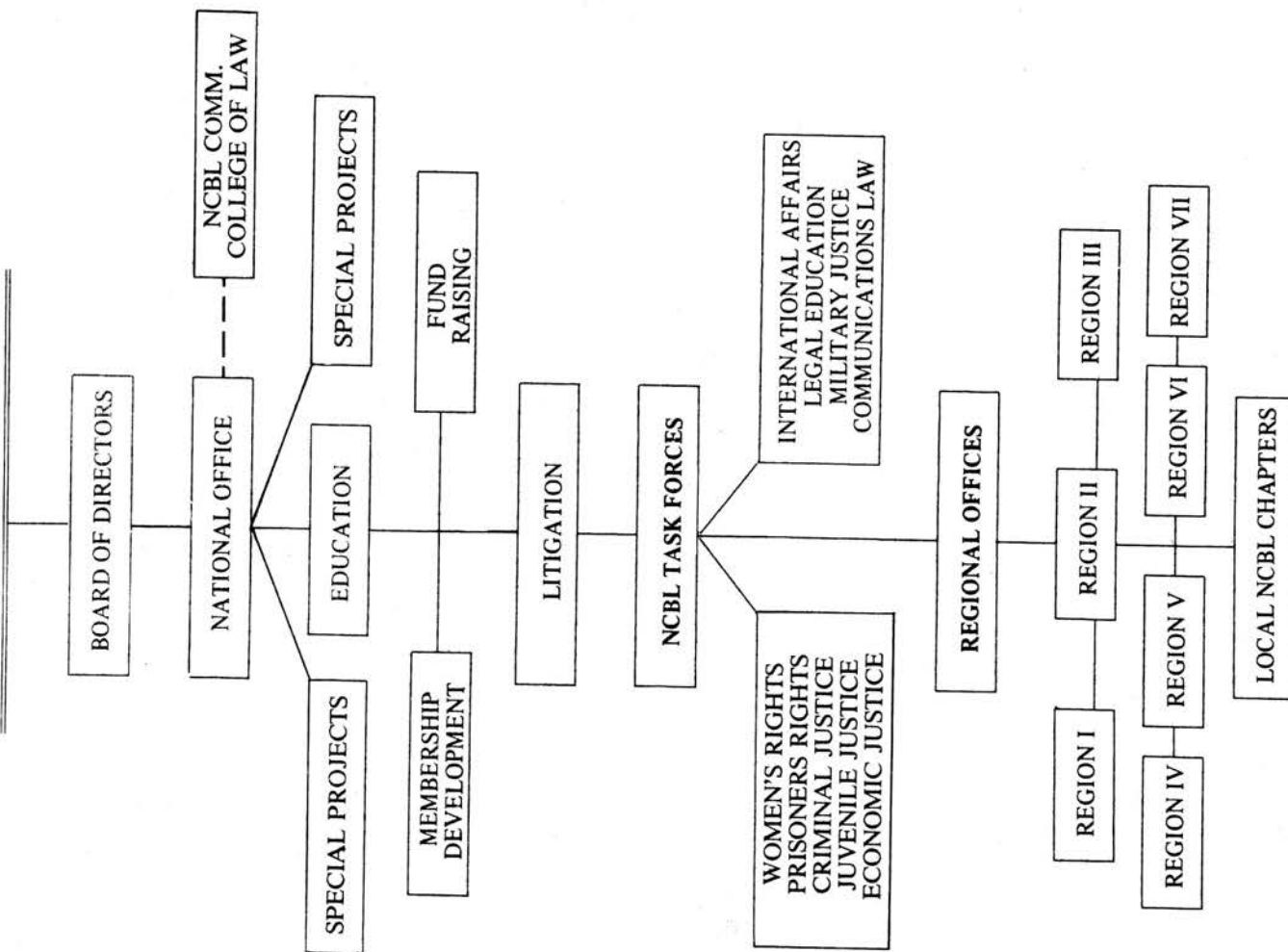
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NCBL ORGANIZATIONAL CHART



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