



LIBERATING SPEAR

25c

FEBRUARY, 1977

AFRICAN PEOPLE'S SOCIALIST PARTY

Vol.4 No.9

U.S. GOVERNMENT CONTINUES ATTACK ON REVOLUTIONARY BLACK WOMAN

by VICKI ADAMS

NEW BRUNSWICK, N.J.---The United States colonial government, for the fifth time in three years, will try again, on Jan. 17, 1977, to railroad African revolutionary Assata Shakur (colonial name Joanne Chesimard) into one of its concentration camps called prisons.

Shakur, an alleged member of the Black Liberation Army (BLA), has been forced to face three separate jury trials under the illegal and anti-Black laws of the U.S. North American colonial government.

Three times she was acquitted of charges of kidnapping, bank robbery and murder--all of which were manufactured by the state of New York and the federal government. A fourth charge was dismissed.

Shakur is a political prisoner of the U.S. colonial government who is being persecuted for her belief that Africans should be a free and self-determining people.

It is because of this belief and her actions to change our colonial status that the U.S. government targeted Shakur for the most barbaric treatment the



WOMAN

(Continued from Page 1)

U.S. North American ruling class state can dish out, including the real threat of being murdered or spending the rest of her life in prison. It is a fate the North American ruling class has pre-determined and reserved for any Black person who dares to struggle against our oppression.

Shakur is being persecuted because she has been stripping away the lies of the North American ruling class, exposing the dictatorship of the bourgeoisie and rallying African people in the U.S. around demanding independence and socialism.

This ability in any African leader poses a deadly threat to the U.S. North American ruling class which depends on colonized Africans for a ready-made market for its shabby goods, a reserve labor force and political buffer to maintain the stability of U.S. North American society.

It is because of this threat that Shakur, and hundreds others like her, are fighting for their lives within the U.S. judicial system. And because of her numerous sacrifices, her love for Black people and commitment to our freedom, Assata Shakur is worthy of emulation by all African people and should be supported in her attempt to become free from the colonial clutches of the U.S. North American state.

Framed For Murder

This time the U.S. government is gearing up for its fifth trial after being unsuccessful in its efforts to frame her in the four previous trials.

She is charged with the killing of a New Jersey state trooper, the wounding of another and, of all things, killing her murdered comrade, Zayd Malik Shakur (James Gaston).

The long ordeal began for Assata and two of her comrades, Zayd Shakur and Sundiata Acoli (Clarke Squire) on May 2, 1973 when they were stopped on the New Jersey turnpike for a broken taillight by State Troopers Werner Voensler and James Harper.

An alleged "shoot-out" occurred leading Zayd to be killed by the troopers, Assata and Squire

American (white) population.

Superior Court Judge Leon Gerotsky, did not grant Shakur's motion but ordered the proceedings moved to Morristown, Morris County, which has a 97 per cent North American population and is reported to be the richest county in the United States.

The trial was postponed for three weeks after it was "discovered" that Morris County could not produce a jury capable of giving Shakur and Acoli a "fair" trial.

Meanwhile, 15 days before Shakur was to be extradited to Riker's Island in New York to stand another trial, Twymon Myers, 23, also alleged to be part of the BLA, was ambushed and murdered in Bronx by FBI agents and New York City detectives.

New York Police Commissioner Crawley again boasted that the November 14, 1973 murder of Myers takes off the streets the "last" of the BLA.

During the postponement of the New Jersey trial, Shakur was shuttled to New York on November 28, 1973 to stand trial with Fred Hilton for bank robbery so that the state could railroad her into a conviction for the purpose of prejudicing the New Jersey trial.

Just three days after her transfer in federal court in Manhattan, the North American state tried Shakur for the second time, with the presiding judge, Lee Gargliardi, refusing to grant her time for defense preparation.



murdered by the trooper, as he was shot in the back with two .357 magnum bullet wounds in his back, one of which was fatal. Harper was wounded and killed in the same shooting.

Following one of the largest manhunts in New Jersey history, Acoli was captured two days later. Both he and Shakur were incarcerated in the Middlesex County Jail.

After their capture, the U.S. colonialist media bombarded the public with inflammatory stories in order to justify the murder of Zayd, and the legal lynching of Shakur and Acoli which was to follow.

The U.S. colonialist media, in collusion with the state, slandered Shakur, Acoli and the BIA as "cop-hating" and "cop-killing" revolutionaries. They also gave prominence to statements by New York Police Commissioner Donald Crowley that Shakur and Acoli's capture "took off the streets the last of the Black Liberation Army."

It was in the midst of this so-called "objective" reporting that jury selection began in New Brunswick five months later.

Shakur and Acoli were charged with felony "murder" of Zayd, murder of Trooper Foerster, attempted murder of Trooper Harper, illegal possession of weapons and armed robbery of a revolver (apparently one of the troopers.)

The state's entire case was to rest on Harper who admitted fleeing the scene after he was wounded "in order to call for help."

Jury Panel Disqualified

Jury selection for the trial of Shakur and Acoli began October 9, 1973 and during that process, an entire panel of 650 prospective jurors were disqualified because of widespread discussion of the case among themselves.

One prospective juror made the statement that "If she's Black, she's guilty." Some of the prospective jurors were fashioning nooses out of loose threads while awaiting questioning. Others were reading the colonialist book, *TARGET BLUE*, written by an officer of the New York City police department, which names Shakur as the "soul" of the Black Liberation Army.

As a result of such openly colonialist practices, Shakur asked for a change of site for jury selection to Essex County where there is not a majority North

SUNDIATA ACOLI

Gagliardi is the same judge who had just two months previous postponed the trial of Attorney General John Mitchell and Maurice Stans to allow the defense more time for preparation. (Mitchell and Stans were charged with perjury before the grand jury and obstruction of a major investigation of the Water-gate affair which exposed the corruption and treachery of the North American state to the North American people.)

Both Shakur and Hilton were not allowed to attend the trial after the judge barred them from the courtroom when they protested the lack of time for defense preparation. Shakur's defense attorney, Evelyn Williams, was charged with contempt of court for protest actions and was later found guilty and sentenced to 10 days in jail.

The jury could not find Shakur and Hilton guilty after deliberating for three days and two nights and a mistrial was declared. A new trial date was a couple of days later.

At the second trial, Shakur and Hilton were found not guilty.

Shakur was immediately dragged back to the Morris County Jail. Three days after she was acquitted, Shakur was indicted by Bronx prosecutors on charges of taking part in the shooting of two New York policemen.

Case Severed

On Feb. 1, 1976 Judge Bachman, again denying a change of venue, ordered the trial of Shakur and Acoli severed, ostensibly because of Shakur's announced pregnancy. Despite objections of the defense, Acoli was forced to be tried separately and Assata was ordered to Roosevelt Hospital in Edison, N.J.

The state apparently decided to try Acoli first and use that trial to test their frame-up case and

WOMAN

(Continued from Page 4)

to prejudice the trial of Shakur.

At the beginning of Acoli's trial, Prosecutor Amlin, in his opening statement, played on the media-created image of the "cop-killing" BLA, proclaiming Acoli "executed" Trooper Foerster with his own gun.

Acoli's defense attorney, McKinnley, in his opening statement, talked about Acoli's humanity and concern for the oppression and exploitation of the peoples of the U.S. Acoli received a B.S. degree in math at 19 and worked as a NASA computer operator in California.

He started working in the movement in 1964 as a voter registration person in Texas at a time when North American society was rabidly and openly opposed to Black participation in the U.S. North American electoral farce. He was also one of the Panther 21 who were acquitted in 1971 of allegedly "plotting to bomb public places."

"WE BLACK PEOPLE OUGHT NOT STAND IDLY BY AND LET THE SLAVENMASTER PLUNDER OUR TREASURES, OUR HEROINES, OUR WOMEN AND OUR HERITAGE OVER AND OVER AGAIN. THIS TIME ONLY BLACK PEOPLE CAN SAVE OUR PRECIOUS JEWEL ASSATA. THE COMMUNIST PARTY, U.S.A. IS NOT INTERESTED, SHE'S TOO FIERY; THE BIG MONEY BACKERS ARE HOLDING TIGHT, ITS A BAD INVESTMENT, SHE'S INCORRUPTIBLE, SO BLACK PEOPLE YOU GOT IT...ONLY BLACK PEOPLE CAN SAVE SISTER ASSATA. WE HAVE TO FREE OUR SISTER BY ANY MEANS NECESSARY."

of evidence. A month later, on September 12, 1974 Shakur gave birth to a baby girl, Kakuya (Hope for the Future). Just ten days after giving birth to Kakuyu, Assata was severely beaten by 11 guards for refusing to allow prison doctors to examine her after her return from the hospital. As a result of this brutal beating, Shakur suffered internal bleeding and head wounds.

Shakur was found not guilty for the third and fourth times on Dec. 19, 1975 and Jan. 16, 1976. With co-defendant Ron Meyers, Shakur was acquitted in Brooklyn in 1975 of armed robbery and kidnap charges. In January 1976 she was acquitted of bank robbery charges in Eastern District Court, also in Brooklyn.

Plot To Murder Acoli

Meanwhile inside Trenton State Prison (TSP), the prison officials hashed a plot to murder Acoli and other political prisoners. To cover up their plot and the murder of an inmate and the wounding of two guards, the officials claimed Acoli, with the aid of the BLA, attempted to break out of the prison.

The colonialist newspapers immediately picked up the lie in the same manner they reported the lies of the Attica prison officials that the prisoners had killed hostages in the 1971 rebellion, when in fact the state had murdered them.

Hakin Shaka, a prisoner at TSP described the incident differently. According to Shaka, on January 19, at 8 p.m., Captain Robert Glen Simmons lead a line of more than 50 guards with automatic weapons into the management control unit where political prisoners are kept and opened fire.

"All prisoners were locked in their cells except those who were allowed to take showers," Shaka wrote. "Andaliwa (John Clark), who had been let out 10 minutes before to take a shower was murdered by these racist pigs, shot over and over again."

"Prison guards, state police and city (Trenton) police fired automatic weapons throughout 7-wing (a "behavioral modification" unit) for over seven hours. Another prisoner, John Douglas, was shot and wounded as he walked from the pier with his hands over his head," Shaka said.

After the violent assault on the 7-wing, one prisoner was left mangled, another was wounded along with two

On the witness stand, James Harper, the wounded trooper who said he ran 200 yards to "call for help," claimed to have been wounded by Shakur, and that Acoli killed Foerster.

Killar-cop Shea, also testified that he fired in self-defense. (Shea was acquitted recently for the murder of 10 year old Clifford Glover who he shot in the back and kicked repeatedly after he was dead).

State Police Detective Norman Demeter, a ballistics specialist, testified that he found no readable fingerprints on the four guns allegeded to have been involved in the death of Trooper Foerster. He also testified that now powder burns were found on Acoli's hands when he was captured.

Acoli's defense attorney, in his closing statement, stated his innocence: "Out of 44 police witnesses brought forth by the prosecution, not one has proved conclusively beyond a shadow of a doubt" that Acoli killed Foerster. He asked the jury to find Acoli guilty of accessory after the fact.

Prosecuting Attorney Hamilton accused McKinnley of insinuating that Zayd killed Foerster and urged the jury to find Acoli guilty of "murder of Foerster in the first degree," "atrocious assault to commit murder" against Harper; "illegal possession of deadly weapons" and unlawful flight to resist arrest."

Acoli Get Life, 30 Years

On March 12, 1974 the jury, consisting of 12 North Americans and two Africans, found Acoli guilty. Four days later, he was sentenced to serve life plus 24 to 30 years in jail. It would have been 20 years before he was eligible for parole but even that may be jeopardized by a frame-up that occurred January 19, 1976 while incarcerated in Trenton State Prison, where he was taken 45 minutes after sentencing.

Two months after Acoli's conviction on May 6, 1974, Shakur--five months pregnant--was again extradicted to New York City to face assorted charges. She was incarcerated at the Women's House of Detention at Riker's Island.

Shakur was found not guilty on August 12, 1974 for the second time, on charges of attempt-

...of ... on the ... was left ... action was ... with ... prison ... and New Jersey state officials ... maintained that the prisoners had guns and were trying to escape.

Acoli, described by Shake as a "freedom fighter for the people who is loved and respected for his struggles against oppression," was charged with "being seen in the wing with a gun in his hand and trying to escape."

Witnesses say that the whole time the assault took place, Acoli was locked in his cell. Even so, he was indicted in August 1976 for the murder of Andaliwa, attempted escape and aiding attempted escape. He now faces trial in January 1977 for this frame-up.

The state grand jury, supposedly investigating the incident, ruled that the guards who actually killed Andaliwa and who shot Douglas as he emerged as instructed with hands in the air, acted "justifiably."

The politically active prisoners at TSP have organized the Trenton State Prison Collective for Freedom of Assata Shakur. In a newsletter prepared by the collective, TSP inmates stated their support for Shakur. She is characterized in the newsletter as "our highest example of the new Black woman."

"FEAR IS HEALTHY WHEN YOU'RE DEALING WITH AMERICA.
BUT WHEN FEAR CONTROLS YOU, WHEN YOU'RE AFRAID TO
STRUGGLE, FEAR IS A BAD THING. I'M MORE AFRAID OF
WHAT WILL HAPPEN IF I DON'T STRUGGLE THAN WHAT WILL
HAPPEN IF I DO."

---Assata Shakur

Ten days after the vicious assault on the prisoners at TSP, Shakur, handcuffed and shackled with leg and arm chains, was returned to New Brunswick with an escort of seven New Jersey state police cars holding 40 troopers. As she entered the Middlesex County Jail, an all male facility where she is the first and only woman ever to be incarcerated, the troopers held their rifles at ready.

Women

(Continued from Page 14)

Shakur is kept in the windowless basement of the jail in solitary confinement under 24-hour watch by a female guard, although she has never been convicted.

The National Conference of Black Lawyers in March 1976 filed a motion in U.S. District Court in Trenton to free Shakur from solitary confinement and to have her transferred to the County Workhouse where women awaiting trial are normally kept and also to be granted the same rights as other women awaiting trial, such as unrestricted mail and phone privileges.

Shakur herself has filed a \$250,000 damage suit against the state for her illegal confinement, reminding the court that she is only a pre-trial detainee.

The distinctively different treatment that colonial political prisoners suffer from is obvious in the treatment that both Shakur and Acoli receive. While the African masses live under the most brutal conditions every day, the wrath of the ruling class state is compounded against African revolutionaries, especially inside the prisons.

Shakur suffered a temporary setback in August 1976 when her chief attorney, Cohen, was found dead in his New York City apartment. The cause of death has not been made public and it is not without foundation to believe that the state would attempt any means necessary to railroad Shakur.

In an unprecedented move, the files of Cohen, who had twice successfully defended Shakur, were seized by the police. The stolen material includes 4,000 pages

of files related to Shakur's case and, the police are requiring a court order for their release.

Cohen's mysterious death and the seizure of his files made it impossible for Shakur to be tried in September as scheduled.

Meanwhile the defense team has regroup, with the noted William Kuntzler, who has successfully defended other political prisoners, joining the defense efforts.

Shakur is presently scheduled to be tried Jan. 17, 1977. But she is not the only one on trial. The entire African revolutionary movement is on trial, for if the state is successful in its attempt to railroad her without organized resistance, it would be a shameful indictment of the state of our movement.

As Acoli eloquently state in the pamphlet "Break de Chains," we are our own liberators and Black people must free Shakur:

"We Black people ought not stand idly by and let the slavemaster plunder our treasures, our heroines, our women and our heritage over and over again. This time only Black people can save our precious jewel Assata. The communist party, u.s.a. is not interested, she's too Black; most of the liberals are scared, she's too fiery; the big money backers are holding tight, its a bad investment, she's incorruptible, so Black people you got it...Only Black people can save Sister Assata... We have to free our sister by any means necessary."

Financial assistance and volunteer work is still needed to defend Assata Shakur. Please send contributions to Assata's Cell, 20 Avenue A #2-C, New York, N.Y. 10009. Letters of support can also be written to Assata c/o New Brunswick Committee for the Defense of Assata, 49 Delavan Street, New Brunswick, N.J. 08902.

FREE ASSATA SHAKUR AND SUNDIATA ACOLI NOW!
FREE ALL POLITICAL PRISONERS!
INDEPENDENCE IN OUR LIFETIME!

So Vincent Canney is in jail. He's been on a hunger strike for several weeks now and is in the