

PONTIAC PRISONERS SUPPORT COALITION

NEWSLETTER

PONTIAC TRIAL BEGINS!



JUDGE MILLER QUESTIONS A PROSPECTIVE JUROR

10 Black men are on trial for their lives at the Cook County Courthouse. Six others are scheduled for trial on the same charges in June, 1981. All were prisoners at Pontiac State Penitentiary on July 22, 1978 — the date of a prison rebellion where three white guards were killed. All are charged with the murders of the three guards and the attempted murder of the two other guards who were injured. The state wants to put all 16 to death.

Benjamin K. Miller is the judge before whom they are being tried. As judge, he has a key part in determining whether the trials will be fair or unfair, whether the truth about what really happened at Pontiac will be exposed or buried by a racist cover-up, whether the Pontiac Brothers will live or die. So far, he has been working to convict them, joining with Governor Thompson, the Department of Corrections and the Illinois Department of Law Enforcement in the continued cover-up. Judge Miller's bias and racism are on display in Room 502 in the Cook County Courthouse.

Racist attacks against Black people, and the approval of these attacks by the white criminal justice system, were rampant in 1980. Below are just a few examples of violent attacks happening across the country, and some instances where the courts have openly condoned such attacks.

1979-80, Atlanta: 14 Black children murdered; 3 others missing. 4 other children and 1 adult killed in explosion.

1980, Buffalo: 7 Black people murdered. Two of them had their hearts cut out. White suspect sought.

February 1980, Los Angeles: Black woman killed in hail of bullets by 2 white policemen after a dispute with the gas company cutting off her gas.

May 1980, Miami: Four white policemen who beat a Black man to death were found innocent by an all-white jury.

July 1980, Chicago: 3 white policemen beat to death a 52-year-old Black man for smoking on an El train.

July 1980, Chattanooga: All-white jury frees 2 Ku Klux Klansmen and convicts another for shooting 4 Black women.

July 1980, New York City: Justice Department finds insufficient evidence to indict police for shooting Latin man 21 times.

September 1980, Decatur, Alabama: A Black man, who wounded a Ku Klux Klansman who hit him and threatened his family, found guilty by all-white jury.

October 1980, New York City: Police stop and kill two unarmed Black youth. One of 10 similar incidents in New York City in 1980.

November 1980, Greensboro, N. C.: 6 Ku Klux Klansmen and Nazis found not guilty of murdering 5 anti-KKK demonstrators by all-white jury.

November 1980, New Orleans: 4 Blacks killed by policemen in 24 hours. 3 of the 4 killed by 16 policemen in two raids.

December 1980, New York City: 4 men — 3 Black and 1 Latin — killed in 8 hours in separate incidents. Attacker described as white.

We see the Pontiac trials in the same context. The terror and systematic racism perpetrated against Black and other Third World prisoners creates an environment where rebellion is inevitable. But the state, not wanting to admit to racist treatment or intolerable conditions inside its prisons, prefers to select 16 Black prisoners as scapegoats. The state of Illinois is spending millions of dollars seeking a legal lynching to claim it's punished those responsible, and to avoid its blame in the uprising and the guards' deaths.

Judge Miller leads prosecution

Between April 1979, when Ben Miller was appointed by the Illinois Supreme Court to try the Pontiac Brothers, and the beginning of jury selection in September 1980, the defense presented over 400 motions to Judge Miller. Over 95% of these were denied. The motions questioned the validity of the State's investigation and the indictments based on it as well as the manner in which the men would be tried.

CORRUPT INVESTIGATION EXPOSED

*A motion to drop the indictments because of the State's use of coercion and bribery in the "investigation" was supported by 7 weeks of testimony.

*The chief of the investigation, Commander Dowdy, admitted that prisoners who were thought to be frightened were told that they would "fry in the electric chair" if they didn't give the State what it wanted.

*State records were uncovered showing that Danny Dill, the only guard who is a witness against the Pontiac Brothers, initially identified only one prisoner as involved in the attacks — and that prisoner was never indicted. Later Dill refused to identify anyone.

*According to the October 22, 1980 *New York Times*, "The guard [Dill] who survived the attack then made several demands as a condition of his testimony. He wanted lifelong employment with the state, a job for his father, round-the-clock police protection and permission to carry a weapon at all times. Then he began to change his story of whom he could pinpoint as having attacked whom."

*The State admitted to having obtained paroles and paid out over \$75,000 to prisoners who agreed to give testimony against the State's chosen scapegoats.

*At the conclusion of hearing all these facts and more, Judge Miller ruled that there had been "no evidence" to support the defense objections to the investigation and its methods, and denied the motion.

UNEQUAL RESOURCES REVEALED

*Judge Miller has refused to even hear defense objections concerning the alarming disparities in monies allocat-

ed for investigation. Each defendant was given only \$2,500 for investigator's expenses. This buys only a couple of weeks' work. Contrast this to the prosecution. They have at their disposal an entire bureaucracy, the Illinois Department of Law Enforcement (IDLE). IDLE had already spent over \$1,000,000 by the time Judge Miller had finally given the Pontiac Brothers \$43,000.

*Since the start of pre-trial hearings in Chicago, the prosecutors have had a well-equipped office in the Cook County Criminal Court Building, where the case is being heard. On the basis of Judge Miller's agreement to provide the defense with offices in the same building, the defense lawyers closed their Loop office. As it turned out, the office provided was in the part of the building where prospective jurors were held — and therefore could not be used at all during jury selection. This situation was not remedied until January 1981, after 4 crucial months of jury selection.

UNEQUAL PAY

*By court order the defense attorneys for the Pontiac Brothers are paid \$35 per hour for time in court and \$25 per hour for out-of-court time on the case. The prosecutors are paid \$50 to \$70 per hour for all time they spend on the case. Further, all the prosecution's office expenses — rent, phone, secretary, etc. — are paid by the State. Defense attorneys, however, have to pay all these expenses by themselves.

*Thus, the prosecution is being paid more than twice as much for trying to convict and execute the Pontiac Brothers as the defense lawyers are for trying to save them. It is this situation, and the fact that the money paid is not enough to meet expenses, which resulted in the failure of defense attorney Isaiah Gant to appear in court for four days.

*On October 29, 1980 Mr. Gant was ordered to show cause why he should not be held in contempt for failing to appear. Mr. Gant's motion in response details how the inadequate and unequal compensation set by Judge Miller has left him unable to maintain his legal practice and his family, and forced him to attend to other business. Four

legal associations, the Cook County Bar Association, the National Conference of Black Lawyers, the Illinois Association of Criminal Defense Lawyers, and the Chicago Council of Lawyers filed briefs with the court supporting this position and attempting to explain to Judge Miller what the costs of maintaining a legal practice in Chicago are. Miller nonetheless refused to open the question of the fee schedule for argument in connection with the contempt citation. A further hearing on the contempt charge is pending.

FURTHER CONTEMPT CHARGES

*On November 7, 1980, Leo Holt was held in contempt for leaving the courtroom without Miller's permission after unsuccessfully arguing for an early adjournment because of an urgent legal obligation he could not meet under the full-time court schedule imposed by Miller.

*On November 12 Mr. Holt was again fined for contempt for refusing to "sit down and shut up" during arguments about Miller's failure to provide office space at the courthouse for the defense which he had promised about six weeks earlier.

*On October 1, 1980, Marianne Jackson was held in contempt by Miller when she refused to stop arguing with the judge over his method of questioning prospective jurors.

*Since the beginning of jury selection, defense attorneys have criticized Miller's questioning of potential jurors, saying it is too narrow to root out possible prejudice.

*According to the *Chicago Sun-Times*, "when Leo Holt reiterated the charges Wednesday, Miller declared that he had heard enough on the matter. But another lawyer, Lawrence Kennon, endorsed Holt's complaints, and Jackson sought to continue. Miller ordered her to leave the lawyer's podium and sit at the defense table. 'And if I don't?' Jackson said. 'Am I supposed to sit down and watch the court trample on my client's rights?' 'Miss Jackson, you are in contempt of court,' said Miller. Half a dozen of the 10 defense attorneys then leaped to their feet to protest the judge's action. Kennon cried out, 'Before this case is over, every one of us will be held in contempt of court.'"

BENJAMIN K. MILLER

Benjamin Miller did not design Pontiac Prison, or maintain it for the last 110 years, or put 2,000 men, more than 80% Black, into that prison designed to hold 600. Benjamin Miller also did not concoct the frame-up, did not choose the defendants, and did not select the charges.

The state perpetrated these acts and PPSC has targeted the state and disclosed its actions for the past two and a half years. Now, however, the ball is in Miller's "court." Although it is racism and the state of Illinois that are primarily responsible for the Pontiac Brothers winding up in the courtroom, now Miller is also responsible.

The contents of this page detail the decisions that Miller has been making. In virtually every instance the law gives Miller a choice of how he will decide and in virtually every instance Miller decides for the state. For example:

*Miller has refused to allow the lawyers to question potential jurors. The law allows the judge to decide who does the questioning. Miller has determined that these 16 Black men, on trial for their lives, do not need their lawyers' questioning — all they need is Miller.

*Miller has withheld vast resources from the defense team. There is absolutely no legal basis for this. The Illinois State Legislature, prompted by the Black Caucus, allocated money for the defense. Miller refuses to turn this money loose.

*Miller has denied over 95% of the 400 defense motions. While Miller is allegedly responsible to the law regarding these motions, he alone decides which motions carry sufficient evidence to even be heard. If he allows a motion to be heard, he alone also decides to accept or deny it. The record speaks for itself.

Benjamin K. Miller was an insurance lawyer in Springfield, Illinois, the State Capital. In October of 1976, he was appointed a judge of the criminal court. In April of 1979, after less than three years as a judge, and with no prior criminal law experience, Miller was handpicked by the Illinois Supreme Court to preside at the trial of the Pontiac Brothers.

It is hard to understand why this white insurance law-

yer, inexperienced in the criminal law, has been chosen for the key role in the trial of 16 Black men facing the death penalty. There are, however, two indications of why Miller was picked to preside at this trial — his attitude on the death penalty and his attitude toward Black people.

The defense lawyers have repeatedly attempted to have the trial severed so each defendant could receive a separate and fair trial. Miller met each request with denial until the state requested severance. Miller agreed. In a conversation with a defense lawyer, Miller stated:

You know, this case has got to be broken up and severed. . . . If there's anything that would make the Supreme Court strike down

capital punishment it would be impose it on 16 people at one time!

Clearly Miller's concern is not that the Brothers receive a fair trial, but that the death penalty be upheld.

For proof of Miller's racism it is necessary to observe him in the courtroom, where his contempt for Black people is displayed on a daily basis. Defense attorneys and spectators have noted his refusal to listen, his arrogant, condescending manner, and his frequently veiled threats of punishment for raising objections.

We urge you to go to court and see for yourself, because it is a significant and perhaps decisive factor in the trial.



Sangamon County Circuit Judge Ben Miller

State Journal-Register/Barry Lecher

PONTIAC BRIEFS

BLACK JURORS!

As we go to press, 10 jurors have been chosen to hear the case of the Pontiac Brothers — 6 of these jurors are Black. This is in stark contrast to prior death penalty trials in Cook County, where the state has made sure that the overwhelming majority of jurors have been white. Recent actions by Black people across the country are the primary reason why the state has been forced to allow Black jurors. The rebellions in Miami, Chattanooga, and many other cities have announced that the Black community will no longer tolerate racist "business as usual" in the courts.

Another reason forcing the state to tolerate Black jurors has been the work of progressive forces, including PPSC, to expose the racist frame-up at the heart of the Pontiac Brothers' trial. This work, which has consistently focused on the state's pattern of excluding Black jurors, has also made it more difficult for the state to use this traditional racist tactic.

The presence of Black jurors on the Pontiac jury is a victory for Black and other progressive forces and a set-back for the state. It is by no means, however, the end of the battle. The frame-up continues in a hundred ways, and it is to be anticipated that the state will try to adapt its strategy to the presence of Black jurors. To this end we watch for the state to increase its reliance on a "gang conspiracy" theory in order to try to influence the jury.

"Death Qualification" Jury Selection

Before jury selection started, Judge Miller was asked by the defense not to "death qualify" the jury. Death qualification means that potential jurors who state that they would never impose the death penalty are automatically excluded from serving on the jury.

If the jury which is being selected had to decide whether the Brothers live or die, it would be legally proper to exclude jurors who say in advance that they could never impose the death penalty. However, there is no need for this jury to make that decision.

In Illinois there are two stages in a death penalty trial. In the first stage, the stage for which jurors are now being selected, only guilt or innocence is decided. If any of the accused are found guilty, then there is a second stage in

which the question before the jury is whether those found guilty in stage one should live or die. Under the law it is quite possible to have a different jury make this second determination.

Thus, there is no legal reason to exclude jurors who are opposed to the death penalty from the guilt or innocence jury — at this stage their feelings about the death penalty have no relevance. There are, however, very good reasons why these jurors should be allowed to serve.

Authoritative studies have shown that juries which are death qualified are more likely to convict than juries which are not death qualified. Further, under the law there is supposed to be a presumption of innocence. Death qualifying the jury before the Brothers have been found guilty is based on an opposite pre-

sumption. That is, death qualifying the guilt or innocence jury means that you anticipate that the Brothers will be found guilty and that, therefore, there will be a second stage where the life or death question will be decided. This anticipation or intention on the part of Judge Miller is clearly being communicated to potential jurors by Miller's questions on their feelings about the death penalty. After all, unless the judge expected the Brothers to be found guilty, these feelings would have no relevance.

Judge Miller's insistence on death qualifying the jury means that the jury which is ultimately selected will be more likely to convict the Brothers. This kind of a prejudiced jury is totally unfair and totally unnecessary. It is precisely the kind of a jury, however, that Miller clearly wants.

Jurors are selected from a large group of potential jurors through a process called the *voir dire*. Potential jurors are questioned, either by the attorneys or by the judge, about their background, attitudes, and prior knowledge of the case.

Miller has chosen to question the prospective jurors himself to determine whether they are acceptable as fair and impartial jurors. Requests by the defense attorneys to question the potential jurors themselves have been denied.

In general, Miller refuses to ask obvious questions that might reveal prejudices or attitudes affecting the case. For example, one prospective juror told the judge that there were discussions about the rebellion at his workplace. The logical follow-up question would be to ask what the content of the discussion was, and what the prospective juror thought about it. Instead,

Miller skipped over those questions to ask, "Could you put that discussion out of your mind?"

A special problem is that Miller's questions to white jurors are designed not to expose racism, but to hide it. He asks questions like: "Would the fact that the defendants are Black and the victims are white make it difficult for you to render a fair verdict?" Prospective white jurors uniformly answer: "No." What has been learned about how they really feel? — Nothing. In this case, assuming, as Miller does, that racism is not a serious problem, is the most effective way of protecting it. Miller's refusal to ask questions that would be most likely to reveal the real racial attitudes of white jurors denies the Pontiac Brothers and their attorneys this crucial information in selecting the jury.

Chicago Lawyer Editorial, 12/80

Be fair, Judge Miller

The trial of the "Pontiac Ten" — ten black prisoners charged with murder of three white guards during the 1978 Pontiac prison riot — is one of Chicago's most important criminal cases. The trial of these multiple capital crimes may well last a year. In its first 10 weeks, only four jurors were picked. Serious improprieties in the state's investigation have been alleged and racial overtones are obvious.

The trial must both *be* fair and *appear* fair.

Unfortunately, appearances so far are not promising.

What is the public to think of a trial in which the state pays appointed defense counsel \$35 per hour in court and \$20 per hour out of court, while paying its specially appointed prosecutors in the same case \$60 to \$70 per hour — two to three times more?

Well, as Jimmy Carter once remarked, life is unfair.

But criminal trials are not supposed to be unfair. Never mind the lawyers. What about their clients, on trial for their lives?

For them, the unequal pay for their defense is not merely unequal. All of their lawyers, most of whom are black, are sole practitioners or members of small firms, as are most criminal defense lawyers in Chicago. Out of their \$20 or \$35 per hour, they must pay legal secretaries, office rent and other office overhead, not to mention personal and family expenses. Yet they have little other income, since the Pontiac case consumes nearly all of their time.

Not surprisingly, a number of the defense lawyers simply have been unable to make ends meet. One lawyer's office heat was cut off for non-payment. Another couldn't pay his home heating bills and had to arrange to move his children into a neighbor's home. Still another defense lawyer, in the month of October alone, lost both of his secretaries, his receptionist and his telephone, all for non-payment.

Can a lawyer be expected to concentrate fully on defending his client while his office is going bankrupt or his home is freezing? Would you place your life in the care of a lawyer thus distracted?

The Pontiac Ten have no choice. They are indigent. Presiding Judge Benjamin K. Miller has denied motions by several of their lawyers for higher pay, as well as an alternative motion by at least one lawyer to be relieved of his appointment. No fewer than six bar associations have recommended higher defense pay, at levels sufficient to ensure that the Pontiac Ten can be defended adequately.

It's not too late, Judge Miller, to start being fair.

Chicago Defender, 8/80

Says Pontiac trial racist

Dear Editor:

I write about the Pontiac trial in which 17 defendants face a death sentence for their alleged role in the riot at Pontiac Prison in which three guards were killed.

I am not a spaced-out liberal who defends all under-dog issues. I am a former teacher of social science and for 35 years I have been and still am a School Sister of Notre Dame. When I first heard about the riot and the deaths, my first thought was that someone who was responsible must be identified and made to account.

After visiting Judge Miller's courtroom during the preliminary hearings, I found a growing outrage in my response to what I heard and saw. This is a classic case and court of racism and immoral procedure on the part of the judge, the defense and all matters pertaining to the way they are carrying out injustice in that courtroom. I am offended and appalled that so racist a

judge and court proceeding could be allowed. It will have to be done over in a retrial, I am certain. You have one citizen's warning now and you will be able to acknowledge that you were told and forewarned that this already is a Fred Hampton situation, a Greensboro Boys' case.

I call this racist not because the judge, prosecutors and all the key state witnesses are white. I mean the court decisions, the way Judge Miller denies the petitions, the tone and voice with which he responds, his blatant and overt racism are so evident that even I, a sympathetic viewer, was soon angered.

I feel that justice can only be served by replacing Judge Miller and finding an objective jurist. Already, this is a case for mistrial and will find its place in the annals of torrid and shabby jurisprudence.

Honorable Ministers of Justice: Stop this travesty now so as to save taxpayers' money and to above all, secure justice for the Pontiac Trial courtroom.

Sister Margaret Ellen Traxler,
Director of the
Institute of Women Today

The Pontiac Frame-Up

On July 22, 1978, there was a spontaneous rebellion by 1,100 prisoners at Pontiac State Penitentiary in Pontiac, Illinois. Three white guards were killed and three others injured. Millions of dollars damage was caused by fires. Sixteen Black prisoners have been charged with the killings. If convicted, all 16 face the electric chair. Their trials are being held in Cook County — 10 now, and 6 to follow in a second trial. You, or someone you know, could be on the jury which decides if these men live or die. There are facts you should know that you will not learn from the regular press.

STATE EXPECTED REBELLION

Pontiac Prison was built in 1871 to hold 600 men. On July 22, 1978 over 2,000 men were warehoused at Pontiac. 88% of those men were Black. Prisoners repeatedly filed lawsuits attempting to change the conditions and the special discrimination faced by Black prisoners and warning that the situation would lead to rebellion if it was not corrected. Six months before the rebellion the U.S. Department of Justice also filed a suit against the State of Illinois for having "systematically discriminated against Blacks" in the prisons.

Thus, state officials knew about both the overcrowding and the racism in the prisons, and they had been warned that these conditions would result in an uprising. In fact, Charles Rowe, then Director of the Department of Corrections, stated that the rebellion "came a year later than most of us anticipated. You can only crowd so many people into a warehouse for so long before something happens."

One of the Pontiac Brothers described the situation this way:

Since the Rebellion at Pontiac Prison July 22, 1978, so much has been and will be said and written about it. The reason, cause, and blame has been put on the weather, overcrowding, lack of security, and the gangs. It has been said that the killings of the three guards and the assault of three others was senseless, done by men who need no reason to kill or rebel. We all know that men do not kill or rebel just for the sake of killing or rebelling; something had to be wrong and it had to be wrong for a long time for so many men to just kill or rebel knowing that in doing so, they will also be killed or spend the rest of their lives in prison.

"The lock 'em up, throw away the key concept is here once again and you ask, 'Is there going to be another rebellion?'"

I have been an inmate of Pontiac Prison for five years. Considering the years that I have been confined here, I am considered a veteran. Since 1973, I have seen four different administrations, the population change over, and the overcrowding become unbearable. Back in 1975 when the inmate population first began to rise, new officers were hired, the attitudes, knowledge and understanding of their jobs was not a must. And they brought with them a farmer's attitude, an overseer's understanding and the knowledge of a moron concerning young Black men from an urban area, opposed to their upbringing in a small rural town.

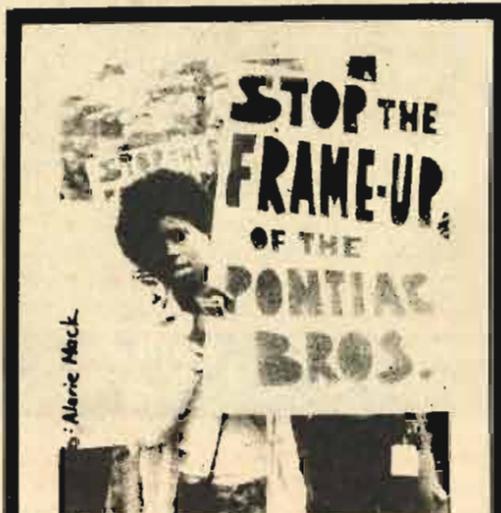
The senior officers recognized that there would soon be trouble and requested to be transferred out of the cell houses, and many sought employment elsewhere. Then came the doubling-up (two men to a cell) that was protested peacefully, verbally and in the courts, to no avail. Since then there have been problems with the food, medical care and basic needs that one needs to live every day, such as soap, toothpaste, toilet paper, etc. Winter coats were not issued until February and heat was not put on until late February regardless of the cold weather.

At one time men could work, go to school or participate in some kind of training program, but this year at least 1,400 men are without jobs, schooling and other assignments. These men must stay in their cells up to 21 hours a day and those three hours that are spent out of the cell each day except for weekends (22 hours in the cells) are spent for feeding, yard period, showers and any other movement allowed.

OVERCROWDING AND INTOLERABLE CONDITIONS

The overcrowding brought on cut-backs, and soon the food was not fit to eat at all, the heaters were not being fixed, no clothes were issued for months and no recreation equipment was issued such as baseballs, footballs, bats, etc. The living conditions for the inmates and the working conditions for the guards were deplorable and filthy.

Soon resentment and disrespect were a common sight between guards and inmates. Disciplinary reports were written on inmates for little or no reason, and inmates were placed in segregation and good time was lost because of it. The parole board was not paroling the men and giving them the excuse, "that a parole at this time would promote disrespect for the law." In spite of the fact that some men had gone without any disciplinary reports for years, had jobs and had done just about all their time, the parole board still refused to allow them a chance at parole. Some men



Come To Court

Trial for 10 of the Pontiac Brothers facing the death penalty is being held now at the Cook County Courthouse, Room 502.

Public support is the only force that can stop the frame-up—come and see for yourself! FOR FURTHER INFORMATION CALL 427-4064

after appearing in front of the parole board felt that they would never have the chance of being free or ever have their manhood returned. Others just refused to appear at the parole board hearings because they felt the parole board would not give them a parole anyway.

A BOMB WAS IN THE MAKING

Over the years a bomb was in the making at Pontiac, and Gov. Thompson supplied the finishing touches and the fuse with his Class X law. Making men do longer sentences, the men knew that there was little hope of ever getting a parole, and then with the Class X law, that little hope was taken away. Men started wondering how were they going to earn a day's good time when disciplinary reports were being written for being five minutes late on a pass when they had no control over the officers who had the keys that unlocked the doors that they must go through to reach their destination. Some men were doing long sentences and there was no way possible to go ten years without receiving a disciplinary report from a racist guard. The Class X now put the power in the guard's hand on who would earn good time and how much good time he will earn. Disciplinary reports were being written for anything and everything you say or do to the guards' liking or disliking. Every infraction is a loss of good time, not less than ten days and no more than one year.

In the last five years, numerous laws have been enacted to keep one in prison longer; the electric chair is now dusted off and awaiting its first victim with great anticipation. The lock 'em up, throw away the key concept is here once again, and you ask, "is there going to be another rebellion?"

WITNESSES IN ISOLATION

The state responded to the expected uprising not by improving conditions but by hunting for scapegoats. For months after the rebellion, prisoners were kept on deadlock while state investigators from the Illinois Department of Law Enforcement (IDLE) interrogated the prisoners. Deadlock meant that the state held both potential witnesses and potential defendants in isolation for eight months. Prisoners were kept two to a 5½' by 9' cell (smaller than a Volkswagen bug) 24 hours a day, without family visits, medical care, showers, soap, toilet paper, cigarettes or other necessities. Lawyers were forced to file a lawsuit to gain access to the prison. These conditions were aggravated by many beatings and macings of prisoners.

WITNESSES GIVEN MONEY AND CLEMENCY

The only hope of relief for most prisoners was by striking a bargain with the IDLE investigators. Prisoners who did bargain with the IDLE were given paroles, transfers, or clemency. By the state's own admission, they have also been paid thousands of dollars and given jobs, housing, etc. Prisoners who refused to give investigators what they wanted were threatened with protracted periods of confinement on deadlock; they were also told, "we're going to fry you in the electric chair."

When the investigation was over, 16 Black prisoners were charged with the murder of the guards. The state is

alleging that each of these 16 men killed each of the three guards five different ways: If they are convicted on any one of these 15 counts of murder, they may die in the electric chair.

These indictments are tainted. All of the "evidence" gathered came during the course of the so-called investigation where prisoners were bribed, tortured, coerced and intimidated to provide testimony against other prisoners. It is clear that the state does not know who killed the guards, and has chosen these 16 men to act as scapegoats for the State of Illinois, which wants to avoid its responsibility for the prison conditions and the treatment of the Black and Latin prisoners that led to the rebellion.

A Pontiac Brother, writing before the indictments were handed down, wrote this:

Indictments are a sure thing and regardless if one is guilty of any acts because of his participation in the rebellion, that will not be the issue. Any one of us can and will be used to take the blame because of our attitudes against the way men are treated, our affiliation with certain organizations and groups, and that we were in the building that the officers were killed in, plus the fact that we are Black men and white officers were killed. Inmates will give false information against others for many reasons, but the main reasons will be from fear and intimidation, and many will give false information for promises of parole or time cut from their sentences. In all my years being in prison, I have never seen an inmate give truthful information because he is a law abiding person.

"Maybe something will be done to change the penal system since guards and inmates have given their lives for the change."

Gov. Thompson thinks that building more prisons, keeping men confined longer, and the electric chair would solve the problems of crime in the state of Illinois. The money that he is using to build more prisons could go into the communities that the men come from for better housing, schools, social and welfare programs. Something must be done before a man gets to the point that he must rob to feed and clothe his family; that problem should be addressed. The State of Illinois has enough prisons; the way they are run and the way men are treated is the problem. Build a new prison and paint it with bright colors, but still if you don't have any meaningful education and vocation programs and still treat the men as dogs, then still you will have created another situation that forces men to rebel. If there is no change in our penal system, we can expect more rebellions in the near future. Maybe something will be done to change the penal system since guards and inmates have given their lives for the change. We must always keep in mind that "men without hope have no fears, not even death."

ACT NOW! WE NEED YOUR SUPPORT!

-----I would like more information.

-----I can arrange for PPSC to give talks or show its slide show to people or groups I know.

-----I enclose \$10.00 for a 1-year subscription to the PPSC Newsletter.

-----I enclose \$3.00 + .70 handling for the booklet "Pontiac Prison Rebellion: A Case for the Church's Response."

-----I enclose a \$----- donation for the Pontiac Brothers defense. (Make tax-deductible checks out to Illinois Justice Foundation/Pontiac Prisoners.)

Name-----

Address-----

Phone-----

Return this form to:
PONTIAC PRISONERS SUPPORT COALITION
407 S. Dearborn Street, Room 1000
Chicago, Illinois 60605
OR CALL: (312) 427-4064