

# NEBRASKANS FOR JUSTICE

## FACT SHEET

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### **Wopashitwe Mondo Eyen we Langa**

Wopashitwe Mondo Eyen we Langa, born David L. Rice in 1947, was found guilty in the August 1970, suitcase bombing death of Omaha police officer, Larry Minard. He was sentenced to life in prison in April 1971, and remains in the Nebraska State Penitentiary 45 years later.

Mondo is suffering from Chronic Obstructive Pulmonary Disease (COPD). He has been hospitalized or in the prison infirmary since October, 2015. His supporters are requesting an immediate release from prison based on their belief in his innocence, his long-time insistence that he is not guilty, his wrongful conviction—and his critical medical condition.

**Early Life:** Mondo was born in Omaha and raised in North Omaha. He attended St. Benedict school, graduated from Creighton Prep High School, and studied at Creighton University. In his teens, Mondo distinguished himself as a community activist. In his frequent letters to the Omaha World Herald newspaper, Mondo repeatedly advocated for community education and non-violence. When Holy Family Catholic Church proposed to increase its number of parishioners by playing current music during mass, Mondo volunteered to play the guitar every Sunday.

Prior to his arrest, Mondo we Langa was Deputy Minister of Information for the Omaha chapter of the National Committee to Combat Fascism (NCCF), a successor organization to the Omaha Chapter of the Black Panther Party. He and Ed Poindexter (also serving a life sentence in connection with the bombing death of officer Minard) advocated for fair housing and an end to discrimination in the public schools. The NCCF exposed slumlords, ran tutoring and feeding programs, and protested police brutality.

**The Case:** At the time of Mondo we Langa's arrest, FBI Director J. Edgar Hoover, through his Counter Intelligence Program (COINTELPRO), had targeted any group or individual he perceived to be a threat to the United States. That included the Black Panther Party. Supporters believe Mondo we Langa got caught in COINTELPRO's net. Nebraska State Senator, Ernie Chambers, "My view is they never should have been arrested, never tried, and certainly not convicted. They were scapegoats, framed,—not for killing a cop—but to crush the Black Panther Party and with the arrest of Ed and David (Mondo), they (the Omaha Police Department, the FBI, and the Alcohol, Tobacco, and Firearms [ATF]) succeeded with that." The following events take place primarily in North Omaha, the section of the city where most African American citizens live.

**August 17, 1970:** Omaha Police Department Officer, Larry Minard and his partner joined other officers who were dispatched to a house at 28th and Ohio Streets because of a 911 call. Officer Minard was killed when a booby-trapped suitcase exploded on the porch of that house.

**August 28, 1970:** 16-year old Duane Peak was arrested. He confessed to receiving a note on August 16th, telling him to pick up a suitcase behind the Lothrop Drug Store at 24th and Lothrop Streets and take it to a vacant house at 28th and Ohio. Allegedly, Peak had made the 911 call which summoned police to the house where the bomb exploded. Peak was charged with first-degree murder in the death of Officer Minard. In his confession on this date, he did not implicate Mondo we Langa or Ed Poindexter.

**August 28, 1970:** By this date, 17 people had been arrested in connection with Minard's death. Many were associated with the Omaha Chapter of the NCCF, some were family members and friends of Duane Peak who had given him a car ride when he was carrying the suitcase.

**August 31, 1970:** Duane Peak gave a statement to the County Attorney. It was the first time he claimed that Ed Poindexter made a bomb in Mondo we Langa's kitchen and told him (Peak) to plant it and call 911.

**September 28, 1970:** During a preliminary hearing, Peak testified that Mondo and Ed were not involved in the killing. Later that day, he recanted his earlier testimony.

**April 18, 1971:** Mondo we Langa and Edward Poindexter were convicted based on Peak's testimony and the alleged discovery of dynamite in the basement of Mondo's house.

Supporters, including a police officer who was there, believe the dynamite was planted.

**May, 1971:** Mondo's house and all its contents (including any evidence which might have helped the defense case) were destroyed in a fire.

**May, 1971:** Charges against Duane Peak were reduced from first degree murder to juvenile delinquency. He was released shortly thereafter and he whereabouts became unknown.

**March, 1974:** Federal District Court Judge Warren Urbom, ruled that he could not believe the police testimony about the search of Mondo's house, ruling that Mondo should either be released or given a new trial.

**January 30, 1975:** Judge Urbom's ruling was unanimously upheld by the Eighth Circuit Court. The U.S. Supreme Court agreed to hear the state's appeal. They ruled that, starting with this case and henceforth, petitioners would not be allowed to appeal directly to federal courts on matters of illegal searches. This was a permissible way to appeal the issue when Mondo used this strategy, but the U.S. Supreme Court effectively wiped out the favorable decisions of the lower courts. In essence, the rules were changed in the middle of the process.

**December 6, 1977:** An Omaha World Herald article revealed that the Omaha FBI had targeted the Omaha Black Panther Party between 1968 and 1970. That same year, the FBI admitted it had violated the constitutional rights of hundreds of United States citizens through COINTELPRO and the government apologized but did nothing to reverse the wrongs or repair the lives it shattered.

**1978:** Amnesty International published a report finding that the irregular conduct of the FBI during its COINTELPRO operations had undermined the fairness of trials of a number of political activists during the 1970's; that reinforced Amnesty International's concern that Mondo we Langa and Ed Poindexter may have been unfairly prosecuted.

In the late 1970's, defense attorneys obtained FBI memos documenting the suppression of the 911 tape at the time of Mondo and Ed's trial.

**October 23, 1980:** Defense attorneys obtained a copy of the 911 tape. In 1991, Duane Peak was located in Spokane, Washington. A forensic voice examiner who took voice samples from Peak in 2006, testified that the voice on the 911 tape was not that of Duane Peak. The court ruled that neither this new evidence nor claims of ineffective counsel warranted a new trial. Subsequent appeals were similarly dismissed.

**February 20, 1993:** Beginning on this date, the Nebraska State Board of Parole ruled unanimously for six consecutive years that Mondo and Ed's sentences should be commuted. To date, the State of Nebraska Board of Pardons (made up of the Governor, the Secretary of State, and the Attorney General) has refused to grant a hearing on the Parole Board's recommendations.

Article IV, §13 of Nebraska's Constitution states parole should be an option for every offense except treason and impeachment. Mondo we Langa and Edward Poindexter were convicted of neither.

A concerted effort continues to secure the release of Wopashitwe Mondo Eyen we Langa and Edward Poindexter, known as the Omaha Two, Nebraska's two political prisoners.

**In the Cage:** Mondo is a playwright, a published author of five books of poetry and several short stories. He is an artist and sculptor and a regular contributor to both local and national newspapers. He continues to model his belief in community activism by mentoring young inmates. He has garnered their respect and that of many of the prison staff. In the 45 years of his incarceration, Mondo we Langa has not committed a single act of violence.

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