

The Omaha Star
The Deepest Injustice – Ed Poindexter and Mondo we Langa
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**The Deepest Injustice: Edward Poindexter's and Mondo we Langa's
44 Years of Life Imprisonment for a
Crime They Did Not Commit (Part 3 of 3)**

By Walter V. Brooks

The United States of America lives and breathes “numbers.” You can find every conceivable manner of study and poll and who buys what and who goes where. Multibillion dollar ad agencies and marketing companies can give clients microscopic data on millions of consumer tastes and preferences. But try to find out how many innocent prison inmates have been exonerated and set free in the United States and you may as well be asking how many there are in China. Americans have no idea how many wrongful convictions of PEOPLE WHO ARE INNOCENT have been overturned in this country!

Until May 2012, according to Liz Webster, publications manager for the Innocence Project, NOBODY EVEN HAD A CLUE. The Innocence Project is a non-profit legal organization that is committed to exonerating wrongly convicted people through the use of DNA testing, and to reforming the criminal justice system to prevent future injustice. Since 1992, the Innocence Project has led to the freeing of 316 wrongfully convicted people, INCLUDING 18 WHO SPENT TIME ON DEATH ROW.

In the June 18, 2012 issue of The Nation, Webster said:

“The Bureau of Justice Statistics doesn't track exonerations, so for years that task has fallen to lawyers, academics and activists relying on news reports and legal filings. While the Innocence Project and the Death Penalty Information Center track exonerations, neither group's database is complete. No single resource has amassed all of the known exoneration cases.

“Until now. On May 21, [2012] the University of Michigan Law School, in conjunction with the Center on Wrongful Convictions at the Northwestern University School of Law, released the first-ever

National Registry of Exonerations. The searchable online database is the most credible and comprehensive resource on wrongful convictions in the United States. Peter Neufeld, the co-founder and co-director of the Innocence Project, has called it the 'Wikipedia of Innocence.' The registry, which can be viewed at www.exonerationregistry.org, CURRENTLY COUNTS 891 CASES SINCE 1989, the year of the first exoneration achieved using DNA.

“In addition to examining ‘a much broader group of exonerations,’ according to University of Virginia law professor Brandon Garrett, the registry shows ‘that there are a lot of exonerations that don’t get a lot of press attention.’ IT ALSO ALTERS THE CONVENTIONAL WISDOM ABOUT HOW INNOCENT PEOPLE GET CONVICTED. For his 2011 book, CONVICTING THE INNOCENT, Garrett scoured the first 250 DNA exonerations and identified eyewitness misidentification as the leading cause of those wrongful convictions (as have others). BUT THE LARGER POOL OF CASES REFLECTED IN THE REGISTRY REVEALS OTHER TRENDS. According to University of Michigan law professor Samuel Gross, ‘PERJURY OR FALSE ACCUSATION’ IS THE LEADING CAUSE OF WRONGFUL CONVICTION.

“WHEN SOMEONE TESTIFIES FALSELY UNDER OATH, THAT’S NOT A MISTAKE,” [Beverly] Monroe says. Her case entry in the National Registry lists the following contributing factors: ‘FALSE CONFESSIONS, FALSE OR MISLEADING FORENSIC EVIDENCE, PERJURY OR FALSE ACCUSATION, AND OFFICIAL MISCONDUCT’—an unpalatable sampling of the many flavors of wrongful conviction.”

Monroe was a 54-year old mother of three in Virginia when wrongly convicted of shooting her boyfriend to death. She did 7 years of a 22-year sentence before exculpatory forensic evidence WITHHELD BY THE PROSECUTION DURING HER TRIAL was recovered that proved her claim that the boyfriend actually had committed suicide.

With millions of incarcerations in the United States, 891 exonerated innocent inmates might not seem like a lot. Until you factor in the combined tens of thousands of years snatched from their lives, their families, their children and life dreams crushed. And for those sitting on death row when finally proven innocent, there was the added hell of spending every single day of their incarceration in SOLITARY CONFINEMENT WAITING TO BE EXECUTED.

In fact, in 2000, Illinois Governor George Ryan canceled court orders to execute Illinois' 167 prisoners on death row. He reduced most of their sentences to life in prison. The day before he announced his historic ban on executions in Illinois, Governor Ryan pardoned four other prisoners who were sentenced to die. HE SAID THE FOUR MEN HAD BEEN TORTURED BY POLICE AND FORCED TO ADMIT TO CRIMES THEY DID NOT DO. Governor Ryan, a long-time supporter of the death penalty, changed after studies found that THIRTEEN PRISONERS SENTENCED TO DEATH IN ILLINOIS SHOULD BE RELEASED. The studies identified mistakes in the way those prisoners were tried and found new evidence of prisoners' innocence, questions about the fairness of the sentencing, bad legal advice given certain prisoners and WRONGDOING BY POLICE OFFICERS.

The wrongful convictions of militant black activists fighting racism and injustice in the U.S., as was the case of Edward Poindexter and Wopashitwe Mondo Eyen we Langa (born David Rice) were rooted in an FBI COINTELPRO-inspired law enforcement collaboration and use of mean-spirited dirty tricks that would truly shock public consciousness, had people only known!

For example, the late California Panther leader Elmer "Geronimo" Pratt did 27 YEARS IN PRISON (including 8 years in solitary confinement) for a robbery and murder conviction of a white woman in Los Angeles, even though the FBI's OWN WIRETAPS VERIFIED THAT HE WAS AT A MEETING OF THE BLACK PANTHER PARTY CENTRAL COMMITTEE IN OAKLAND when the

killing took place! It took Attorney Johnny Cochran 27 years to obtain those FBI wiretap transcripts and get Pratt released.

Pratt's case is classic FBI COINTELPRO (Counter Intelligence Program). Nothing was too dirty, no lie too rotten to tell, no truth or exculpatory evidence too unmerciful to withhold. Either make up lies or suppress the truth. Just get them Panthers! No questions asked.

In October 1970, Black Panther co-founder Bobby Seale and New Haven, Connecticut Panther chapter founder Ericka Huggins were tried for murder in the death of a Panther associate who was allegedly killed for being a police informant. The three Panthers charged with the actually killing all said Seale and Huggins ordered the execution. The hysteria of the first shooter's trial led to the first use of metal detectors to enter a Connecticut courtroom, the longest jury selection in Connecticut history (six weeks!) and the longest jury deliberation in Connecticut history (six days).

Seale and Huggins were tried together. Wikipedia reported:

“The jury was unable to reach a verdict, deadlocked 11 to 1 for Seale's acquittal and 10 to 2 for Huggin's acquittal. On May 25, 1971 Judge Harold Mulvey stunned courtroom spectators by dismissing the charges against Huggins and Seale saying: " I FIND IT IMPOSSIBLE TO BELIEVE THAT AN UNBIASED JURY COULD BE SELECTED WITHOUT SUPERHUMAN EFFORTS- efforts which this court, the state and these defendants should not be called upon to either to make or to endure.”

At the height of the New Haven trials, the president of Yale University Kingman Brewster almost lost his job when he issued a public statement that said: "I personally want to say that I'm appalled and ashamed that things should have come to such a pass that I AM SKEPTICAL OF THE ABILITY OF BLACK REVOLUTIONARIES TO ACHIEVE A FAIR TRIAL ANYWHERE IN THE U.S.”

In April 1969, 21 members of the New York City Black Panther Party were arrested under a 30-count grand jury indictment that charged them with conspiracy to kill several police officers and to destroy a number of buildings, including four police stations, five department stores, and the Bronx Botanical Gardens. (That's right. The BRONX BOTANICAL GARDENS!). The combined charges could have resulted in sentences of up to 150 years each.

The 21 Panthers, by trial time, had been reduced to 13, each of whom were held for the next two years on \$100,000 bail. ALL 13 WERE ACQUITTED OF ALL CHARGES.

The New York Panther case is particularly meaningful to the wrongful conviction of Ed Poindexter and Mondo we Langa because the bulk of that police case involved the conspiracy to use dynamite. The prosecution said that, on Friday, Jan. 17, 1969 at 9 a.m., the Panthers had planned to simultaneously bomb the Bronx 47th Precinct, the Manhattan 21st Precinct and the Queens Board of Education office. And an alleged "sniper rifle" was found across the street from the 47th Precinct that the Panthers were going to use to shoot the police who would run out from the burning building after the explosion.

Think about the phony dynamite charges used in convicting Ed Poindexter and Mondo we Langa. Now look at the evidence results of the New York Panther "conspiracy":

- Dynamite sticks at the Forty-fourth Precinct station had been SWITCHED BY A POLICE UNDERCOVER AGENT WITH PHONIES, so that only a blasting cap exploded.
- At the 21st Precinct the fuse on the PHONY STICKS had been improperly lit.
- At the Queens Board of Education office building, REAL DYNAMITE, WHICH WAS FROM A SOURCE OTHER THAN THE UNDERCOVER POLICE, blew a hole in the side of the building.

Call me crazy, but is really that far-fetched to believe that BARELY A YEAR LATER, dirty tricks law enforcement collaboration in Omaha, Nebraska would try the "ole bomb trick" again? But

that time, obviously, something went very, very wrong and Omaha Police Officer Larry Minard, Sr. was killed.

Unfortunately, unlike the New Haven, Connecticut trials and the New York Panther trial, Ed and Mondo DID NOT HAVE thousands of people rallying in downtown Omaha EVERY DAY throughout their trial and celebrities and university presidents saying “The whole world is watching!” It was in the Midwest, in funky little Omaha, and these two men NEVER GOT THE SAME NATIONAL ATTENTION AND SUPPORT that was generated for Panther political trials on the East and West coasts. When Ed and Mondo were railroaded into the Nebraska State Prison, the whole world WASN’T WATCHING!

And there they yet stand, unbroken, unbowed in their innocence for 44 years. So, when you hear about a rally for Edward Poindexter and Wopashitwe Mondo Eyen we Langa (born David Rice), please find the time to support them. Contact Attorney Tim Ashford or Nebraskans for Justice and make a donation for their defense efforts. The keys to opening their cell doors after 44 years are so close, and yet so far away.

ED AND MONDO ARE STILL ALIVE. They can still come out of that prison and HAVE LIFE LEFT. These native-born Omaha black activists have paid THEIR dues and OURS. They have had to live their dedication and commitment to truth and justice and the betterment of the African American community for 44 years without a break, a vacation or a single interruption. It’s time for the rest of us to step up and give something back to them. To lift both of them up and carry them for a while. Please.

I’m Walter Vincent Brooks. Thank you.