

# Inmates Trial Called Unfair

By Butch Mabin • Lincoln Journal Star Newspaper • August 3, 1999

A generation and several thousand miles may separate English law student Emma Morris from the murder of Omaha police Officer Larry Minard, but time and distance have not diminished her interest in the controversial case.

Morris, 20, has spent the past six weeks doing legal research and fund raising in support of Minard's convicted murderers, Mondo we Langa and Ed Poindexter, who both began serving life sentences in 1971. "From a legal position, there was not enough evidence to convict them," she asserted. "If they had a trial now, they would not be convicted." Her beliefs contradict the opinions of others closely involved in the original prosecution. Both the judge and the lead prosecutors have maintained both inmates received a fair trial.

Morris, in her final year of law school at the University of Central England in Birmingham, first heard about Mondo and Poindexter from a professor who teaches courses on American justice.

The professor, whose students sometimes get internships with public defenders' offices in the United States, asked Morris whether she would like to go to Nebraska to work on the case. Morris eagerly agreed.

"This was just something that I felt I needed to do," she said. "I think it (Mondo's conviction) had a lot to do with that he was a very outspoken person. He didn't like the way his people were being treated." Since her arrival, Morris has poured over court transcripts and materials. Much of her legal research will be turned over to New York lawyer Lennox Hinds, who has represented Nelson Mandela and was Mondo's lead counsel for years. "We hope to get Mondo's case back in the courts," Morris said.

Mondo, 52, and Poindexter have been in prison since 1971 for Minard's slaying. Mondo is incarcerated at the Nebraska State Penitentiary. Poindexter has been imprisoned in Minnesota since the late 1970s. Minard died instantly when a booby-trapped suitcase exploded in his face inside an abandoned house in north Omaha. In the early morning of Aug. 17, 1970, Minard and seven other police officers were dispatched to the house after an anonymous caller told 911 he could hear a woman inside screaming.

Minard spotted the suitcase near an entrance. As he approached, it exploded, killing him and injuring the seven other officers. The force of the blast knocked down a bystander on the other side of the street. Mondo and Poindexter, well known to north Omaha residents and police as spokesmen of the political radicalism taking hold at the time in black communities across the country, soon became suspects.

Both eventually were convicted based on several pieces of compelling evidence: Duane Peak, the 15-year-old who testified he was the 911 caller, fingered them as the bomb-makers. And investigators found dynamite in Mondo's home and chemical traces of dynamite on his clothing.

But Morris is not persuaded. "He's such a non-violent person, it's hard for me to believe he could do this," she said of Mondo. "Anyway, from things I've learned about him, he's far too intelligent to leave evidence (the dynamite) laying around."

In addition, she said, there was a strong indication that authorities intimidated Peak to testify against the defendants. What's more, the recorded voice from the 911 call allegedly made by Peak, sounded like a man's voice. Morris said. I've read through the legal transcripts, and they just blow me away," she said. "There were many, many things unfair about the trial."

Morris counts herself among an international community of supporters who believe Mondo and Poindexter may have been targeted by authorities because of their political beliefs. According to these supporters, both were framed by the FBI and local authorities for Mlinard's death. "America is not keen to admit it has political prisoners," Morris said.

Added Mary Dickinson, the Lincoln High School teacher who supervised Morris, "Outside Nebraska, people in every other state and other countries know about Mondo and Ed. Their case is very well known." Dickinson said Amnesty International in America recently called for the release of Mondo and Poindexter, whom it considers political prisoners.

But others close to the case have maintained both men received a fair trial. Former Douglas County Attorney Sam Cooper, who helped prosecute the case, summed up that view in a 1994 interview with The Lincoln Star. Of Peak, Cooper said, "As far as his credibility is concerned, I'm comfortable with it."

In addition to her review of Douglas County District Court records, Morris has gone over materials from the state pardons and parole boards. She and others, including Mondo, have claimed recent changes in parole board policy make it virtually impossible for inmates convicted of first-degree murder to get pardons.

Under its former policy, Morris said, the Parole Board would recommend commutations of life sentences for inmates who go five years without serious misconduct reports.

Now, she said, prisoners must go five years without any write-ups, no matter how minor. "There are hundreds of regulations," she said. "How can anyone go five years?"

Because of the change, the Parole Board denied Mondo a commutation recommendation in March, the first time it had done so in five or six years.

But Manny Gallardo, Parole Board vice chairman, said the current policy had been in place at least since 1994. He said the board recommended Mondo for a commutation in 1996, 1997 and 1998, even though he had at least one write-up in each of those years. "I'm not really sure what happened then," Gallardo said. "Maybe the board overlooked them."