

BLACK PANTHER PARTY
PART 4
National Office Operations
and
Investigation of Activities in
Des Moines, Iowa, and Omaha, Nebr.

HEARINGS
BEFORE THE
COMMITTEE ON INTERNAL SECURITY
HOUSE OF REPRESENTATIVES
NINETY-FIRST CONGRESS
SECOND SESSION

—————
OCTOBER 6, 7, 8, 13, 14, 15, AND NOVEMBER 17, 1970
(INCLUDING INDEX)
—————

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ERRATA

(Black Panther Party, Part 3: Investigation of Activities in Detroit, Mich.; Philadelphia, Pa.; and Indianapolis, Ind.—Hearings held July 21–24, 1970, before the House Committee on Internal Security)

Pages 4454, line 26; 4455, lines 6, 14, 16, 17, and 21; and 4456, fourth line from bottom, delete the words "The Blackberries" and insert in lieu thereof "the Black Berets".

Pages 4523, line 26; 4524, line 2; and 4533, line 32, delete the name "Richard Parker" and insert in lieu thereof "Keith Parker".

Index page iii, first entry under "P", delete "Parker, Richard" and insert in lieu thereof "Parker, Keith"; first entry under "B" (Organizations), delete "Blackberries, The" and insert in lieu thereof "Black Berets".

Index page iv, insert as first entry under "M" a new line:
"MC 5----- 4454".

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The House Committee on Internal Security is a standing committee of the House of Representatives, constituted as such by the rules of the House, adopted pursuant to Article I, section 5, of the Constitution of the United States which authorizes the House to determine the rules of its proceedings.

RULES ADOPTED BY THE 91ST CONGRESS

House Resolution 7, January 3, 1969, as amended by House Resolution 89, February 18, 1969

RESOLUTION

Resolved, That the Rules of the House of Representatives of the 90th Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby adopted as the Rules of the House of Representatives of the 91st Congress * * *

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(k) Committee on Internal Security, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

11. Committee on Internal Security.

(a) Communist and other subversive activities affecting the internal security of the United States.

(b) The Committee on Internal Security, acting as a whole or by subcommittee, is authorized to make investigations from time to time of (1) the extent, character, objectives, and activities within the United States of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States, or to overthrow or alter, or assist in the overthrow or alteration of, the form of government of the United States or any State thereof, by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means, (2) the extent, character, objectives, and activities within the United States of organizations or groups, their members, agents, and affiliates, which incite or employ acts of force, violence, terrorism, or any unlawful means, to obstruct or oppose the lawful authority of the Government of the United States in the execution of any law or policy affecting the internal security of the United States, and (3) all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation.

The Committee on Internal Security shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Internal Security, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems

necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

28. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

* * * * *

BLACK PANTHER PARTY

Part 4

National Office Operations and Investigation of Activities in Des Moines, Iowa, and Omaha, Nebr.

TUESDAY, OCTOBER 6, 1970

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Internal Security met, pursuant to call, at 10:15 a.m., in Room 311, Cannon House Office Building, Washington, D.C., Hon. Richardson Preyer, chairman of the subcommittee, presiding.

(Subcommittee members: Representatives Richardson Preyer of North Carolina, chairman of the subcommittee; Richard H. Ichord, chairman of the full committee; and John M. Ashbrook of Ohio.)

Subcommittee members present: Representatives Preyer and Ashbrook.

Staff members present: Donald G. Sanders, chief counsel, and Stephen H. Romines, assistant counsel.

Mr. PREYER. Good morning.

The hearing today is a continuation of hearings concerning the Black Panther Party. The subjects of inquiry, pursuant to committee resolution of October 8, 1969, authorizing an in-depth investigation of the Black Panther Party, concern the origin, history, organization, character, objectives, and activities of the Black Panther Party. On February 18, 1970, the committee by resolution authorized the conduct of hearings on this subject.

In the initial hearings, the committee received evidence and testimony concerning Black Panther Party activities in the Kansas City, Missouri, area. In a second series of hearings, a subcommittee, which I chaired, received evidence and testimony on Black Panther Party activities in the Seattle, Washington, area. In a third series of hearings, this subcommittee, consisting of myself as chairman, Mr. Ichord, and Mr. Ashbrook, reconstituted by Chairman Ichord on July 8, 1970, received evidence and testimony with respect to Black Panther Party activities in Detroit, Michigan; Philadelphia, Pennsylvania; and Indianapolis, Indiana.

It is an objective of this hearing to develop information on the activities and objectives of the national office of the Black Panther Party. We are particularly interested in whether the statements and pronouncements of revolutionary violence which emanate from national leaders or are printed in the Black Panther Party newspaper are intended as mere rhetoric or the advocacy of a recommended course of revolutionary action.

The subcommittee had intended to call as its first witness today an ex-Black Panther Party member to testify concerning this subject. But due to transportation difficulties, airplane problems, he will be unable to testify until tomorrow morning. The Chair therefore instructs that his subpoena requiring his presence at 10 a.m. this morning shall continue in full force and effect until 10 a.m. tomorrow morning.

Other witnesses this week will furnish additional information on the Black Panther Party national office. In addition, one witness will provide the committee with further information relating to the activities and objectives of local Black Panther Party chapters.

The committee has scheduled three witnesses for next week. They are Quinn Tamm, executive director of the International Association of Chiefs of Police; Sheriff Frank Madigan, Alameda County sheriff's office, representing the National Sheriffs Association; and John J. Harrington, national president, Fraternal Order of Police.

During the 10-year period, 1960-1969, there were 561 law enforcement officers feloniously murdered while protecting life and property. In 1969, the last year for which complete statistics are available, there were 35,202 assaults on police officers, 11,949 resulting in injury. Eighty-six police officers, a 34-percent increase over 1968, were killed. While there are no complete statistics available for 1970, the trend, if anything, would appear to be increasing. News accounts have alleged that certain of these killings and assaults have resulted from Panther activities. Statements by Panther leaders and remarks in their newspaper would seem to leave little doubt that the Panthers attempt to encourage physical attacks on police.

There are at present at least 10 bills pending before the House and 3 before the Senate which would make it a Federal offense to kill or assault a State or local policeman or fireman. These three witnesses, representing three levels of local law enforcement, are in an excellent position to relate to the committee the problems facing the local law enforcement officers in this area and discuss the need for Federal legislation.

Any individual who may feel aggrieved by the nature of the testimony or its personal effect on him may request that he be heard. Every consideration will be given by the committee to any such request with a view to affording him an opportunity to testify if he so desires. However, it will be on condition that he will be sworn, that he will conduct himself with propriety and decorum, and that he will be available for examination by members of the subcommittee on pertinent matters to which he testifies.

Mr. Counsel, you may call your first witness.

Mr. ROMINES. I call Robert Horner.

Mr. PREYER. Will you raise your right hand.

Do you solemnly swear that the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HORNER. I do.

Mr. ROMINES. Will you please state your full name for the record.

Mr. HORNER. Robert M. Horner.

TESTIMONY OF ROBERT M. HORNER

Mr. ROMINES. By whom are you employed, Mr. Horner?

Mr. HORNER. By the Committee on Internal Security.

Mr. ROMINES. In what capacity?

Mr. HORNER. As chief investigator.

Mr. ROMINES. Mr. Horner, this committee has previously received testimony pertaining to Black Panther Party activities in the Kansas City, Missouri, area; the Seattle, Washington, area; Indianapolis, Indiana; Detroit, Michigan; and Philadelphia, Pennsylvania. Has the investigative staff of the committee developed any further information along this line?

Mr. HORNER. Yes, information has been collected concerning the operations and activities of 23 additional Black Panther Party groups reported to be presently active and concerning 15 groups reported to be inactive. In addition, information concerning the Panther groups in Kansas City, Seattle, Indianapolis, and Detroit has been brought up to date.

Mr. ROMINES. How was this information obtained, Mr. Horner?

Mr. HORNER. It was obtained from the local law enforcement agencies which had conducted actual investigation concerning the Panther groups.

Mr. ROMINES. I hand you, Mr. Horner, what has been marked Committee Exhibit No. 1 and ask you if you can identify that, please.

Mr. HORNER. Yes, this is a document entitled "Nationwide Survey of Black Panther Party Activities."

Mr. ROMINES. Is that document the result of the survey you have just mentioned?

Mr. HORNER. Yes.

Mr. ROMINES. What are the principal facts or conclusions contained in that document, Committee Exhibit 1, which have been supplied by the local enforcement agencies?

Mr. HORNER. The information completely supports the testimony given at the previous hearings. It was found that there is no practical difference between a group which calls itself the Black Panther Party and the group which calls itself the National Committee to Combat Fascism. These are both Black Panther Party official groups. All but three of the groups reported upon had been specifically authorized to operate by the Black Panther Party national headquarters. Thirty-eight new groups have been formed from January 1, 1968, to the present. But during the same time 15 groups have become defunct. The hard-core chapter membership averages about 21 persons each.

About one quarter of the total membership were females. No unusual pattern was noted with respect to the local leaders of the Black Panther Party groups. The average leader was described as a male between the ages of 20 and 23, unemployed, with a criminal record, and motivated primarily by a desire to become, to be a big shot. There is evidence that in a number of localities there is a potential rank-and-file membership for the Black Panther Party awaiting leadership to become active. Less than two thirds of the branches operate the charitable programs

such as the breakfast for children program, and where these operate law enforcement agencies have found that in most instances they have been used to teach hatred of the police and the Government.

Thirty-six out of forty-two groups reported upon were said to have been in possession of firearms, usually an assortment of rifles, shot-guns, and sidearms. Seventeen groups having active chapters and five having inactive chapters were reported to have been in possession of explosives. Five explosions targeted against business establishments have been attributed to the Black Panther groups.

In 6 out of 14 cities where riots or major disturbances have taken place since the formation of a local Panther organization, Panthers were reported to have been involved as ringleaders or active participants.

Mr. ROMINES. Mr. Horner, you indicated that generally speaking there is a rank-and-file potential membership ready for action. Did the surveys indicate whether the success of operation of a local chapter depends at all on the quality of leadership which is available?

Mr. HORNER. Apparently almost entirely.

Mr. ROMINES. Have you obtained any other information from reliable sources?

Mr. HORNER. I have some additional information here first from the survey.

Mr. ROMINES. I am sorry.

Mr. HORNER. In the 42 cities furnishing data, four law enforcement officers had been killed by Black Panther Party members; 26 have been injured, with the resulting loss of 738 working days. In four cities the law enforcement agencies had received reliable reports that Communist Party members were regularly in contact with the local Panthers and gave them significant guidance. Most of the present or former Black Panther Party members questioned by the reporting agencies were of the opinion that the primary objective of the Panther leaders is to incite violent revolution.

The law enforcement agencies contacted considered the chief threat of the Panthers to be twofold. One is the alienation of young people through the hate police propaganda and the creation of a climate conducive to violent revolution. Most cities reported that the relationship between the police and the Negro communities is good; that community support of the Panthers is small; and that few, if any, benefits had accrued to the Negro communities through the efforts of the Black Panthers.

This survey was based upon inquiries directed to 77 law enforcement agencies in whose jurisdictions Black Panther Party groups were reported to be active now or to have been in the past.

Forty-two replies have been received and others have been promised. I believe the replies yet to be received will not be significantly different from those already received. But they will include replies from several of the larger metropolitan areas where the history of the Panthers is longer and more complex. Therefore I would like permission to adjust this staff study to include data from further replies received prior to the printing of the hearing document.

Mr. ROMINES. Is that agreeable to the Chair?

Mr. PREYER. The Chair will grant the permission for you to open the survey for new information.¹

Mr. HORNER. I just want to comment that the Panthers have been active in 32 States.

Mr. ROMINES. In addition, Mr. Horner, have you obtained any further information from reliable sources on the subject of the Black Panther Party organization, its membership, with respect to possession of firearms, and with respect to police and Black Panther Party shootings?

Mr. HORNER. Yes. The most authoritative source on this subject is, of course, Director J. Edgar Hoover of the FBI. In his testimony before the Appropriations Committee in March 1970, Mr. Hoover said there were then "800 to 900 hard-core guerrilla-type members with many thousands of supporters." Mr. Hoover noted that in the previous 2 years "authorities uncovered 125 machineguns, sawed-off shotguns, rifles, and hand grenades, together with thousands of rounds of ammunition. They also found 47 Molotov cocktails plus homemade bombs, gunpowder, and an accumulation of bayonets, swords, and machetes."

The committee has also received a report from a Federal agency concerning information collected in the course of its investigations. In brief, this report shows records of 858 firearms of all types, including fully automatic weapons, and 181,584 rounds of ammunition possessed or used by Black Panthers. Most guns traced were found to have been acquired by theft.

The agency also noted that there is evidence that the Panthers have been in possession of a variety of explosives and that the knowledge to use them had been obtained from published instructions. They noted that explosions in which Panthers had been involved had resulted in 19 personal injuries, 4 deaths, and property damage in excess of \$1 million. They noted that their information was restricted to individuals who had been positively identified as Black Panther Party members.

Mr. ROMINES. Mr. Horner, I hand you what has been marked Committee Exhibit No. 2 and ask you if you can identify that.

Mr. HORNER. Yes; this is the information that I just described from the document provided to the committee by the Federal agency.

Mr. ROMINES. Do you have any further data, Mr. Horner, on police deaths and/or injuries resulting from gunshots fired by members of the Black Panther Party?

Mr. HORNER. Yes, we have a compilation showing that 9 police officers have been killed and 56 wounded by gunshots fired by Black Panthers in the past 3 years. The report is organized by State and city, and by the dates on which the shootings occurred. It shows that 1 officer was killed and 1 wounded in 1967, none killed and 17 wounded in 1968, 4 killed and 24 wounded in 1969, and 4 killed and 14 wounded so far in 1970.

Mr. ROMINES. Mr. Horner, I hand you what has been marked Committee Exhibit 3 and ask you if you can identify that, please.

Mr. HORNER. Yes, this is the report I spoke of.

¹ Exhibit 1 was not amended as the anticipated replies from the larger metropolitan areas were not received and the few additional replies which were received did not significantly alter the results of the survey.

I think it is pertinent in this same connection to call attention to the further comments of Director J. Edgar Hoover of the FBI in his March 1970 testimony concerning allegations of the Panther attorney Charles Garry, that 28 Panthers had been murdered by the police since 1968. Director Hoover's testimony was as follows:

In a press release dated December 12, 1969, the BPP was hard pressed to identify even 20 of the members which it claimed were "killed in cold blood" by police. Of the 20 named, 4 had been killed by members of a rival black extremist group on the west coast; one died of barbiturate intoxication; one was shot and killed by a store owner during a robbery attempt; one was killed by his wife over a love affair he was having with a female Black Panther; and another is alleged to have been tortured and killed by BPP members, 14 of whom, including Chairman Bobby Seale have been indicted in connection with this member's death.

Mr. ROMINES. You mentioned 4 police deaths and 27 injuries, and now on this particular Exhibit 3 we have a total of 9 deaths and 56 injuries. Can you explain the difference between the figures?

Mr. HORNER. Yes, the 4 deaths and 26 injuries I referred to are from the incomplete survey. We expect the completed survey will also show the same 9 deaths, but probably more than the 56 injuries because the document you just referred to deals solely with deaths and injuries attributable to gunshots, whereas our survey also includes injuries to police officers from clubs, knives, and so on.

Mr. ROMINES. Mr. Chairman, I would ask that Committee Exhibits 1, 2, and 3 be introduced in the record at this point.

Mr. PREYER. As I understand it, this is a summary of a survey which you mailed out to all law enforcement agencies.

Mr. HORNER. To 77.

Mr. ROMINES. That would be Exhibit 1, Mr. Horner?

Mr. HORNER. Yes.

Mr. PREYER. Exhibit 1 summarized the findings of that survey?

Mr. HORNER. Yes.

Mr. PREYER. What is Exhibit 2 again?

Mr. HORNER. These are further facts concerning firearms and explosives that have been found to have been in the possession of known Black Panther Party members.

Mr. PREYER. Does this come from the survey also?

Mr. HORNER. No, this comes from a separate source, a Federal agency that asked not to be identified.

Mr. PREYER. So this is from Federal files?

Mr. HORNER. Yes.

Mr. PREYER. And Exhibit 3 is the number of law enforcement officers killed or wounded and the areas and the dates?

Mr. HORNER. Right, by gunshots, yes.

Mr. PREYER. Does that come from a Federal source rather than a survey?

Mr. HORNER. Yes, sir.

Mr. PREYER. Without objection the documents are admitted into evidence.

(Documents marked Committee Exhibits Nos. 1, 2, and 3, respectively. See appendix A, pages 4977-4985.)

Mr. ROMINES. I hand you what has been marked Committee Exhibit No. 4 and ask you if you can identify that, please.

Mr. HORNER. This is a staff study by the Committee on Internal Security entitled "The Black Panther Party, Its Origin and Development as Reflected in its Official Weekly Newspaper *The Black Panther*, *Black Community News Service*."

Mr. ROMINES. Are you familiar with the preparation and contents of this document, Mr. Horner?

Mr. HORNER. Yes.

Mr. ROMINES. Describe it for the committee, please.

Mr. HORNER. This is a document of approximately 100 pages. It is a compilation of information which has appeared in the pages of the Black Panther Party newspaper. It does not contain information from any other source, except for a few explanatory notes. The information is arranged under headings pertinent to the subject matters set out in the committee resolution authorizing the Black Panther Party investigation.

Mr. ROMINES. Why was Committee Exhibit No. 4 prepared?

Mr. HORNER. It was prepared because the Black Panther newspaper is one of the best sources for information concerning the organization and, in particular, because it clearly sets out the aims and purposes of the Black Panther Party national leaders.

Mr. ROMINES. What period of time does the staff study cover?

Mr. HORNER. From May 1967 through September 1970.

Mr. ROMINES. During that period of time, how many issues of the newspaper were published?

Mr. HORNER. About 100.

Mr. ROMINES. Has all of the material in each issue been correlated in the study?

Mr. HORNER. No, only those matters which were considered pertinent to the committee resolution.

Mr. ROMINES. Will you summarize, please, for the committee, the principal points made in the study?

Mr. HORNER. The two most important aspects of the study are the section on revolutionary violence and the section concerning the Black Panther Party relationship with foreign revolutionary groups such as Al Fatah, the Arab guerrilla movement. The accumulation of the statements of the Panther leaders on violent revolution should be most useful to the committee in resolving the question as to the aims and purposes of the leaders.

The section on Panther connections with foreign and revolutionary movements represents the most important recent trend of Panther activities because it shows clearly how the Panther leaders are reaching out more and more for support and assistance to anti-United States forces overseas. This, of course, substantially increases the internal security problem which the Panthers represent. Another interesting aspect of the study is the section on the Panthers and Marxism-Leninism, as it shows how the leaders have developed from the point of merely giving lipservice to Marxism-Leninism to adoption of a definite position in support of Marxism-Leninism according to North Korea's Kim Il Sung. The remainder of the study is primarily concerned with the Panthers' organization and activities.

Mr. ROMINES. Mr. Chairman, I would ask that Committee Exhibit No. 4 be included in the record.

Mr. PREYER. Without objection it is admitted into the record.

(Document marked Committee Exhibit No. 4, because of length, has been printed as a separate committee document.)

Mr. ROMINES. Mr. Horner, I hand you what has been marked Committee Exhibit No. 5 and I ask you if you can identify that, please.

Mr. HORNER. Yes, this is an excerpt from a book entitled *CONVERSATION WITH ELDRIDGE CLEAVER, ALGIERS*, by Lee Lockwood. It is a Delta book published by Dell Publishing Company, 750 Third Avenue, New York City.

Mr. ROMINES. Why is that book, and in particular that specific excerpt, significant, Mr. Horner?

Mr. HORNER. Because it is a recent statement by Eldridge Cleaver, a leader of the Black Panther Party, on the subject of violent revolution. It very clearly states his aims and purposes.

Mr. PREYER. Who is that interview with?

Mr. HORNER. Eldridge Cleaver, who lives now in Algiers and who is an official of the Black Panther Party.

Mr. PREYER. To whom did he give it?

Mr. HORNER. Lee Lockwood, a reporter.

Mr. PREYER. Did that appear in a newspaper?

Mr. HORNER. It is a book, a booklet. It is a paperback book. The book is in the form of questions and answers, and the significant statements are as follows. The reporter asked Cleaver—

one would gather from what you have been saying here that the Black Panthers are laying plans for guerrilla warfare in the United States. Why do you think that a guerrilla war is absolutely necessary at this time?

The pertinent portions of Cleaver's reply are—

this is my belief, and * * * what I feel is necessary, and * * * what I know a lot of other people are dedicated to, * * * that we have to fight a revolutionary struggle for the violent overthrow of the United States government and the total destruction of the racist, capitalist, imperialist, neo-colonialist power structure. * * * The experience we have gained in the Black Panther Party * * * must now be transferred over, not into the political arena but strictly into the military arena where politics have been transformed into warfare. * * *

The reporter asked, "Do you now think it is too late for peaceful changes?"

Cleaver said—

things have gone so far that there is a conflagration indicated. As far as I am concerned there can be nothing *but* the conflagration. * * *

I'm saying to you that I feel that the United States as it exists today has to be totally obliterated and * * * rearranged. And it won't be rearranged peacefully * * *.

He said—

those who control the United States * * * are * * * escalating the repression against the forces that are moving for change. The only fitting response to this repression can be implacable resistance, and the only implacable resistance that can possibly be manifested in this situation is open warfare against the system.

Mr. ROMINES. Mr. Chairman, I ask Committee Exhibit 5 be included in the record.

Mr. PREYER. What is the name of the book?

Mr. HORNER. *CONVERSATION WITH ELDRIDGE CLEAVER*.

Mr. PREYER. That is admitted into evidence.

(Document marked Committee Exhibit No. 5. See appendix A, pages 4987-4990.)

Mr. ROMINES. I have no further questions of this witness, Mr. Chairman.

Mr. PREYER. Of the 42 cities who have replied so far to the questionnaire, I wasn't clear on what your figures were on how many had active Panther groups in them?

Mr. HORNER. Twenty-seven.

Mr. PREYER. Twenty-seven had active groups and fifteen had inactive?

Mr. HORNER. Right.

Mr. PREYER. Does "inactive" mean they had groups which had gone out of existence?

Mr. HORNER. Defunct.

Mr. PREYER. And not replaced by a National Committee to Combat Fascism?

Mr. HORNER. That is right. They no longer exist. In one instance, however, one of these defunct chapters has been recently activated and does exist.

Mr. PREYER. Do they tend to go in or out of existence depending on whether they have leadership or not?

Mr. HORNER. That seems to be the pattern. There are at all times, presently, about 40 groups, official groups of the Black Panther Party active, but they go in and out of existence frequently.

Mr. PREYER. I assume that the National Committees to Combat Fascism were counted as active Panther groups?

Mr. HORNER. They are active Panther groups.

Mr. PREYER. Do you know how many of those there may be that call themselves that rather than Panthers?

Mr. HORNER. I don't have that figure right here.

Mr. PREYER. More than one or two?

Mr. HORNER. I think, of the figures received in this partial survey, about one-third were National Committees to Combat Fascism.

Mr. PREYER. About one-third of the active groups now call themselves that?

Mr. HORNER. Yes, but they, again, can be—the name can change from National Committee to Combat Fascism to Black Panther Party and back again, an example being here in Washington, D.C., where the group started out as the National Committee to Combat Fascism and then was upgraded to the status of a Black Panther Party group, which it is now. Whereas in Omaha, where there was a Black Panther Party group, it was downgraded for inactivity to the status of a National Committee to Combat Fascism and has since been ordered out of existence.

Mr. PREYER. You mention that there is no significant difference between the two, between the Black Panther Party and the National Committee. I recall some testimony at an earlier hearing where one witness testified that because non-Panthers were adopting the Panther uniform, the black beret and the black jacket, that the real Panthers in that territory were going back to civilian clothes and, as I recall, one aspect of the change was to change from Black Panthers to the National Committee to Combat Fascism. When you have a Committee to Combat Fascism, other than calling themselves Panthers, do you get a change in uniform?

Mr. HORNER. No, the practice of wearing uniforms generally has been abandoned by all of the Black Panther Party groups. I should

say, however, that one difference between the two groups, which is significant is that in the National Committees to Combat Fascism there are Caucasians active. As a matter of fact, the two individuals who operate the national office of National Committees to Combat Fascism are Caucasians.

Mr. PREYER. You mentioned something about the survey indicated that there were considerable numbers of potential members, as I understood it, awaiting leadership?

Mr. HORNER. My reference there was to the situation where there has been a Panther group active to some extent, but they have for one reason or another lost their effective leadership and are simply awaiting someone else to come along and provide that leadership. That particular situation is, I think, best described in a quotation I have included in the document, Exhibit No. 1, which is the quotation from a statement made by a police officer familiar with the Panthers in which he describes this situation.

Mr. PREYER. That didn't seem to gibe with a statement that I thought you made later on that the Panthers were not particularly effective in the local community or not generally respected by the black community.

Mr. HORNER. That is the conclusion of the law enforcement agencies who furnished the survey data, and in only three instances did these law enforcement agencies indicate that there had been any good come out of the Black Panther Party activity. Most of them feel that the black community is either too apathetic or the Black Panther Party groups have been too ineffective in their work to have made much of a mark on the black community.

Mr. PREYER. You mentioned the number of officers killed or wounded by Panthers, and your document here sets out the dates and the cities. Do these involve convictions or are these alleged killings?

Mr. HORNER. Law enforcement agency records show that known Black Panther Party members were accused of the shootings, and on some of these the cases are pending and in others convictions have resulted.

Mr. PREYER. But in every case there has been a charge and either a conviction or the case pending?

Mr. HORNER. Yes.

Mr. PREYER. So that those are hard figures and not allegations?

Mr. HORNER. No, these are hard figures.

Mr. PREYER. One of the interesting questions on your law enforcement officers' survey gives an answer pretty clearly on the basic question of whether the Panthers are seeking to seize power by revolution, to seize the power from a ruling class, or whether they are reformists seeking to make a better society. Are they radical revolutionists or are they basically reformists? The answer that your survey gives is that, in the opinion of law enforcement people, they are revolutionaries.

Mr. HORNER. Yes, not only law enforcement people but former members or active members of the Black Panther Party from whom these law enforcement agencies received information.

Mr. PREYER. And the quotation from Eldridge Cleaver also backs that up.

According to your survey, and I would say this is according to the other testimony we have heard, in carrying out that purpose they, of course, have not been successful in seizing power from the ruling class, as they have put it, but they have had some effect and the effect, as you point out, is to alienate the young people. If you get young children in breakfast clubs and lecture them on "off the pigs," one can see how that might do it. Second, even if it doesn't bring about revolution, even if they don't actually start a revolution right now, they are creating a climate which makes revolutionary activity more likely.

Mr. HORNER. Yes.

Mr. PREYER. You have got a lot of information here in these reports. Since I have not had the chance to read them, I can't ask you very intelligent questions about them. But I will study them. Your report on the Black Panther paper is a 100-page report, single spaced, and it covers a lot of information.

Mr. HORNER. Yes, it does.

Mr. PREYER. You say you studied 100 issues of the Black Panther paper. Is that the entire output or does that cover a certain period of time?

Mr. HORNER. That is the entire output approximately through September 1970. The publication of the paper was intermittent at first in 1967 and 1968. It didn't really become a weekly until the last 2 years, generally speaking.

Mr. PREYER. I gather from what you have said a study of that convinces you that from the point of view of doctrine and theory they are becoming more sophisticated, that they are beginning to form a doctrine or theory?

Mr. HORNER. Yes, that is correct.

Mr. PREYER. What we have seen from earlier hearings, the general impression we get is that Panthers have little in the way of doctrine or theory, that most of it is hand-me-down formulas and tag lines from Marx and Mao cliches which you have just rattled off from Mr. Cleaver about racists, colonialists, capitalists, and so forth. It hasn't been much more than reciting the tag lines. I gather that your conclusion is, from studying the paper, that they are developing a more systematic doctrine of violent revolution.

Mr. HORNER. Yes, this is reflected in the newspaper, but the survey shows that the rank-and-file Panthers around the country do not have a very deep understanding of Marxism-Leninism and that primarily they just pay lip service to Marxism-Leninism cliches.

Mr. PREYER. Does the paper indicate who the editors of the paper are?

Mr. HORNER. Yes.

Mr. PREYER. Who their revolutionary thinkers are? As you know, what we have seen of the individual chapter, they go very little deeper into doctrine than a few tag lines.

Mr. HORNER. The leaders, as shown in the study of the Black Panther newspaper, do go into quite some detail and well thought out detail concerning their objectives.

Mr. PREYER. One final question. You mentioned their relation to foreign revolutionary movements and to the Al Fatah movement

of the Arabs. Is there any information in the paper that this has gotten beyond the talking stage? Have they visited?

Mr. HORNER. Yes, they have. The newspaper shows that they have visited; they have established an international headquarters for the Black Panther Party in Algiers. Eldridge Cleaver has personally visited, according to his own statements, in North Korea, North Vietnam, and Yasser Arafat of Al Fatah, the guerrilla leader.

Mr. PREYER. Thank you very much, Mr. Horner. I will read your documents with interest.

Mr. ROMINES. I call Stuart Pott, please.

Mr. PREYER. Do you solemnly swear the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. POTT. I do.

Mr. ROMINES. You would please state your full name for the record?

Mr. POTT. Stuart L. H. Pott.

TESTIMONY OF STUART L. H. POTT

Mr. ROMINES. By whom are you employed, Mr. Pott?

Mr. POTT. The House Committee on Internal Security.

Mr. ROMINES. In what capacity?

Mr. POTT. As an investigator.

Mr. ROMINES. Mr. Pott, a comprehensive staff study concerning the contents of the Black Panther Party newspaper has previously been identified, discussed, and introduced as Committee Exhibit 4 this morning. Have you conducted any additional investigation concerning that newspaper?

Mr. POTT. Yes, I have.

Mr. ROMINES. Is the information which you have obtained concerning the paper extracted from the paper itself, as was done with Committee Exhibit 4, or is your information obtained from other sources?

Mr. POTT. No, it was obtained from other sources, various sources throughout the country. It was obtained from interviews with former members of the Black Panther Party and from various members of the law enforcement community.

Mr. ROMINES. Any citizens or businessmen included?

Mr. POTT. Yes.

Mr. ROMINES. With respect to the ex-members of the Black Panther Party, would these be individuals who have direct knowledge concerning the newspaper itself?

Mr. POTT. Yes, they have had.

Mr. ROMINES. Have you prepared a report of the information you have been able to obtain and develop concerning the paper?

Mr. POTT. Yes, I have.

Mr. ROMINES. I hand you what has been marked Committee Exhibit 6 and ask if you can identify that, please.

Mr. POTT. Yes, this is the original typewritten copy of the report which the investigative staff has prepared.

Mr. ROMINES. That reflects the information?

Mr. POTT. Yes, it does.

Mr. ROMINES. I would like to ask you some questions about Committee Exhibit 6. First of all, when was the paper first established?

Mr. POTT. In approximately 1967.

Mr. ROMINES. How large an operation was it initially?

Mr. POTT. At this time it was just a local enterprise native to the San Francisco area.

Mr. ROMINES. Is the paper the first piece or type of literature that was printed by the Panthers as an organization?

Mr. POTT. No, a newsletter and printed copies of their 10-point platform were printed before this.

Mr. ROMINES. Were we able to ascertain how many copies of the Black Panther Party paper were distributed when the paper was started?

Mr. POTT. No.

Mr. ROMINES. Have you been able to ascertain any current distribution figures for the paper?

Mr. POTT. Yes, the paper is currently a nationally and somewhat internationally distributed publication. An investigation during 2 weeks in August 1970 revealed that approximately 140,000 papers per week were distributed to over 30 cities in the United States. Papers on occasion have been sent to such foreign countries as West Germany, Algeria, Nigeria, Sweden, Russia, and England.

Mr. ROMINES. Has the distribution figure that you have just given as, I believe, 140,000 copies per week, remained constant?

Mr. POTT. No, it hasn't. It seems to have been growing in the past year. The figure that I have given is the highest figure to date concerning distribution. The figure in the past year has approximately doubled.

Mr. ROMINES. Does your report contain any breakdown concerning the geographical distribution of the paper?

Mr. POTT. Yes, it does.

Mr. ROMINES. And would that be reflected on page 2?

Mr. POTT. That is correct.

Mr. ROMINES. Mr. Pott, can people who are not Black Panther Party members sell the paper?

Mr. POTT. Yes, they can. In cities where there is no active Black Panther Party chapter, papers are sold by individuals who are not members of the party or National Committee to Combat Fascism. They can also be sold by nonmembers in cities where there are active chapters.

Mr. ROMINES. During your investigation of the newspaper, Mr. Pott, were you able to develop any information concerning its finances?

Mr. POTT. Yes, we were. We were able, based on the information we gathered, to make some projections concerning the potential net profits possibly realized by the Panther national headquarters and local chapters from the sales of the paper.

Mr. ROMINES. Does your report, Committee Exhibit 6, contain an explanation concerning the manner in which these projections were developed?

Mr. POTT. Yes, it does. The explanation starts on page 3 and continues through page 4. Basically the way we made the projections was to obtain information which revealed the number of papers distributed. We know that the selling price of the paper is 25 cents per copy.

Mr. ROMINES. How is that 25 cents allocated after the paper is sold?

Mr. POTT. The 25 cents is broken down in the following fashion: 12½ cents per copy goes to the national headquarters for every paper delivered in the field; the other 12½ cents is divided between the local chapters and the individuals on the street selling the paper; the local chapters receive 7½ cents per copy; and the individual selling the paper on the street receives 5 cents a copy.

Mr. ROMINES. Is the Black Panther Party paper ever sold on a subscription basis, that is, mailed directly from its distribution center in California to individual subscribers?

Mr. POTT. Yes, it is. There is a certain number of papers that are delivered to readers and subscribers in this fashion.

Mr. ROMINES. Do they also pay 25 cents per paper?

Mr. POTT. They would pay whatever the subscription price is, which is probably pretty close to 25 cents, yes. The chapter would receive the full amount of this.

Mr. ROMINES. The chapter or the national?

Mr. POTT. Excuse me, the national.

Mr. ROMINES. Explain to me the basis for your projection. You gave me the price breakdown on the sale of the paper. What else went into the computation for your projection?

Mr. POTT. After obtaining the price breakdown estimates concerning the sale of the paper were made involving the expenses incurred in printing this publication and expenses involved in moving it to the different parts of the country. Then taking the number of papers that we believed to be distributed to the different parts of the country, multiplying this by 12½ cents per copy, which the national headquarters received for copies delivered, and subtracting our estimates concerning the transportation and printing expenses, we were able to make a projection, based on the 2 weeks observed in detail, as to what the profits, if this trend would go for a period of a year, would be.

Mr. ROMINES. So you based your computation on, as I understand it, a 140,000 issues per week distribution?

Mr. POTT. Approximately, yes.

Mr. ROMINES. Which is what you observed over a 2-week period of time?

Mr. POTT. That is correct.

Mr. ROMINES. How about your expenses estimates, how were those derived?

Mr. POTT. We were able to obtain information through various sources in the investigation concerning the estimates of the expense involved in moving the papers to various parts of the country via commercial carriers and the U.S. Post Office. These were then totaled and then subtracted as one expense. Also, through study of financial records and other sources, we were able to verify the fact that the paper costs approximately 5 cents per copy to be printed. This may vary per issue.

Mr. ROMINES. You say from financial records, to what are you referring?

Mr. POTT. Subpenaed financial records and other sources.

Mr. ROMINES. Would this be part of the information that Mr. Wetterman will have in his report later?

Mr. POTT. Mr. Wetterman will have a discussion of the finances of the paper in his report; yes.¹

¹ See Committee Exhibit No. 25, appendix A, pp. 5068-5083, "Black Panther Party Finances."

Mr. ROMINES. Over the 2-week period for which you obtained your figure, do you have an estimated net profit to the Black Panther Party?

Mr. POTT. Yes, a projection that we made for 1 week's study of net profit was approximately \$4,902, based on the figures gathered for that 1 week, and for the other week we have approximately a little over \$5,000 as a net profit.

Mr. ROMINES. That is per week. What did you project as estimated annual net profit to the Panther Party to be?

Mr. POTT. Concerning the national headquarters, based on these 2 weeks if the trend remains the same, we have projected that they could possibly realize a net profit of \$250,000 per year.

Mr. ROMINES. On the estimated net income for the 2 weeks which you gave me, one was a \$4,900 figure and the other was about \$5,000. Was that to the national?

Mr. POTT. Yes, this is right.

Mr. ROMINES. Who decides how many papers are to be sold by each chapter?

Mr. POTT. The national headquarters sets quotas concerning how many papers a local chapter will receive.

Mr. ROMINES. A local chapter receives a certain number of papers?

Mr. POTT. That is correct.

Mr. ROMINES. Does it have to remit back to the national 12½ cents for each one of those copies or only 12½ cents for each copy actually sold?

Mr. POTT. 12½ cents for each copy received.

Mr. ROMINES. It makes no difference how many copies are sold?

Mr. POTT. No.

Mr. ROMINES. Are any of the unsold papers ever allowed to be returned for credit?

Mr. POTT. The information we have indicates no.

Mr. ROMINES. They simply have to accept and pay for all of them?

Mr. POTT. That is correct.

Mr. ROMINES. Have you ascertained, Mr. Pott, whether any of the local chapters ever experience any difficulty in selling and paying for the papers they receive from national?

Mr. POTT. Yes, some of the chapters do run into difficulties either through ineffective sales efforts or through funds disappearing at the local level. I believe we have had prior testimony referring to this. The chapters, no matter what happens to these funds, are still obligated to pay the national headquarters.

Mr. ROMINES. Do the locals have to pay cash on delivery for the papers?

Mr. POTT. No, but recent information indicates that they must settle the account for the last week's papers delivered before they can receive a new fresh delivery for the current week.

Mr. ROMINES. What happens if the account isn't settled?

Mr. POTT. Disciplinary measures of various types will be taken by the national headquarters. Originally inquiries will be made as to what is happening to the funds. If there are not any explanations and if the figure is large enough, somebody will probably be sent from national headquarters to investigate why they are unable to pay for the papers.

Mr. ROMINES. Were you able to ascertain what happens to money and checks collected from paper sales?

Mr. POTT. The Black Panther paper operation, which transacts its business under the name of National Distribution maintains commercial accounts. I do not know if all the money collected for the newspapers or field sales is deposited in this account, but there is a lot of activity in this account.

Mr. ROMINES. Have these bank accounts always been used for deposit of collection money?

Mr. POTT. No, in the early stages of the paper's publication, while it was still a local enterprise, various vendors would go out into the San Francisco Bay area and sell their quotas of newspapers. After doing this they would return to the Panther headquarters in a group and count their proceeds together publicly, so to speak, within the Panther headquarters. Money was then turned over to David Hilliard. It is not known what he did with it. This process, according to information supplied by persons who were formerly affiliated with the party, was then altered by Hilliard to the situation where the local vendors would go out into the Bay area, sell the papers, the money would then be turned over to Hilliard and counted privately by him, and then no reports concerning income, expenditures, et cetera, were ever given by him. I don't know if this is still the situation or not.

They have commercial accounts that are handling quite a bit of the money.

Mr. ROMINES. Basically how are the papers distributed, Mr. Pott?

Mr. POTT. The majority of the papers are sold by vendors on the street. They are distributed basically throughout the Nation via the commercial carriers.

Mr. ROMINES. Does the Black Panther Party have any special mailing privileges?

Mr. POTT. They utilize a bulk mailing permit which can be obtained by anybody that has enough activity or enough pieces of mail to be sent out on a periodic basis.¹

Mr. ROMINES. How are the papers packaged for mailing?

Mr. POTT. They are in a plain brown newspaper wrapper which indicates that the papers are distributed by the National Distribution. It has the return address of 1336 Fillmore, San Francisco, which happens to be a San Francisco facility of the Black Panther Party.

Mr. ROMINES. Is there any name included on the wrapper?

Mr. POTT. Yes, the name of National Distribution.

Mr. ROMINES. And that would be the same operation to which you previously referred?

Mr. POTT. That is correct.

Mr. ROMINES. Is all of the business concerning the Black Panther Party paper conducted or transacted under the National Distribution?

Mr. POTT. The information available to me during the investigation indicates yes, that all business transactions concerning the paper are conducted under the name of National Distribution.

Mr. ROMINES. Were you able to ascertain whether National Distribution is incorporated?

Mr. POTT. The most recent information available to us indicates that National Distribution is not incorporated.

¹ See pp. 4963-4965 for additional testimony concerning bulk mailing.

Mr. ROMINES. Mr. Pott, there are numerous statements in the Black Panther Party newspaper which concern revolutionary violence. Has the Post Office Department ever had occasion to question the suitability of the Black Panther Party paper for inclusion in the U.S. mails?

Mr. POTT. Yes, it has. Certain issues have been reviewed by the mailability division of the U.S. Post Office Department concerning this matter. After reviewing certain issues they have ventured the following opinion, if I may read it.

Mr. ROMINES. Surely.

Mr. POTT (reads).

. . . Section 1717 [Title 18, U.S. Code] prohibits the mailing of matter advocating treason, insurrection, or forcible resistance to any laws of the United States, and provides penalties for violation. However, relevant U.S. Supreme Court decisions have indicated that to be valid, application of such statutory prohibitions and penalties must be supported by evidence, other than the mail matter itself, that there exists a clear and present danger of the mailed statements' causing the advocated action.

In the absence of such independent supporting evidence, the Post Office Department would have no basis to institute administrative proceedings seeking to have matter declared unmailable, or to request criminal prosecution.¹

Mr. ROMINES. Where, Mr. Pott, is the paper prepared?

Mr. POTT. The paper is prepared regarding layout and assembly at the Black Panther national headquarters facility located at 1048 Peralta, Oakland, California.

Mr. ROMINES. I believe you have already testified from where it is distributed, have you not?

Mr. POTT. Yes, the Fillmore Street address.

Mr. ROMINES. Have the Panthers always utilized these locations?

Mr. POTT. No. When the paper was first published, information related to me by a former member of the Black Panther Party indicates that it was published in facilities owned by Beverly Axelrod, an attorney in California. Axelrod at this time, according to this source, was considered to be an attorney of the Black Panther Party.

Mr. ROMINES. Mr. Chairman, I would ask that Committee Exhibit 6 be included for the record and I have no further questions of this witness at this time.

Mr. PREYER. Exhibit 6 is admitted into the record.

(Document marked Committee Exhibit No. 6. See appendix A, pages 4991-4995.)

Mr. PREYER. You have a list in your report here, I see, of the 30 cities, I think you said, in which it has been distributed.

Mr. POTT. Yes, Mr. Chairman.

Mr. PREYER. I had intended to ask Mr. Horner what the general population size was of the 42 cities you had reported on. What would be the minimum population on one of those cities?

Mr. HORNER. I don't have population figures for those cities, but they are, generally speaking, the large cities of the United States. Most of them are in the Far West, the Middle West, and the East, with only two or three or four in the South.

Mr. PREYER. I notice that most of the cities are the large cities, but you do have some smaller cities such as Roxbury, Massachusetts; Winston-Salem, North Carolina; Charleston, South Carolina. So that you feel they are making a profit on this paper?

¹ For supplemental letter from Post Office Department concerning mailability of Black Panther Party paper, see appendix B, p. 5111.

Mr. POTT. Yes, Mr. Chairman.

Mr. PREYER. And there is no advertising in there, I believe.

Mr. POTT. None to my knowledge, no.

Mr. PREYER. Some of our daily newspaper people would like to know how they do that. I gather they have quite a collection agency that isn't available to the average paper.

You don't go into the substance of what is in the papers, and I suppose that is in this 100-page report here. But from reading these papers it looks like here is another good test of a free and open society. The kind of things that go through the mails in that paper are strong medicine. I saw the last edition yesterday and there was the cartoon of a Panther with a rifle climbing out of a window and a dead law enforcement officer lying on the floor with the caption saying, implying this was a good thing to do. They talk about our repressive society, but one wonders what other society in the world or in history would give bulk mailing permits to this kind of thing. It is like the problem the Post Office is dealing with on pornography right now. How absolute is free speech to allow some of this stuff that goes through the mail now. No free speech is absolute: you can't cry "fire" in a crowded theater. We have liberal laws, but there are some limits and the question is how far those limits stretch. We operate on Jefferson's theory that we should allow error to be published as long as truth is free to combat it in the marketplace. But some of the Panther stuff, like some of the pornography, gets into areas where it involves degrading the human spirit and human dignity and is inciting violence.

One of the things in the Panther paper that is like pornography is the way they dehumanize their opponents. The opponent is always a pig or an animal or a beast or something of that sort. They keep driving that stuff into the young people and you wonder what kind of effect it is going to have in the long run.

What was the law under which the Post Office made a finding?

Mr. POTT. Yes, 18 U.S. Code, Section 1717, I believe (a), but I am not sure about the (a).

Mr. PREYER. And they concluded that there was insufficient evidence under that code to take action against them?

Mr. POTT. Yes, the final conclusion indicated that in absence of independent supporting evidence, the Post Office Department would have no basis to institute proceedings. They indicate that the paper itself does not present clear enough or acceptable evidence of what has been advocated in the paper, that what has been advocated in the paper has actually ensued or actually followed. In other words, they have not been able to determine, in their opinion, that the items published in the paper have, in fact, actually led to any type of treason, revolution, et cetera.

Mr. PREYER. So they have put it on the grounds of, it would constitute incitement to action only if followed by action?

Mr. POTT. Yes.

Mr. PREYER. That is a difficult thing sometimes to prove. This is another closely written report, Mr. Pott, which I will have the opportunity to study and then may have some questions on.

I notice here you do talk about the revolutionary cartoons in the paper. They are generally created by Emory Douglas. Where is Douglas from; is he in Oakland?

Mr. POTT. I don't know where he is originally from. He does operate or function in Oakland, currently.

Mr. PREYER. You say some reaction generated by cartoons depends on the individual reading it. Some persons will regard them as nothing but funny cartoons, others will react to them as having a specific message. I think that poses the problem of free speech, right there. It is a tough area.

Thank you very much, Mr. Pott, for your report, and I will read that.

Mr. ROMINES. I call Richard Shaw.

Mr. PREYER. Do you solemnly swear the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SHAW. I do.

TESTIMONY OF RICHARD A. SHAW

Mr. ROMINES. Would you please state your name for the record.

Mr. SHAW. Richard A. Shaw.

Mr. ROMINES. By whom are you employed, Mr. Shaw?

Mr. SHAW. I am employed as an investigator for this committee.

Mr. ROMINES. Mr. Shaw, have you had occasion to investigate the activities and operation of the national Black Panther Party headquarters?

Mr. SHAW. I have.

Mr. ROMINES. Where are the national Black Panther Party headquarters located, in what city and State?

Mr. SHAW. They are located at 1048 Peralta Street, Oakland, California.

Mr. ROMINES. When was the Black Panther Party formed?

Mr. SHAW. In October 1966.

Mr. ROMINES. How many initial members did they have?

Mr. SHAW. Approximately six.

Mr. ROMINES. Can you identify them for the committee?

Mr. SHAW. Four of the original six who were identified were Bobby Seale, as chairman; Huey Newton, minister of defense; Bobby Hutton, treasurer; Oleander Harrison, no title.

Mr. ROMINES. What were the primary party activities when it was first formed?

Mr. SHAW. The initial activities involved developing a 10-point platform and program along with giving speeches in the general area of the Bay, San Francisco, Oakland, Richmond, et cetera, on campuses, on street corners, to community organizations and churches.

Mr. ROMINES. In what particular geographical areas were they most active?

Mr. SHAW. In the San Francisco Bay area.

Mr. ROMINES. Who did most of the speech making when they first began?

Mr. SHAW. Huey Newton.

Mr. ROMINES. Were bodyguards present during these speeches.

Mr. SHAW. Yes.

Mr. ROMINES. Were they armed?

Mr. SHAW. Yes.

Mr. ROMINES. What, Mr. Shaw, was the keynote of the initial speeches?

Mr. SHAW. The keynote of the speeches involved racism and self-defense.

Mr. ROMINES. During the early stages of the Black Panther Party, did they initiate any program or programs designed to deter police brutality?

Mr. SHAW. Yes, they did.

Mr. ROMINES. Would you summarize that for this committee, please?

Mr. SHAW. Yes, the program was referred to as the pig patrol, which makes reference to the police. The activities or duties of this patrol involved traveling about the community especially during the night season to deter, if you will, police officers from brutalizing members of the black community. These members were equipped with tape recorders, cameras, and in some cases weapons. They were to record the incidents that occurred on the street that appeared to them to be unlawful. They also were instructed to advise the black citizen who would be approached, and they felt was being victimized, of his rights. In the instances of arrests, they would follow the police vehicle to its destination, the jail, to be sure that the citizen wasn't brutalized en route.

Mr. ROMINES. Is this program still being carried out?

Mr. SHAW. Not to my knowledge.

Mr. ROMINES. Were you able to ascertain, Mr. Shaw, when it ceased?

Mr. SHAW. Not exactly, no.

Mr. ROMINES. During the first year of the Black Panther Party's existence, approximately how many people could the Panthers count on to turn out at a given rally or demonstration?

Mr. SHAW. They could usually depend upon 100 or so, depending on the issues and depending on whether or not the individuals in the community felt like it was fashionable or the thing to do to be seen with or in the presence of the Panthers.

Mr. ROMINES. This would be in the Oakland-Bay area?

Mr. SHAW. Correct.

Mr. ROMINES. Would this number you have just given the committee consist of all Panthers?

Mr. SHAW. No, it would not.

Mr. ROMINES. During this first year, then, Mr. Shaw, what was the approximate hard-core membership of the Panther Party?

Mr. SHAW. The hard-core membership involved six or seven individuals.

Mr. ROMINES. When was the breakfast for children program started?

Mr. SHAW. November and December of 1968.

Mr. ROMINES. And it is still being carried on; is that correct?

Mr. SHAW. Correct.

Mr. ROMINES. Mr. Shaw, did the Panthers ever create an incident at the California State Legislature in Sacramento?

Mr. SHAW. Yes, in May 1967.

Mr. ROMINES. What were the circumstances surrounding that incident?

Mr. SHAW. Their decision to go to the State legislature, while in session, was predicated on their desire to focus attention on themselves. They were relatively new and they needed publicity. Inasmuch as it

was contained in their claim regarding self-defense, the antigun legislation was deemed to them to be important, and since that was the matter at hand at the State legislature they felt this was the most opportune time to go there and present their views.

Mr. ROMINES. Do you know any of the Panther members who were identified as participating in that incident?

Mr. SHAW. Yes, I do. Bobby Seale, Eldridge Cleaver, who at the time was a photographer for *Ramparts* magazine, Oleander Harrison, Bobby Hutton, Lafayette Robinson, Ernest Hitter, Mark Comfort, Reggie Forte, Sherman Forte, Artie Seale, Truman Harris, and Johnny Bethea, B-e-t-h-e-a.

Mr. ROMINES. Mr. Shaw, do the Panthers attempt to project any particular type of political or social image?

Mr. SHAW. Yes; their whole scheme involves the attempt to reflect themselves as wholesome revolutionaries involved only for the purpose of serving the people.

Mr. ROMINES. Since the inception of the party, what has been their primary source of funds?

Mr. SHAW. The primary source of funds has involved speechmaking, which would get for them donations and fees; contributions from individuals and organizations; proceeds from the newspaper; and, on rare occasions, grants.

Mr. ROMINES. Have you been able to ascertain if any subversive or radical groups are known to have attempted to establish working relationships or influence with the Black Panther Party?

Mr. SHAW. Yes.

Mr. ROMINES. What groups would that have been?

Mr. SHAW. The Student Nonviolent Coordinating Committee attempted to exert influence on the Black Panther Party. They had two individuals from SNCC who became members of the Panther Party and also members of the Panther Party central committee. They were H. Rap Brown and Stokely Carmichael. This relationship didn't last too long because, as it was described, the Panther leadership felt that both these individuals, Carmichael and Brown, did have a certain amount of skill concerning their abilities to organize and they felt that if they remained that they might be able to take over the leadership or at least influence it. It appears that at that time SNCC had, for all intents and purposes, a separatist philosophy, but the Panthers at that time objected to this philosophy. On the basis of this plus the other problems arising, wherein Carmichael and Brown were described as only wanting to make ugly speeches, do no work, and get recognition, they were eased out of the party.

Mr. ROMINES. What period of time are you referring to?

Mr. SHAW. Approximately a year.

Mr. ROMINES. Any other groups?

Mr. SHAW. The Communist Party, U.S.A., the Northern California region.

Mr. ROMINES. Did they have any success?

Mr. SHAW. It was never established positively that they had no success. However, in early 1967 there was an invitation extended to the Panther leadership by a Roscoe Proctor, who identified himself as a Communist Party member, for the Panther Party to have delegates or representatives come to a meeting at a warehouse in San Francisco.

Reportedly there were two representatives who went to that meeting. It was explained to them by the Communist Party officialdom that they were interested in having a working relationship with the Panther Party and there was money available to assist the Panther Party in organizing the black community. However, if they accepted this money it would be contingent upon the fact that they would have to disband or be receptive to Communist Party direction and influences.

Mr. ROMINES. Did they accept any of the money?

Mr. SHAW. Apparently not.

Mr. ROMINES. What is the primary material used by the Panthers as a source for their revolutionary theory throughout their political education classes?

Mr. SHAW. Quotations by Mao Tse-tung.

Mr. ROMINES. And what is the primary purpose for using this material?

Mr. SHAW. The material, as it was explained to me, isn't necessarily for the purpose of teaching communism as much as it is to create a greater awareness, a greater political awareness regarding the necessity for discipline and self discipline in order to effect a revolution.

Mr. ROMINES. Mr. Shaw, you may have answered this question, but where exactly are the national headquarters located?

Mr. SHAW. 1048 Peralta, Oakland, California.

Mr. ROMINES. By whom is that particular building owned?

Mr. SHAW. Lonniel O. Jones.

Mr. ROMINES. Is he a member of the Black Panther Party?

Mr. SHAW. No.

Mr. ROMINES. Does the Black Panther Party lease that particular building?

Mr. SHAW. That is right.

Mr. ROMINES. Who executed the lease?

Mr. SHAW. Patricia Hilliard, who was identified as the financial secretary of the Black Panther Party, and Roosevelt Hilliard, who provided no title at that time.

Mr. ROMINES. Were you able to ascertain the amount of the lease?

Mr. SHAW. \$250 a month.

Mr. ROMINES. Has the owner experienced any difficulty in collecting his rent?

Mr. SHAW. He said he had not.

Mr. ROMINES. Basically, how is that particular headquarters building used?

Mr. SHAW. The headquarters houses the ministries of information, culture, and education. The free breakfast program and the liberation school are coordinated from the headquarters. Shirley Hewitt is the coordinator of the breakfast program. The persons who were usually in control of the national headquarters facility are either David Hilliard, who is chief of staff, or his brother, Roosevelt Hilliard, who is the assistant chief of staff. These two individuals usually have the final say concerning any staff functions or conduct of staff at headquarters.

Mr. ROMINES. In whose name is the telephone service registered there, Mr. Shaw?

Mr. SHAW. Marilyn Moorehead, who was identified as a member of the Peace and Freedom Party.

Mr. ROMINES. Does the Black Panther Party operate any branch offices?

Mr. SHAW. Yes, they operate one at 1336 Fillmore Street, San Francisco, California.

Mr. ROMINES. How is that office used?

Mr. SHAW. This location serves as a local branch for the San Francisco Chapter and—

Mr. ROMINES. A chapter of the Black Panther Party?

Mr. SHAW. Right. It also houses the facilities of the National Distribution, which is the operation that distributes the Black Panther newspaper.

Mr. ROMINES. Were you able to ascertain the individual who manages the distribution center?

Mr. SHAW. Andrew Austin.

Mr. ROMINES. Is he a member of the Black Panther Party?

Mr. SHAW. He is.

Mr. ROMINES. Are there any other branch offices of the Black Panther Party?

Mr. SHAW. At 3106 Shattuck in Berkeley, California.

Mr. ROMINES. What is located at that address?

Mr. SHAW. This once housed the Panther national headquarters. However, now it is the national office of the National Committee to Combat Fascism. Also the Black Panther program for community control of police is operated from this address.

Mr. ROMINES. Were you able to ascertain the individuals who are in charge of that building?

Mr. SHAW. Yes, the persons in charge of this facility are Cecelia and Sol Levinson.

Mr. ROMINES. Are they members of the Black Panther Party?

Mr. SHAW. They are both Caucasians and organizers of NCCF.

Mr. ROMINES. Did you ascertain in whose name the telephone service is for that address?

Mr. SHAW. Marilyn Moorehead.

Mr. ROMINES. Do the Panthers maintain any living quarters or living facilities in the Oakland-Berkeley area?

Mr. SHAW. Yes, they do. They maintain living quarters and also community information centers which in many instances double. They are located at 1082 67th Street, Oakland, California, 1321 99th Avenue in Oakland, 1670 10th Street, Oakland. A community center only is located at 2609 East Ninth Street in Oakland, which is the St. Mary of Help Christian Church. 1106 Campbell in Oakland provides housing for female Panthers and provides a daytime babysitting service for Panther sisters. At 436 62d Street in Oakland, David Hilliard maintains an apartment.

Mr. ROMINES. Mr. Shaw, I hand you what has been marked Committee Exhibit No. 7 and ask you if you can identify that, please.

Mr. SHAW. Yes, this is a list of individuals who have been identified as either officeholders or dedicated members of the national office of the Black Panther Party from its inception in October of 1966 to the present.

Mr. ROMINES. Mr. Chairman, I would ask that Committee Exhibit No. 7 be included in the record.

Mr. PREYER. Exhibit 7 is admitted into the record.

(Document marked Committee Exhibit No. 7. See appendix A, pages 4996, 4997.)

Mr. ROMINES. Mr. Shaw, did you during the course of your investigation of the Black Panther Party national office in California interview an ex-Black Panther member who was closely associated with the national office of the Black Panther Party?

Mr. SHAW. I did.

Mr. ROMINES. Can you characterize his association with the national office?

Mr. SHAW. Yes; as he explained to me he was a worker and his work was predicated on his basic desire and willingness to participate in an effort to overcome what he felt was oppression and other inequitable social conditions.

Mr. ROMINES. Was he particularly close to, and did he work closely with, the national office of the Black Panther Party?

Mr. SHAW. Yes, he was.

Mr. ROMINES. Was he knowledgeable about the activities and operation of the national office of the Black Panther Party?

Mr. SHAW. Yes.

Mr. ROMINES. Did he express any attitude to you, Mr. Shaw, about testifying before this committee?

Mr. SHAW. He did.

Mr. ROMINES. What was that attitude?

Mr. SHAW. As he expressed it, "for fear of grave bodily harm to himself, or his family" he insisted that he not be identified and he explained that his fears were based on his personal knowledge concerning the criminal and psychotic personalities comprising the leadership of the Panther Party.

Mr. ROMINES. Mr. Shaw, I hand you what has been marked Committee Exhibit No. 8 and ask you if you can identify that, please?

Mr. SHAW. Yes, this represents the interview involving this subject.

Mr. ROMINES. The results of your interview with that individual?

Mr. SHAW. Right.

Mr. ROMINES. An identifiable ex-member of the Black Panther Party, correct?

Mr. SHAW. Correct.

Mr. ROMINES. Mr. Shaw, the following sequence of questions I have to ask you will be based on the interview and what he related to you therein. When did the national Black Panther Party chapter begin to issue charters?

Mr. SHAW. In November, December, correction, May or June 1968.

Mr. ROMINES. Why?

Mr. SHAW. There was a desire to create control or influence on the then fragmented black militant movement in the country.

Mr. ROMINES. Who made the decision to issue charters?

Mr. SHAW. David Hilliard and Bobby Seale.

Mr. ROMINES. Was the issuing of charters a random or a selective-type process?

Mr. SHAW. Selective.

Mr. ROMINES. What requirements had to be met in order to be selected by the Panther leadership?

Mr. SHAW. An individual desiring to seek a charter had to be known as a dynamic individual, that is, he had to have been participating in

the radical mainstream of the racial scene. This pretty much, in the opinion of the Panthers, represented the individual as having at least possible potential in terms of interest.

Mr. ROMINES. What was required of such a person before he could obtain authority to start a charter?

Mr. SHAW. It was necessary for the individual to travel to Oakland at the national office of the Black Panther Party and receive 6 weeks' intensive training.

Mr. ROMINES. Is this procedure still in effect?

Mr. SHAW. It is.

Mr. ROMINES. What does the training primarily involve?

Mr. SHAW. It involves political education, which of course involves revolutionary theory, concepts, the mechanics of actually operating a Panther office, and other administrative duties.

Mr. ROMINES. Are future Black Panther Party chapter leaders instructed that their allegiance and responsibilities are to the national office?

Mr. SHAW. That is right.

Mr. ROMINES. With what frequency are activity and financial reports required to be submitted from a local chapter to the national office?

Mr. SHAW. Activities reports are required to be submitted on a weekly basis, financial reports on a monthly basis.

Mr. ROMINES. What information would a typical activities report contain?

Mr. SHAW. A typical topic covered would be significant daily activities of members; success in implementing established Panther programs; describing attendance and menus involving the breakfast program, also the contributors and the success of it; proposed programs and success in creating and implementing them; activities attended, such as rallies and demonstrations; propaganda efforts, such as leafletting activities, the creating of new leaflets, et cetera; contents of discussions in the political education classes. This would involve the PE classes of the membership, adults and/or children. There is discussion of local incidents and position taken or to be taken by the local chapter in order to obtain approval by the national headquarters on these positions, planned activities for the immediate future in order to obtain, once again, headquarters approval, and liaison with local groups such as white radical groups.

Mr. ROMINES. Are the activities and financial reports of local chapters regarded as important by the national headquarters?

Mr. SHAW. Yes, they are.

Mr. ROMINES. Why?

Mr. SHAW. It gives the national an opportunity to see the overall financial status of the party and also it assists the national in developing or taking stances with regard to certain issues. In other words, they can draw from all of these reports just about what the consensus would be throughout the country on given issues.

Mr. ROMINES. Does the national office, therefore, exert any degree of control over the local chapter?

Mr. SHAW. They do.

Mr. ROMINES. To what extent does the national office control the local chapters?

Mr. SHAW. If a local chapter fails to comply or deviates from the prescribed operations, it is contacted by a representative from the national office of the Black Panther Party. He is instructed as to correcting the noncompliance or deviation. If he does not, then of course he may very well be removed from office, the chapter may lose its charter, or the individual may be physically convinced that his attitudes are incorrect and inconsistent with the national policy.

Mr. ROMINES. What, if anything, is the relationship between the National Committee to Combat Fascism and the Black Panther Party?

Mr. SHAW. The National Committee to Combat Fascism is an arm of the Black Panther Party. It serves several purposes. One, it gives the Black Panther Party a more broad base of operations, in that it allows persons of the Caucasian race to participate in the Black Panther operation. This would help physically and, of course, financially. It also serves as a proving ground, in some instances, for individuals that the Panther Party is not quite certain of their sincerity, and it serves as a much greater propaganda base in that it involves a greater cross section of individuals.

Mr. ROMINES. You just a second ago testified what could happen if a local chapter of the Black Panther Party failed or refused to comply with the dictates of the national. Would that same answer also hold true for a local National Committee to Combat Fascism chapter?

Mr. SHAW. Correct.

Mr. ROMINES. Mr. Shaw, earlier in your testimony you mentioned, I believe, the term "central committee."

Mr. SHAW. That is correct.

Mr. ROMINES. What is the central committee of the Black Panther Party?

Mr. SHAW. The central committee is the body that makes, as a matter of fact, the policies and decides the positions to be taken, with what groups there will be working relations, and matters of strict organizational policy.

Mr. ROMINES. Were you able to ascertain the current membership of the central committee?

Mr. SHAW. Not the current membership.

Mr. ROMINES. Were you able to ascertain the original membership of the central committee?

Mr. SHAW. When it was formed in approximately April of 1968.

Mr. ROMINES. You say "it was formed"; I presume you mean the central committee?

Mr. SHAW. The central committee was formed in approximately April of 1968, and these are the individuals who were identified: Bobby Seale, Huey Newton, Bobby Hutton, Melvin Newton, Stokely Carmichael, H. Rap Brown, Emory Douglas, Eldridge Cleaver, James Forman, David Hilliard.

Mr. ROMINES. What, Mr. Shaw, is the central staff of the Black Panther Party?

Mr. SHAW. The central staff, which was formed at the same time the central committee was formed, was described as a working staff designed to follow through with policies and decisions made by the central committee.

Mr. ROMINES. Were you able to ascertain the identity of the central staff when it was first formed?

Mr. SHAW. Those people identified were Captain Wilfred Holliday, also known as Captain Crutch; Captain Bill Brent, who was identified as having hijacked a commercial airplane to Cuba in 1969; and a Captain Harvey, first name not known.

Mr. ROMINES. Were you able to ascertain the identity of the individuals who currently comprise the central staff?

Mr. SHAW. No.

Mr. ROMINES. Do Black Panther Party members concentrate their fund-raising efforts on what we have previously heard witnesses identified as the white liberal element and particularly the white youth?

Mr. SHAW. Yes, they do.

Mr. ROMINES. Why?

Mr. SHAW. They regard, first of all, the fact that most of these individuals that would be interested in hearing what they have to say would come from the white middle class, which would necessarily mean that they would have more money than the black audiences that they might speak before. Also they regard this element as a soft touch, as being subject to a con game. Also they know that there are a number of individuals in this element who are attempting to buy themselves a certain amount of revolutionary immunity. And then there are those in that same element who would be certainly sincere in their efforts, but here again the con game; the ability on the part of the Panthers to tell them one thing and be meaning another without having them realize it is the aspect that makes the difference.

Mr. ROMINES. How do many of the the Panthers regard the white element who significantly contribute money?

Mr. SHAW. Stupid, patsies, more money than sense. There is no regard or respect for these individuals who contribute money on behalf of the Black Panther Party from this element.

Mr. ROMINES. What is the Black Panther Party's policy concerning members having jobs?

Mr. SHAW. They are discouraged from having jobs.

Mr. ROMINES. Were you informed as to why?

Mr. SHAW. Yes; it is felt that party business is too time consuming and to be gainfully employed would interfere with the amount of time you could make available to the party.

Mr. ROMINES. Are active members, who are not gainfully employed, given any subsistence money by the party?

Mr. SHAW. No, they are not.

Mr. ROMINES. Did your source of information indicate to you how some of the rank-and-file members decided to obtain subsistence money?

Mr. SHAW. Yes; they committed acts of larceny, burglary, robberies.

Mr. ROMINES. How do the individuals who are, I might use the term "the ruling group"—I guess that would be basically the central committee—how do they obtain money for their own personal use?

Mr. SHAW. They obtain money from the Black Panther Party funds.

Mr. ROMINES. Is the amount of money received by the central committee made known to the rank-and-file members?

Mr. SHAW. It is not.

Mr. ROMINES. How does the Black Panther Party react to members who engage in criminal conduct for the purpose of obtaining money?

Mr. SHAW. They have a dual standard. If the individual who is involved in some criminal conduct is not in favor with or liked

particularly by the ruling group, of course the Black Panther Party, in an effort to focus attention someplace other than on themselves, they embark on a campaign to indicate that the member is a renegade, he is a counterrevolutionary, he is subjective, he is lower than low, he is anything but a Panther member. If, however, the individual is in favor or is a member of the ruling group who becomes involved in some criminal conduct, then the claim by the officialdom of the Black Panther Party is that these charges are trumped up, racist in nature, designed to stifle or restrict the program of the Black Panther Party to counter oppression, et cetera.

Mr. ROMINES. Does the Black Panther Party have any particular policy with respect to proceeds obtained by a member from a criminal act?

Mr. SHAW. Yes; as it was explained there was a split involved. By split I mean that the proceeds obtained by a member or a group of members after having committed a job, a larceny, would have to submit 90 percent to the party and they were permitted to keep the remaining 10 percent.

Mr. ROMINES. Was there any policy with respect to a member who did not split the proceeds derived from some criminal act?

Mr. SHAW. There was. Unless he had some tremendous explanation, he was talked with and if, in the event he still refused to split with the party either then or regularly, then he was set upon physically to convince him that he would not neglect to remit his proceeds.

Mr. ROMINES. Did your source indicate to you what the attitude of the Panther hierarchy, again that would be basically the central committee, is regarding criminal conduct?

Mr. SHAW. Yes, that they condone criminal behavior, but what it is they don't condone, of course, is getting caught. It is not a question of are they against criminal behavior at all. Here again, as it is explained, the Panther Party's interpretation or concept of criminal behavior is not the same version or definition as ours. They justify criminal action in the name of the revolution, in the name of the cause. By this means they are able to convince or influence individuals not so smart that these acts that are being committed are in the name of the revolution, noble, and worthy of praise.

Mr. ROMINES. Does the Black Panther Party provide any legal assistance to its members who might be apprehended?

Mr. SHAW. The same policy prevails as described earlier.

Mr. ROMINES. If they are in favor, yes; if they are not in favor, no?

Mr. SHAW. Right.

Mr. ROMINES. Are any particular types of members usually involved in the criminal acts? Are they somehow pushed, or is it suggested, by the Panther Party, that they become involved in criminal acts?

Mr. SHAW. Yes, an individual possessing a substandard mental capacity or extremely emotional, impressionable, easy to influence.

Mr. ROMINES. Is there any particular reason why these individuals are selected?

Mr. SHAW. Yes, because they are just slow enough that they are likely to do it, and then it will not at the same time reflect the fact that the Panther hierarchy was at all responsible for this type of criminal conduct.

Mr. ROMINES. Do the Panthers have any particular terms for stealing or robbing other than those terms?

Mr. SHAW. Yes, "ripping off" and "liberating the goods."

Mr. ROMINES. And both of those terms mean basically to steal, rob, or burglarize; is that correct?

Mr. SHAW. Yes.

Mr. ROMINES. Do the Panthers maintain any arsenals of weapons of any size?

Mr. SHAW. The information I received indicates that there probably are not any large arsenals as such.

Mr. ROMINES. Why not?

Mr. SHAW. This is designed to circumvent any laws with respect to the maintaining of an arsenal. So as a result of this they have their weapons distributed among the membership as opposed to having central arsenals.

Mr. ROMINES. Do the Panthers have any particular plans or expectations of what to do with a large portion of their arms supply if an insurrection or revolution appeared to be imminent?

Mr. SHAW. Yes, they plan to issue or distribute the firearms to the people on behalf of the revolution or insurrection.

Mr. ROMINES. Do the Panthers have any particular reason for their constant display and commentary concerning weaponry?

Mr. SHAW. Yes, they do. Their intentions involve attempting to create the proper revolutionary climate to the extent that a revolution would occur, and this is to say that they are interested in a people-precipitated revolution instead of an actual Panther-initiated revolution.

Mr. ROMINES. Do the Panthers have any key terminology or expressions that they utilize in an attempt to broaden, expand, or influence the desire for firearms throughout the black community?

Mr. SHAW. Yes, "self-defense," "brutality," "the right to protect your home."

Mr. ROMINES. Do they place any particular emphasis on the importance of self-defense?

Mr. SHAW. Yes. Self-defense, as it is described or explained by the Panthers, is a right and it is necessary for the black community to become more aware of the fact that this is a right and prepare and, in fact, defend themselves against the brutalization on the part of the system, whether it be law enforcement or anyone else.

Mr. ROMINES. With respect to this term "self-defense," Mr. Shaw, are there any specific individuals or groups that the Panthers are attempting to persuade?

Mr. SHAW. Yes. Here again they realize that their success lies in the type of individual who would be regarded as emotional, uninformed, reactionary.

Mr. ROMINES. Mr. Shaw, this committee has previously received testimony from several ex-Black Panther Party members who have testified, among other things, about the Panther definition of self-defense. Did your source explain to you what the national Black Panther Party chapter or organization means when it uses that term? How broad is the term "self-defense" as used by the Panthers?

Mr. SHAW. Yes, basically it involves just this. The Panther definition of self-defense is based on the history of oppression, murder, brutality, and exploitation for the past 400 years as it relates to the black community in this country. Given as an example, this history

can justify the killing of a pig or policeman today without the pig or policeman performing any overt act of aggression at the time he is slain. He can be found guilty by association with an organization, group, or business that has a history of oppression, racism, et cetera, and can, in the cause or in the name of self-defense, be executed.

This not only applies to policemen, but any other persons affiliated with that portion of the system which is regarded as racist or oppressive by the Panthers.

Mr. ROMINES. Mr. Chairman, I expect approximately an hour or 2 hours more of testimony from this witness and one other committee investigator. I know you probably have other commitments early this afternoon. I would make this possible suggestion to you. It would appear at the moment as if we have next Tuesday morning available. I would suggest that perhaps we continue Mr. Shaw and our other investigator over until next Tuesday morning, if that is agreeable with you, sir.

Mr. PREYER. Tomorrow you will have the other witness that was planned for today, and the other witness' testimony will be in the nature of records?

Mr. ROMINES. Yes, all four of today's scheduled witnesses have information concerning basically the Black Panther Party national headquarters operation. It would follow in sequence if we would take it next Tuesday.

Mr. PREYER. All right. Tomorrow we will proceed with the witness we planned to proceed with today. Let's make the record clear that all of this testimony should run *seriatim*.

Mr. ROMINES. I was going to ask your permission that when the final hearing record is printed, it appear in sequential order such that next Tuesday's testimony will follow today's.¹

Mr. PREYER. We will proceed that way. Let me just ask Mr. Shaw one question. Perhaps he can look up an answer on this one. Looking over your list of members here, it is striking the way the Panthers apparently have named their members on the basis of the British parliamentary system of government. Stokely Carmichael is prime minister; Rap Brown, minister of justice; the cartoonist Mr. Emory Douglas is known as minister of culture; then there is Huey Newton, minister of defense.

Then there are military terms, George Sams, Jr., field marshal. Is Sams one of the defendants in the New Haven case?

Mr. SHAW. I am not sure, sir.

Mr. PREYER. I wondered if you had come across why that is the case.

Is there any reason why they adopted this British parliamentary system of nomenclature? Is that a little bit of sarcasm or what is it?

Mr. SHAW. It would be my opinion that it was primarily for the purpose of intrigue, as is the case in just about everything else they do.

Mr. PREYER. We will resume tomorrow with another witness and will continue Mr. Shaw's testimony on next Tuesday morning.

We will stand adjourned.

(Whereupon, at 12:05 p.m., Tuesday, October 6, 1970, the subcommittee recessed, to reconvene at 10 a.m., Wednesday, October 7, 1970.)

¹ Testimony scheduled for Tuesday, October 13, received by committee Tuesday, November 17. See pp. 4947-4962 for a continuation of Mr. Shaw's testimony.

BLACK PANTHER PARTY
Part 4
National Office Operations
and
Investigation of Activities in
Des Moines, Iowa, and Omaha, Nebr.

WEDNESDAY, OCTOBER 7, 1970

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C.
PUBLIC HEARING

The subcommittee of the Committee on Internal Security met, pursuant to recess, at 10:10 a.m., in Room 311, Cannon House Office Building, Washington, D.C., Hon. Richardson Preyer, chairman of the subcommittee, presiding.

(Subcommittee members: Representatives Richardson Preyer of North Carolina, chairman of the subcommittee; Richard H. Ichord of Missouri, chairman of the full committee; and John M. Ashbrook of Ohio.)

Subcommittee members present: Representatives Preyer and Ashbrook.

Staff members present: Donald G. Sanders, chief counsel, and Stephen H. Romines, assistant counsel.

Mr. PREYER. We will continue our hearings on the Black Panther Party today. Mr. Counsel, any time you are ready you may call the first witness.

Mr. ROMINES. I call Frank Benson Jones.

Mr. PREYER. Mr. Jones, we always ask that our witnesses be sworn so I will ask if you will stand and raise your right hand.

Do you solemnly swear the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JONES. I do.

Mr. PREYER. Thank you, be seated.

TESTIMONY OF FRANK BENSON JONES

Mr. ROMINES. Will you please state your full name for the record?

Mr. JONES. Frank Benson Jones.

Mr. ROMINES. Where do you reside, Mr. Jones?

Mr. JONES. 5050 Creeley Avenue, Richmond, California.

Mr. ROMINES. Are you currently employed?

Mr. JONES. Yes, I am.

Mr. ROMINES. Mr. Jones, did you serve in the Armed Forces?

Mr. JONES. Yes, I did.

Mr. ROMINES. In which branch?

Mr. JONES. The United States Air Force.

Mr. ROMINES. When were you discharged?

Mr. JONES. February 23, 1966.

Mr. ROMINES. What is the date of your birth, please?

Mr. JONES. August 21, 1938.

Mr. ROMINES. Mr. Jones, are you now or have you ever been a member of the Black Panther Party?

Mr. JONES. Yes, I have been but I am not now.

Mr. ROMINES. When did you join the Black Panther Party?

Mr. JONES. The date is a little difficult; I can't give you an exact date, sometime in May or June of 1968.

Mr. ROMINES. Where did you join the party?

Mr. JONES. In Oakland, California.

Mr. ROMINES. Why did you join the party?

Mr. JONES. I thought the Black Panther Party was doing something that needed to be done. They were opposing racism, and I felt that because racism was a problem in the United States that the party was serving the necessary need.

Mr. ROMINES. Why would you have selected the Black Panther Party over certain other organizations which were in existence at the time?

Mr. JONES. Well, the other organizations that I knew of had been in existence for quite a while and the problem still existed. The Black Panther Party was new and I thought maybe a new approach might solve the problem.

Mr. ROMINES. Did the Black Panther Party have any approach that you saw at that time which you thought was perhaps going to be more advantageous or beneficial?

Mr. JONES. Yes, taking the stance that we were entitled to and have the right of self-defense as opposed to nonviolence.

Mr. ROMINES. When did you leave the Black Panther Party?

Mr. JONES. Approximately a year later, probably May or June, probably May of 1969.

Mr. ROMINES. For what reason did you leave the party?

Mr. JONES. Basically, primarily because I think the party had changed its emphasis and was no longer emphasizing racism as the problem to be combated and I felt that was where I wanted to continue to place my emphasis.

Mr. ROMINES. You indicated a change in emphasis, which would at least infer a change from an emphasis on racism to an emphasis on something else?

Mr. JONES. Yes.

Mr. ROMINES. What would that something else have been?

Mr. JONES. The party started to oppose capitalism, saying that was the primary problem.

Mr. ROMINES. And you thought that was incorrect?

Mr. JONES. Yes.

Mr. ROMINES. You say you left in about May or June of '69; is that correct?

Mr. JONES. Right.

Mr. ROMINES. Have you had any contact with the Black Panther Party since May or June of 1969?

Mr. JONES. No official contact, meaning that I may have seen members of the party just in passing. I have not been considered a member nor have I participated in any Panther activities; maybe I can answer it that way.

Mr. ROMINES. Then all of your testimony this morning will concern facts pertaining to the Panther Party as you knew it between mid-1968 and mid-1969; is that correct?

Mr. JONES. That is correct.

Mr. ROMINES. When you joined the party, Mr. Jones, were you recruited into the party by someone?

Mr. JONES. No, I took the initiative in joining.

Mr. ROMINES. Could you explain to the committee, please, how you went about joining the party?

Mr. JONES. Okay. It started, I guess, with the fact that I owned a bookstore.

Mr. ROMINES. Where would this have been?

Mr. JONES. This was in Berkeley, California. I specialized in black books. Most of the books I had in my store were books on black awareness, black history, and a number of people were coming in and out of my store telling me about the existence of the Black Panther Party. On one occasion a lady who had been a frequent customer told me she had just been to the Alameda County jail to talk to Huey Newton and said if I wanted to really know what the Black Panthers stood for and what they represented that I should go talk to Huey. With that, I did; I went and talked with Huey, and he offered to correspond and we wrote to each other. I think I wrote to Huey twice and got an answer on one occasion. In the meantime I was still going to visit him at the Alameda County jailhouse. He asked me if I would start to write for the newspaper and I told him I would.

I guess with that I just sort of became a member of the Black Panther Party.

Mr. ROMINES. Basically as a result of your conversations with Huey; is that right?

Mr. JONES. Right.

Mr. ROMINES. Could you give us some idea of the general conversations, what you talked about?

Mr. JONES. We talked about the problems we both felt existed in the United States, the problem basically of racism and the fact that black people were disadvantaged and in many cases could not get full protection under the law or have full equality under the law or under the application of the law.

Mr. ROMINES. When you joined the party, Mr. Jones, did you join a specific local chapter?

Mr. JONES. No, I joined at the national headquarters in Oakland.

Mr. ROMINES. Did you thereafter associate with any local chapters?

Mr. JONES. Yes, with the Richmond, California, branch.

Mr. ROMINES. Where is Richmond, California, with respect to Oakland?

Mr. JONES. Just north of Oakland—just north of Oakland, I guess that is it.

Mr. ROMINES. Could you give me an approximation in terms of miles?

Mr. JONES. It is about a 15-minute drive from where I live, and this is on a freeway about 65 miles an hour, so maybe 20 miles or so.

Mr. ROMINES. Other than Huey Newton, did you know any Panthers before you became a member of the Black Panther Party?

Mr. JONES. No, nobody that I knew was a member, and I don't think I subsequently learned that anyone I knew before was a Panther.

Mr. ROMINES. When you became a member of the Black Panther Party, was there any formal initiation or any indicia of membership?

Mr. JONES. No.

Mr. ROMINES. Did they give you any sort of briefing or training before you became a member?

Mr. JONES. No, I think just the fact that I wrote for the newspaper qualified me as a member of the party.

Mr. ROMINES. Were you actually working for the newspaper before you became a member?

Mr. JONES. The reason I was hesitant in giving you an answer about when I joined before, as soon as I started to write for the paper I was considered a member. I would submit an article for the paper and I was just accepted. You know, it was sort of like an unofficial group and that is what I was part of, that unofficial group.

Mr. ROMINES. Do you know at the time when you joined the party whether the party was seeking any new recruits?

Mr. JONES. There was no active recruiting at the time, no.

Mr. ROMINES. Do you know whether any of the new recruits, those who joined the party, were screened in any way?

Mr. JONES. I don't think so. The members were coming in on their own initiative. I don't think there was any screening done in my case.

Mr. ROMINES. Before or after you joined the party, did you attend any education classes?

Mr. JONES. After I joined the party I attended political education classes.

Mr. ROMINES. Where would this have been?

Mr. JONES. In either Richmond or Oakland.

Mr. ROMINES. Who conducted the classes, Mr. Jones?

Mr. JONES. I conducted some of the classes in Richmond, and in Oakland I think usually the group leader would be Bobby Seale or David Hilliard.

Mr. ROMINES. Well how often were these classes held?

Mr. JONES. At irregular intervals.

Mr. ROMINES. Where were they held?

Mr. JONES. At the Black Panther Party offices.

Mr. ROMINES. Was there any required or suggested reading in conjunction with these classes?

Mr. JONES. No required reading, no. The suggested reading was from the *QUOTATIONS FROM CHAIRMAN MAO TSE-TUNG*.

Mr. ROMINES. Any readings from Marx-Lenin?

Mr. JONES. These were often referred to but they were not required, but suggested as part of the party initiation.

Mr. ROMINES. How about readings pertaining to Che Guevara?

Mr. JONES. No, the same thing.

Mr. ROMINES. Could you generally summarize for the committee what the classes were usual like?

Mr. JONES. Yes. Generally the emphasis was placed on explaining why serving the people is more important than serving oneself and trying to get a person to be politically oriented from an unselfish point of view rather than from the point of view of personal gain.

Mr. ROMINES. How were the *QUOTATIONS FROM CHAIRMAN MAO TSE-TUNG* related to the Black Panther Party activities?

Mr. JONES. In essence I guess the fact that Chairman Mao Tse-tung asked the Chinese people to serve other Chinese people, and we were asking black people to be willing to serve other black people.

Mr. ROMINES. Was there any discussion in the classes of the term "revolution"?

Mr. JONES. Yes.

Mr. ROMINES. What was the discussion in terms of revolution?

Mr. JONES. In terms of revolution, that there needed to be some changes made, as I said, in the law and in the application of the law in the United States.

Mr. ROMINES. Were there any discussions of how that revolution was to be effectuated?

Mr. JONES. No.

Mr. ROMINES. Just that we need a revolution, period?

Mr. JONES. Not a revolution, there needs to be some revolutionary movement made and some change. When you say a revolution, I think immediately that you are saying that there needs to be some physical or violent confrontation. That is not what the political education classes were for.

Mr. ROMINES. Were you a staff writer for *The Black Panther*?

Mr. JONES. Yes.

Mr. ROMINES. Do you remember when you became a staff writer?

Mr. JONES. This again is kind of vague in my mind. At the time it was of no importance. One day I saw in the credits that I was considered a staff writer and I guess this was because I had been submitting articles on a regular basis.

Mr. ROMINES. I believe you were first listed as a staff writer in the October 26, 1968 issue.

Mr. JONES. That sounds about right to me.

Mr. ROMINES. How many articles have you written for the Black Panther Party newspaper?

Mr. JONES. I don't know. I would estimate 15.

Mr. ROMINES. When they were printed in the Panther Party paper, were they all printed with an acknowledgement that they were written by you?

Mr. JONES. No.

Mr. ROMINES. Were some of them so acknowledged?

Mr. JONES. Yes.

Mr. ROMINES. Why would some be acknowledged as being written by you and some not?

Mr. JONES. I guess editorial policy, and one of the editors of the paper did not believe in the use of a byline.

Mr. ROMINES. Who was this?

Mr. JONES. Raymond Lewis.

Mr. ROMINES. Was this before you became managing editor?

Mr. JONES. Yes.

Mr. ROMINES. Was there any set policy as to which articles would contain a byline and which would not?

Mr. JONES. I don't know, I don't know what Raymond's policy was. I asked him at one time why I wasn't given credit for what I wrote, and he said he didn't believe in using the byline.

Mr. ROMINES. After you had been a staff writer for a while, did you acquire the position of managing editor?

Mr. JONES. Yes, I did.

Mr. ROMINES. And do you know when you acquired that position?

Mr. JONES. It must have been, it was the first part of 1969.

Mr. ROMINES. Your name first appears listed as managing editor on the February 2, 1969, issue of the paper, would that be about the date?

Mr. JONES. No, that would not be exactly right because there were probably two or three issues that I was managing editor on before we actually changed the credits. So probably two or three issues prior to that time I was the managing editor.

Mr. ROMINES. Why did you initially begin to write articles for the Black Panther Party paper?

Mr. JONES. The paper offered an outlet for my views that I took advantage of. I didn't think that the other established newspapers would look favorably upon the way I felt about the community or about the situation in the United States.

Mr. ROMINES. Do you have any experience or background in journalism?

Mr. JONES. No.

Mr. ROMINES. Your name, Mr. Jones, as I indicated, first appeared as a staff writer on the October 26, 1968, issue. It was deleted from the list of staff members in December of 1968 and January 1969. Do you know why the deletion occurred?

Mr. JONES. I did not write very many articles in that period of time so I guess they dropped my name.

Mr. ROMINES. Who would have made the decision for the deletion?

Mr. JONES. I don't know, probably—and this is a guess—probably Raymond Lewis, the managing editor.

Mr. ROMINES. Did you replace Raymond Lewis as managing editor?

Mr. JONES. Yes, I did.

Mr. ROMINES. At the same time you were listed as managing editor after February 2, 1969, you were also given the listed title as deputy minister of information; is that correct?

Mr. JONES. Yes.

Mr. ROMINES. What is the significance of having both titles?

Mr. JONES. I guess the significance is the fact that the deputy minister of information was expected to be the editor of the paper, much like, I guess, the president of a board of a corporation is also expected to be chairman of the board.

Mr. ROMINES. Would your duties as managing editor have been any different than your duties as deputy minister of information?

Mr. JONES. No, my only duty was the production of the newspaper.

Mr. ROMINES. How did you actually become the managing editor of *The Black Panther*?

Mr. JONES. Raymond Lewis quit the paper, and I was asked to fill in on a temporary basis until somebody could become managing editor.

Mr. ROMINES. Do you know why Raymond Lewis quit as managing editor?

Mr. JONES. No, I don't.

Mr. ROMINES. Who asked you to fill in as managing editor on a temporary basis?

Mr. JONES. Actually I believe it was either David Hilliard or Bobby Seale or a combination of the two. I remember being called to the national office and, if I am not mistaken, the two of them would explain to me that they needed somebody to run the paper in an interim period until they could find a permanent deputy minister of information to run it.

Mr. ROMINES. Why would they have called you?

Mr. JONES. They knew I had been a staff writer for the paper.

Mr. ROMINES. Why would they have only requested that you take it on an interim basis?

Mr. JONES. Because I was employed full time and they knew I could not continue to work on the paper and run my job.

Mr. ROMINES. Was the paper having any particular problem at the time you took over as managing editor?

Mr. JONES. I think there had been several weeks when the paper had not been published. I guess that might have been a problem, yes.

Mr. ROMINES. Do you know who actually made the decision as to giving you the position of managing editor?

Mr. JONES. No, I don't know who actually; again I could make an assumption that it was done by the central committee.

Mr. ROMINES. What is the central committee?

Mr. JONES. That is a body composed of the high-ranking members of the Black Panther Party.

Mr. ROMINES. Do you know who was on the central committee at the time you became the managing editor?

Mr. JONES. I know some of the people that were members of the committee that were Eldridge Cleaver, Huey Newton, Bobby Seale, David Hilliard, Emory Douglas, and I think Kathleen Cleaver was also a member of the central committee.

Mr. ROMINES. Would all of those people have been physically present in California at that time?

Mr. JONES. No, I don't think Eldridge was; no, I am sure Eldridge wasn't.

Mr. ROMINES. How about Huey Newton?

Mr. JONES. I am not sure. I would have to know where he was to say that. Pardon me, Huey? Yes, he was present.

Mr. ROMINES. He actually participated in the running of the Panther Party at the time?

Mr. JONES. It was sort of limited. He was in jail.

Mr. ROMINES. Were you ever on the central committee?

Mr. JONES. Yes.

Mr. ROMINES. Could you explain to the committee, to this committee, how you acquired status on the central committee?

Mr. JONES. How I acquired it, I don't know. I can tell you how I discovered I was on the central committee. At one of the political education classes a ticklish question arose, and I don't even remember the nature of it. But whoever was leading the class, and I think it was Bobby Seale at the time, was asking for a discussion on the point

and I had not been participating in the discussion. David Hilliard said, "Frank, why don't you say something? You are a member of the central committee." I didn't know I was. But I assumed with that I would be appointed to the central committee.

Mr. ROMINES. Do you know how you were appointed to the central committee?

Mr. JONES. No, I don't.

Mr. ROMINES. Did you ever attend any of the meetings of the central committee?

Mr. JONES. No, I didn't.

Mr. ROMINES. Why would you have been designated as a member of the central committee, yet you were never told of it, as I understand you, up to that point, nor did you attend any of the meetings?

Mr. JONES. It possibly could have been as a result of the title I had as being managing editor of the paper, deputy minister of education. This is all I can imagine. That probably was a position that entitled one to serve on the central committee.

Mr. ROMINES. Do you know whether the central committee had any meetings while you were the managing editor that you did not attend?

Mr. JONES. No.

Mr. ROMINES. No, you don't know; or no, none occurred?

Mr. JONES. I don't know.

Mr. ROMINES. You were requested to come to a meeting or informed of a meeting; is that correct?

Mr. JONES. Of the central committee itself; no.

Mr. ROMINES. What basically were your duties as the managing editor of the Black Panther Party paper?

Mr. JONES. Oh, basically that of production, making sure we had enough material in printable form to fill the 24-page newspaper, which was our goal at the time, 24 pages.

Mr. ROMINES. Was the paper a 24-page paper when you assumed the position of managing editor?

Mr. JONES. I think the last two or three issues prior to my becoming managing editor were 24 pages; yes.

Mr. ROMINES. When you say your duty was determining—

Mr. JONES. Trying to insure that we had enough material.

Mr. ROMINES. How would you have gone about doing that?

Mr. JONES. We got input into the office and we had a newspaper box where people placed articles they wanted printed. Oftentimes these were either handwritten or typewritten. In order to be sure we were going to have enough to fill our paper, we had to have them typeset at the printer's office. And then using, I guess, mathematics to determine how long the article was, how long the width of the article after it was typeset, we could determine if we were going to have enough for a complete newspaper.

Mr. ROMINES. Where was your office located?

Mr. JONES. The Panther office?

Mr. ROMINES. The newspaper office.

Mr. JONES. We didn't have an office; we put the paper together in the national Panther office.

Mr. ROMINES. Where would that have been at that time, do you remember?

Mr. JONES. It was, I guess it was in two places at the time. Part of the time it was in Oakland and part of the time it was in Berkeley. Of course there was a move to Berkeley office.

Mr. ROMINES. Does the address 3106 Shattuck sound familiar?

Mr. JONES. Yes, the Shattuck is the Berkeley office, I believe.

Mr. ROMINES. Do you know the address of the one in Oakland?

Mr. JONES. No, I don't. I know the location, I know the name of the street even, but it slips my mind.

Mr. ROMINES. Peralta Street?

Mr. JONES. No, that is where the office is located now. Shattuck is the Berkeley office. The office in Oakland is the one that received quite a bit of publicity when it was shot up by the two Oakland policemen.

Mr. ROMINES. But you actually put the paper together in both locations; is that correct?

Mr. JONES. Right?

Mr. ROMINES. Why would you utilize both locations?

Mr. JONES. Not simultaneously, the offices were not operated simultaneously. One office was operated initially as a place where we could work on the paper, and when that office had to be closed as a result of the incidents then we started preparing the paper in the Berkeley office.

Mr. ROMINES. Now you mentioned the fact that various articles were, as I understand it, submitted for consideration in the paper?

Mr. JONES. Yes.

Mr. ROMINES. Where did these articles come from?

Mr. JONES. From people who lived in the community or who were members of the party.

Mr. ROMINES. Would that have been just in the California area?

Mr. JONES. No, the articles were sent in from all across the Nation.

Mr. ROMINES. They would send a proposed article in for you and say, "Here is something I think should be included in the Panther Party paper"?

Mr. JONES. Yes, it would be in that form, or many times it would be just a letter addressed to the Black Panther Party newspaper and with no explanation that we think this should be in the paper. It was just an article or a letter submitted to the paper.

Mr. ROMINES. Was this done on a voluntary basis, that is, if somebody wanted to send something in they would, or was it done on the basis of you in the headquarters actually trying to solicit articles?

Mr. JONES. A combination of both. People had always sent in articles voluntarily, but also we requested that each branch of the Black Panther Party ask people who lived in their community to submit articles to the paper so that the paper would be national in scope and not just limited to Bay area news.

Mr. ROMINES. When this material was sent in to you from any particular given locality, what actual editing, if any, did you do with it?

Mr. JONES. Basically for grammatical errors, trying to still maintain the idea that the author of the particular article had intended, strictly grammatical, punctuation, capitalization, that type of thing.

Mr. ROMINES. Any revision other than what you just described?

Mr. JONES. No.

Mr. ROMINES. Was there ever any attempt made on the part of the paper or the national headquarters to check the accuracy of the articles that were sent in to you?

Mr. JONES. Accuracy, you mean if they accurately described the situation?

Mr. ROMINES. Correct.

Mr. JONES. No, we didn't have the facilities or staff to do that.

Mr. ROMINES. You merely accepted whatever was sent to you, made whatever grammatical corrections that were necessary, and printed it; is that correct?

Mr. JONES. That is correct.

Mr. ROMINES. How long were you actually managing editor?

Mr. JONES. For about 3 months.

Mr. ROMINES. During that 3-month period did you find that you had more articles submitted than you had room for in your paper or less articles? Can you give us some idea of the volume of articles that came in in conjunction with the paper that was actually printed?

Mr. JONES. Yes. We always had difficulty in obtaining enough articles, so the volume was always a little on the low side. This is one of the reasons we asked for people to send in articles from other areas.

Mr. ROMINES. Do I infer from that, then, that you were never in a position where you actually had more articles for one given week's publication than you had room for in the paper?

Mr. JONES. I won't say never. I would say that would be the exception. Usually in that case we would hold over so we could print it in the next paper when there would be a shortage.

Mr. ROMINES. You say you were a managing editor for approximately 3 months. Why did you leave at the end of 3 months?

Mr. JONES. They had a new managing editor.

Mr. ROMINES. Who would that have been?

Mr. JONES. "Big Man."

Mr. ROMINES. Is that Elbert Howard?

Mr. JONES. Yes.

Mr. ROMINES. Why did he replace you?

Mr. JONES. He was able to do the work as managing editor full time, and I was not able to continue.

Mr. ROMINES. During the time you were managing editor did you have a staff assigned to help you?

Mr. JONES. No, not a particular staff; we just asked volunteers to help us with the typing of articles that were handwritten so we could submit them to the printer for typesetting. I guess the two people who worked on the paper were primarily myself and Emory Douglas. Emory was doing the actual pasting of the articles onto a flat format reproduction.

Mr. ROMINES. You and Emory, then, were the only two who were really basically having a full-time concern with the production of the paper, right?

Mr. JONES. Right.

Mr. ROMINES. Do you know whether the staff at the paper increased after you left?

Mr. JONES. No.

Mr. ROMINES. Were either you or Mr. Douglas paid for your work as staff personnel on the paper?

Mr. JONES. No, I was not paid, and whether Emory was or not I guess would be strictly on my part a matter of conjecture.

Mr. ROMINES. During the 3 months' period that you were managing editor, what was the approximate circulation of the paper?

Mr. JONES. I don't know.

Mr. ROMINES. As managing editor wouldn't you ordinarily know the circulation of a newspaper?

Mr. JONES. No, I dealt strictly with the production of the paper. After the paper was produced, if I could, I tried to see the first issue or one of the first issues that came off the press. I would look through it rapidly for any errors and if it was in good form and I was satisfied with the printing and production I was through.

Mr. ROMINES. Who was actually in charge of the circulation and distribution of the paper?

Mr. JONES. Virtual Murrell and Sam Napier were listed as circulation or distribution positions. There were two positions and I don't remember who was which, whether Virtual was circulation or distribution or whether Sam was, which position either of them held.

Mr. ROMINES. During the 3-month period that you were the managing editor, did you know how much income was derived from the sale of the Panther paper?

Mr. JONES. No, I don't.

Mr. ROMINES. As managing editor wouldn't you customarily or normally know something about the finances of your paper?

Mr. JONES. No, it was not necessary. As long as I could present the material and have it typeset and have the paper printed my work was finished, so somebody else would have to take care of that.

Mr. ROMINES. Do you know who took care of the responsibility of paying the various printing costs?

Mr. JONES. No, I don't.

Mr. ROMINES. Do you know who was in charge of the receipts for the paper sales?

Mr. JONES. No, I don't.

Mr. ROMINES. Do you know whether the paper showed a profit?

Mr. JONES. No. No, I don't know.

Mr. ROMINES. Did anybody ever tell you whether the paper showed a profit or not?

Mr. JONES. No, they didn't.

Mr. ROMINES. If I understand you correctly, you have no information whatsoever as to the circulation, distribution, or monetary matters concerning the paper?

Mr. JONES. That is correct.

Mr. ROMINES. Where was the paper printed?

Mr. JONES. It was printed at Howard Quinn's press in San Francisco.

Mr. ROMINES. Do you know whether it still is being printed there?

Mr. JONES. No, I don't.

Mr. ROMINES. Is the Black Panther Party newspaper the official publication of the Black Panther Party?

Mr. JONES. I would have to know what you mean by "official."

Mr. ROMINES. Let's put it this way: If an individual who is a leader of the Black Panther Party or an officer, if an article appears in the Black Panther Party paper under his byline, does that represent the Black Panther Party?

Mr. JONES. No, that represents the individual's point of view.

Mr. ROMINES. Would there ever be anything contained in the Black Panther Party paper which is an official statement of the Black Panther Party?

Mr. JONES. Yes, that would be the 10-point "platform and program."

Mr. ROMINES. Is there anything else contained in the Black Panther Party paper which is an official statement of the Black Panther Party?

Mr. JONES. Nothing I can think of at the time.

Mr. ROMINES. Is any individual leader authorized to speak for the Black Panther Party?

Mr. JONES. Not to my knowledge, no.

Mr. ROMINES. How about the central committee?

Mr. JONES. That would be a group and that would always be a group decision. I can't recall ever reading group policies set by the central committee and attributed to such appearing in the Black Panther paper.

Mr. ROMINES. But no one individual can speak for the Black Panther Party?

Mr. JONES. No. I should say that qualified; as far as I know, no individual can say that he represents the absolute authority of the Black Panther Party.

Mr. ROMINES. Mr. JONES, from and after February 2, 1969, when your name first appeared as the managing editor, the Black Panther Party paper was published on a weekly basis. Prior to that I believe there were two issues published in January of '69, a total of about 12 issues published in all of 1968, and about 10 published in all of '67. So it was starting with your appointment as managing editor that the paper was published every week; is that correct?

Mr. JONES. We published every week while I was managing editor, yes.

Mr. ROMINES. How is it you were able to go to a weekly publication from and after February 2, 1969?

Mr. JONES. I don't know. First of all I would have to know why whoever was managing editor before me could not publish the paper weekly. I just made an effort to see that we had a weekly paper and I was successful.

Mr. ROMINES. Did anyone tell you that they wanted a weekly publication?

Mr. JONES. I believe this was the goal at all times, to have a weekly paper. I know that was the goal when I was a staff writer. So, knowing that to be the goal, that is what I strove for.

Mr. ROMINES. If it was a goal, do you know why it was not accomplished in '67 or '68?

Mr. JONES. No.

Mr. ROMINES. You would not know why you were able to accomplish that goal from and after February 2, 1969?

Mr. JONES. I was the managing editor when we had a weekly paper out, so maybe I was more efficient or more effective when I was managing editor.

Mr. ROMINES. During the part of 1968 that you were a member of the party, do you know whether they had any financial problems in publishing the paper?

Mr. JONES. No, I don't know if there were any problems or not.

Mr. ROMINES. Also from and after February 2, 1969, Mr. Jones, the paper began to include more and more news of international revolutionary movements. Where did these articles come from?

Mr. JONES. They would still be submitted by people who thought an item might be of interest to the Black Panther Party.

Mr. ROMINES. Would these be people within the continental United States?

Mr. JONES. Yes, basically.

Mr. ROMINES. During the time you were managing editor, did anyone from outside the continental United States ever submit any articles to you for inclusion in your paper?

Mr. JONES. Yes, I think I remember articles or letters coming from parts of England. I didn't catalogue, you know, where they came from. I can vaguely remember a couple letters from out of country.

Mr. ROMINES. Do you remember what countries?

Mr. JONES. I remember the one from England and I think a couple from Sweden, and that is it. It was of no importance to me, really.

Mr. ROMINES. You didn't really care where the articles were from, did you?

Mr. JONES. No.

Mr. ROMINES. Basically how much of a selective decisionmaking function did you serve while you were the managing editor? Were there enough articles there that you had to sit down and pick and choose which ones were to be used?

Mr. JONES. No, the only selection I made was on whether or not, in some cases, we could decipher and understand what a person was trying to say. Many of the articles were submitted by people who evidently had very little skill in writing, and sometimes we just couldn't decipher them or we felt it would not be worth the time to correct all the errors that existed in an article, and in that case we would not use it. If it was in good, well-written form, then we would use the article.

Mr. ROMINES. As I understand it, you were never, I suppose in the enviable position of having more material to use than you had space to utilize?

Mr. JONES. No, I think I said earlier that would be the exception. I can remember a couple of cases where we held over material to a later issue of the paper. But, generally speaking, the problem was getting enough to print.

Mr. ROMINES. I asked you a moment ago about whether the national office ever made any attempt to verify the accuracy of the articles which were sent in, and you indicated no, that you didn't have enough personnel, I believe?

Mr. JONES. Right.

Mr. ROMINES. Did you ever make any suggestions or did anybody ever make any suggestions that perhaps some verification process should be established?

Mr. JONES. Yes, I made the suggestion that we should verify what was written because I felt we would be in a bad situation if we ever printed an article that could be proven to be blatantly an untruth, and it would destroy the credibility of anything else that appeared in the paper.

Mr. ROMINES. To whom did you make that suggestion?

Mr. JONES. I was talking, I think, with Emory about that, maybe we should start checking the accuracy.

Mr. ROMINES. Emory Douglas?

Mr. JONES. Emory Douglas, yes.

Mr. ROMINES. Anyone else?

Mr. JONES. No.

Mr. ROMINES. Do you know whether that suggestion was ever implemented?

Mr. JONES. No, it wasn't while I was managing editor.

Mr. ROMINES. Do you know why?

Mr. JONES. Lack of staff.

Mr. ROMINES. Does the Black Panther Party regard propaganda as necessary? By propaganda, basically what I mean is the dissemination of particular ideas, facts, or allegations to people with the intent to further a cause or perhaps to damage an opposing cause.

Mr. JONES. I would say in answer to that the Black Panther Party considers education and information to be necessary. People need to be informed of whatever is happening in the United States and they need to be educated, and oftentimes this information is interpreted in light of the laws of the land and showing how there is some inequality and inequity in the application of the law.

Mr. ROMINES. While you were managing editor of the paper—I believe your word was “education”—what type of education did you try to impart through your newspaper?

Mr. JONES. We could not do very much through the newspaper. That would have required a great deal of time for analysis and interpretation. We dealt primarily with the information aspect to inform people of what was actually happening as reported to us.

Mr. ROMINES. Do you know whether articles in the Black Panther Party newspaper were ever exaggerated?

Mr. JONES. Not to my knowledge, no, I don't know of anyone who intentionally exaggerated an article or the events covered by an article.

Mr. ROMINES. Mr. Jones, do you know whether the Black Panther Party has national personnel designated to travel to various local chapters for purposes of overseeing activities of the local chapters?

Mr. JONES. No, to my knowledge there was no such personnel while I was a member of the party.

Mr. ROMINES. During the time you were a member of the party, what was the relationship between the national Black Panther Party office and the local chapters?

Mr. JONES. Basically one of communication and oftentimes local chapters would submit questions to the national office, questions pertaining to rules and the application of rules of the Black Panther Party. I guess the newspaper might have served in this sense as an educational process in that we did start printing the rules of the Black Panther Party in the paper.

Mr. ROMINES. Do you know whether there was ever any discipline imposed by the national office on any local chapters?

Mr. JONES. No, I don't know of any.

Mr. ROMINES. Do you know how a local chapter could obtain a charter from the national Black Panther Party office?

Mr. JONES. I am not sure about it. It is again kind of vague in my mind. I think what happened is an individual who possibly read the

paper or heard of the Black Panther Party and believed that his beliefs coincided with those that were expressed by the party or in the party's paper would write or come to Oakland and seek to establish a local branch in his particular city.

Mr. ROMINES. When he came to Oakland, was there any training required of him?

Mr. JONES. I believe he was told about the 10-point "platform and program" and the rules of the Black Panther Party.

Mr. ROMINES. Anything else?

Mr. JONES. Not to my knowledge.

Mr. ROMINES. Was there any specific time period of training required?

Mr. JONES. None that I know of.

Mr. ROMINES. With the exception of your duties as managing editor of the Black Panther Party paper, how much time did you spend with the activities of the national office?

Mr. JONES. When I was managing the paper—that was almost all of my time; I spent almost all of my time working on the paper—I think I attended probably in that period maybe three or four political education classes and that would have been it.

Mr. ROMINES. Do you know what the Black Panther Party policy is with respect to members of the party stealing or, as the term is sometimes used, "liberating" goods or money?

Mr. JONES. Yes, I believe the party is opposed to that. I do remember an incident of some guys robbing a liquor store, I think it was, in East Oakland, who said they were Panthers, and they were expelled from the party because they had participated in that type of activity.

Mr. ROMINES. Would that have been a firm policy of the party, to expel all members?

Mr. JONES. I don't know; that certainly would have been an indication that the party did not condone that type of activity.

Mr. ROMINES. Do you know whether the Panther Party has any policy to the effect that if a member of the Black Panther Party steals he must share the proceeds with the party?

Mr. JONES. No, I have never heard of that.

Mr. ROMINES. Do you know whether the Black Panther Party maintains any weapons arsenals or gun caches?

Mr. JONES. No, I don't know of any and I doubt that there are any because I know Bobby Seale and David Hilliard and Huey. And it would seem to me that this is a fact that has been publicized widely, that the Panthers do have arsenals, and none exists. I think it would be strategically improper to maintain an arsenal anywhere because, first of all, that would be against the law. Secondly, if you maintained an arsenal this would mean you were disarming any individual who wants to defend himself, and the person who would capture the arsenal would indeed control the individuals.

Mr. ROMINES. Now if I understand you correctly, you say you don't think—you gave me several reasons why.

Mr. JONES. Basically I don't think there is one because I don't think that is the nature of the Black Panther Party, to disarm people and store weapons in a place other than the home of the individual.

Mr. ROMINES. I didn't necessarily mean that they would disarm their members and take all of the members' weapons and put them in one

central location. What I meant my question to convey was, in addition to any individuals who might have their own weapons, does the Black Panther Party maintain a separate collection of weapons?

Mr. JONES. No, not to my knowledge.

Mr. ROMINES. Does the Black Panther Party encourage members of the black community to possess weapons?

Mr. JONES. Yes.

Mr. ROMINES. Why?

Mr. JONES. For self-defense. The Black Panther Party, when I joined, was entitled the "Black Panther Party for Self-Defense." That title was chosen because of the activities of police officers in the city of Oakland, primarily. They often showed disrespect for the homes and persons of people in the black community. The Black Panther Party was instituted with the intention of instilling in the black people in that area their right to defend their homes and the necessity of doing so.

Mr. ROMINES. Is the Black Panther Party still known as the Black Panther Party for Self-Defense?

Mr. JONES. No, it isn't.

Mr. ROMAINES. The term "for Self-Defense" has been dropped; is that correct?

Mr. JONES. Yes, it has.

Mr. ROMINES. Do you know why the term has been dropped?

Mr. JONES. I was told the reason it was dropped was to cancel out this impression that many people have of the party that it was a paramilitary organization, and they wanted to adopt the posture of being more political than military. Self-defense implies a military type action.

Mr. ROMINES. You say you were told. By whom were you told?

Mr. JONES. I don't remember; I just remember that this was general conversation, this is why the term "for Self-Defense" was dropped.

Mr. ROMINES. Do you know who made the decision to drop the term "for Self-Defense"?

Mr. JONES. No, I don't.

Mr. ROMINES. You say the Panthers encourage members to keep weapons for self-defense, yet they never classify their organization as a self-defensive organization, or they don't classify themselves as a self-defensive organization any more. Are the two not somewhat incompatible?

Mr. JONES. No, they aren't. The fact that the "for Self-Defense" was dropped from the title does not necessarily mean that self-defense is still not advocated by the Black Panther Party. It is merely an attempt, I think, to present the party as being political as opposed to being military and still maintaining the advocacy of self-defense.

Mr. ROMINES. Is it your opinion that the Black Panther Party is, to use your term, a political party?

Mr. JONES. Again I have to speak from knowledge I obtained while I was a member of the party, and I would say yes.

Mr. ROMINES. During the period then of mid-'68 to mid-'69, in your opinion it was a political party?

Mr. JONES. Yes.

Mr. ROMINES. When you say "a political party," what do you mean?

Mr. JONES. I mean a party involved in attempting to change or attempting to participate in the political activities of a country. During

that period the Black Panther Party was running members of the party for our political positions and also attempting to effect some changes in the laws, specifically the request for community control of the police.

Mr. ROMINES. What do the Panthers mean by the term "self-defense"?

Mr. JONES. Would you—that is probably what anybody else would mean, the right to defend yourself. I don't know why it would be any different when used by the Panthers than when used by anyone else.

Mr. ROMINES. Are you aware, Mr. Jones, of any attempts on the part of the Communist Party, U.S.A., to influence the Black Panther Party?

Mr. JONES. No, I am not.

Mr. ROMINES. Are you aware of any attempts on the part of the Socialist Workers Party to influence the Panthers?

Mr. JONES. I heard during 1968 the Socialist Workers Party wanted to run members of the Black Panther Party on the Socialist Workers Party ticket. What came of that I don't know, except that instead of running on the Socialist Workers Party ticket the Black Panther Party members ran on the Peace and Freedom ticket.

Mr. ROMINES. Are you aware of any Black Panther Party members who are members of the Communist Party?

Mr. JONES. No, I am not.

Mr. ROMINES. Are you aware of any Black Panther Party members who are members of the Socialist Workers Party?

Mr. JONES. No, I am not.

Mr. ROMINES. Are you familiar with the Black Panther Party breakfast program?

Mr. JONES. Yes.

Mr. ROMINES. What is the purpose of the Black Panther Party breakfast program?

Mr. JONES. To provide breakfasts for children who are unable to get breakfast from any other source before going to school.

Mr. ROMINES. Mr. Jones, this committee has received certain testimony in prior hearings to the effect that the breakfast program is at least indirectly and maybe directly concerned not so much with feeding children as it is with the intent to indoctrinate or educate the children in the Panther philosophy. Would you agree or disagree with that statement?

Mr. JONES. I will make this statement. I believe I covered for the newspaper the first breakfast for children to be held in Oakland and I saw no attempt to indoctrinate. The children were fed and allowed to continue to school. In Richmond I also helped prepare the breakfasts for children, and there was no attempt to indoctrinate at that time. The children were merely fed and allowed to continue to school.

Mr. ROMINES. Have you ever visited any other breakfast programs?

Mr. JONES. No, I haven't.

Mr. ROMINES. You mentioned earlier in your testimony the change in emphasis from combating racism to combating capitalism on the part of Panthers; is that correct?

Mr. JONES. Yes.

Mr. ROMINES. What is the party's position on capitalism?

Mr. JONES. It is anticapitalism.

Mr. ROMINES. Capitalism is bad?

Mr. JONES. No, the party is anticapitalism. They don't classify it as being bad or good; they don't classify it any way. They merely say they are opposed to it, is the opinion I get from most of the articles I received.

Mr. ROMINES. How about the Black Panther Party newspaper, isn't it to an extent a capitalistic venture?

Mr. JONES. I would imagine so.

Mr. ROMINES. Isn't that a little bit incongruous? On the one hand they oppose capitalism and on the other they employ it in their newspaper.

Mr. JONES. It depends; oftentimes incongruity is brought about by necessity. Since we live in a society that is capitalistic, unless the party could change the society they would have to conduct activities in terms of the society.

Mr. ROMINES. They may be very well using capitalistic means to finance their activities to eliminate capitalism; is that correct?

Mr. JONES. Possibly; yes.

Mr. ROMINES. Did you know Eldridge Cleaver?

Mr. JONES. Yes, I did.

Mr. ROMINES. How well did you know Eldridge Cleaver?

Mr. JONES. I saw him on occasion and met him once at a campaign headquarters.

Mr. ROMINES. When did you become aware he went to Cuba or was in Cuba?

Mr. JONES. When I read it in the newspapers.

Mr. ROMINES. Which newspaper was that?

Mr. JONES. I think it was in the *San Francisco Chronicle*.

Mr. ROMINES. The fact that he went to Cuba was first revealed, I believe, in May of 1969 in some of the community newspapers, and it was not acknowledged in the Black Panther Party paper until May of 1970. Do you know why the Panthers didn't make any mention of where he was?

Mr. JONES. No. I don't. I wasn't a member of the party at that time, by the way.

Mr. ROMINES. Are you familiar with a magazine called *Tri-Continental*?

Mr. JONES. No, I am not.

Mr. ROMINES. You have never seen any of the *Tri-Continental* magazine publications?

Mr. JONES. I don't believe so. It doesn't sound familiar to me.

Mr. ROMINES. You have never seen any of the articles from *Tri-Continental* magazine reprinted in the Black Panther Party newspaper?

Mr. JONES. I don't recall any.

Mr. ROMINES. Are you familiar with the Chinese communist news agency, Hsinhua, is that the correct pronunciation?

Mr. JONES. I am familiar with that, yes.

Mr. ROMINES. Did you ever reprint any of this material in the Black Panther Party newspaper?

Mr. JONES. I think we did, yes.

Mr. ROMINES. Who would have made the decision to reprint it?

Mr. JONES. Probably I did. I say "probably" because if we had an article submitted by a person in the community or by another member

of the party who had access to this material and submitted it then I would have reprinted it.

Mr. ROMINES. Would that material have ever come directly from the news agency?

Mr. JONES. I don't think so.

Mr. ROMINES. Do you know?

Mr. JONES. I don't know.

Mr. ROMINES. Do you think it probably came from your own members who have picked it up and sent it in?

Mr. JONES. Yes, or even more possibly, probably they had read it in another publication and submitted the article.

Mr. ROMINES. Are you familiar with the Granma Bookstore?

Mr. JONES. Yes, I am.

Mr. ROMINES. Did the Black Panther Party ever run any advertising for Granma Bookstore?

Mr. JONES. Yes, we did.

Mr. ROMINES. Who solicited and obtained the advertisements from them?

Mr. JONES. I don't know.

Mr. ROMINES. Did you have anything to do with it at all?

Mr. JONES. No, I didn't.

Mr. ROMINES. Who would have been in charge of solicitations of advertisement such as that?

Mr. JONES. I don't know. I just know that we ran the advertisements for the Granma Bookstore and another for the China bookstore in San Francisco. The source of the advertisement I don't know.

Mr. ROMINES. As managing editor, wouldn't somebody have told you from where the advertisements came?

Mr. JONES. No, not necessarily, because I was merely dealing with the production of the newspaper. If we received an ad that someone wanted to be printed then I could print it.

Mr. ROMINES. In other words, people just brought in to you the material and kind of dumped it on your desk and said, "Here is what is going into the newspaper; put it together"?

Mr. JONES. That is basically it.

Mr. ROMINES. And you never made any attempt to go behind the scene and find where it came from?

Mr. JONES. Actually I made an attempt to avoid doing that. I felt my job was to produce the newspaper and if I restricted myself to that I would have plenty to do, so I didn't have time to do the type of items that you said.

Mr. ROMINES. Why would you have made an attempt to avoid learning any more about the newspaper and its connected activities than simply putting together the materials provided to you?

Mr. JONES. So if I was ever subpoenaed to appear, I would not have to testify against people I would consider my friends.

Mr. ROMINES. Are you familiar with the Peace and Freedom Party?

Mr. JONES. Yes, I am.

Mr. ROMINES. What, if anything, is its relationship with the Black Panther Party?

Mr. JONES. The Black Panther Party, the candidates of the Black Panther Party who ran in the 1968 election ran on the Peace and Freedom ticket.

Mr. ROMINES. Is there any other connection between the two parties?

Mr. JONES. No official connection that I know of, no.

Mr. ROMINES. Do you know whether the Peace and Freedom Party assists the Black Panthers?

Mr. JONES. Possibly members of the Peace and Freedom Party assist the Black Panther Party. I say "possibly," but I would not know who they were or how they assisted.

Mr. ROMINES. I believe you testified a little earlier this morning, Mr. Jones, that Virtual Murrell was distribution manager of the Black Panther Party paper during the time you were the managing editor; is that correct?

Mr. JONES. Either distribution or circulation, and I say I don't remember which.

Mr. ROMINES. His name was dropped from a list of staff members in March of 1969. Do you know why he left the paper?

Mr. JONES. No, I don't.

Mr. ROMINES. Do you know whether he did, in fact, leave the paper?

Mr. JONES. I believe he did, yes. I remember not seeing Virtual around much any more.

Mr. ROMINES. But you don't know why he left?

Mr. JONES. No.

Mr. ROMINES. Generally speaking, Mr. Jones, the Black Panther Party paper does not comment on either the acquisition of new staff members or the departure of old. The masthead simply changes. Is there any particular reason for this?

Mr. JONES. I don't think so, no.

(At this point Mr. Ashbrook entered the hearing room.)

Mr. ROMINES. No reason why no commentary is made?

Mr. JONES. I can't think of any reason. There was no reason, I can't think of any reason why it should or why it shouldn't.

Mr. ROMINES. Many of the articles, or at least a good number of the articles published in the Black Panther Party paper are unattributed to a byline. Generally speaking, what is the source of those contributions?

Mr. JONES. Either it would be an article submitted without a byline from another publication or we would receive an anonymous letter to the Black Panther newspaper.

Mr. ROMINES. During the period of time you were the managing editor, did you ever yourself select material which had not been sent into you for inclusion in the Black Panther Party paper?

Mr. JONES. Yes, yes, I did. I would ask Emory to try to draw a picture of something, a cartoon, to fill in this unfilled space when we had a lack of articles to actually complete the paper.

Mr. ROMINES. Other than Emory's, Mr. Douglas' cartoons, was there any other material selected by you for inclusion in the paper?

Mr. JONES. No, no I don't think—you mean from other publications? No. No.

Mr. ROMINES. While you were a member of the party and, even more specifically, while you were the managing editor, a certain number of Black Panther Party members were expelled from the Black Panther Party. Do you have any information as to why they were expelled?

Mr. JONES. Yes. During the period I was a member of the party and managing editor, the party instituted a purge to remove from the Black Panther Party anybody who did not make an attempt to understand the political activities of the Black Panther Party. It was, I think, an attempt to remove the rabble rousers from the party and to try to make the party more effective politically. That might be what you are referring to.

Mr. ROMINES. Was that done on a nationwide basis or only in California?

Mr. JONES. It was supposed to have been done nationwide.

Mr. ROMINES. Do you know how many members were actually expelled from the party?

Mr. JONES. No, I don't.

Mr. ROMINES. Do you know whether, to use your word, the purge was effective?

Mr. JONES. No.

Mr. ROMINES. Mr. Jones, in a recent issue of the Black Panther Party paper there was included an article entitled "HUEY IS MY BROTHER, TOO" published under the byline of Cecilia Levinson?

Mr. JONES. Yes.

Mr. ROMINES. Who is Cecilia Levinson?

Mr. JONES. Generally, she is the lady who wrote the article, and other than that I don't know much about her.

Mr. ROMINES. Is she a member of the Black Panther Party?

Mr. JONES. No, she isn't.

Mr. ROMINES. Is she black or Caucasian?

Mr. JONES. Caucasian.

Mr. ROMINES. In the June 20, 1970, Black Panther Party paper there is an article entitled "Open Letter to the News Media," attributed to Frank Jones. Did you write that article?

Mr. JONES. Yes, I did.

Mr. ROMINES. Do you know Beverly Axelrod?

Mr. JONES. I know of her.

Mr. ROMINES. Do you know what relationship, if any, she has with the Black Panther Party?

Mr. JONES. No, I don't.

Mr. ROMINES. Do you know if she had any relationship with the Black Panther Party newspaper?

Mr. JONES. Not while I was a member of the newspaper staff.

Mr. ROMINES. Mr. Jones, there are numerous cartoons which have appeared in various issues of the Black Panther Party paper which depict a policeman as a pig either shooting, stabbing or otherwise brutalizing a black or, in certain instances, the black stabbing, shooting or brutalizing the pig. Generally speaking, by whom were these cartoons drawn?

Mr. JONES. The great majority by Emory Douglas.

Mr. ROMINES. Why is it there are no cartoons in the Black Panther Party paper which show a policeman doing something constructive or good?

Mr. JONES. This actually would be as a result of the people who submit the article to the Black Panther paper. I never received any cartoons of that nature while I was the managing editor so therefore

I would have had to seek these myself, seek out these myself in order to print this type.

Mr. ROMINES. I understand the cartoons are done by Emory Douglas there in headquarters?

Mr. JONES. Yes.

Mr. ROMINES. So the cartoons would not be sent into you, they would be done there?

Mr. JONES. We had some sent in. But not all of them are done by Emory.

Mr. ROMINES. So you would first have to have somebody send in an article to you that said that the policeman had done something good?

Mr. JONES. No, we would not have drawn a cartoon basically to describe that. The cartoons are left to the will of the cartoonist to draw what he sees. We would have to have had someone send in a cartoon specifically showing what you have inquired about, the policeman doing some good work, before we would print the cartoon.

Mr. ROMINES. With respect to Mr. Douglas' cartoon could he have ever drawn a policeman doing good work if he wanted to?

Mr. JONES. Sure.

Mr. ROMINES. Do you know why he did not?

Mr. JONES. No, I don't.

Mr. ROMINES. Does the Black Panther Party differentiate at all between black and white policeman?

Mr. JONES. Not on that basis, no. I think they differentiate between good and bad policemen.

Mr. ROMINES. The vast majority of the cartoons that I have seen depict white policemen.

Mr. JONES. I don't think so: I think the vast majority would depict a pig dressed in a policeman's uniform.

Mr. ROMINES. And no intent on the part of the Panther Party to say this is a white policeman?

Mr. JONES. No.

Mr. ROMINES. What, Mr. Jones, in your opinion, is the purpose of the cartoons?

Mr. JONES. I consider them sort of political satire. How often I have had to explain this before and I often use the analogy of, say, a political cartoon stating, "Stamp out litter bugs." You might see a giant shoe about to smash a bug, but that in no sense means that you are to kill the next guy you see throw paper on the streets, you know. This is the way the cartoons in the Black Panther paper are used. There has been some discussion about how this affects people, and I often say the way the cartoon affects a person is dependent upon their psychological bent.

Mr. ROMINES. Let's back up and go at it first of all from the way they are intended. You say as a political satire?

Mr. JONES. Yes.

Mr. ROMINES. You use your analogy, but tell me exactly what you think they are trying to satirize.

Mr. JONES. I think they are saying that policemen who don't conduct themselves as police officers and who engage in criminal activity in the black community could be removed from the black community.

Mr. ASHBROOK. Is that really the case? I have in front of me a cartoon which shows, as you pointed out, a police officer depicted as a pig, and I suppose what they refer to as one of the brothers stabbing him in the back with all kinds of blood oozing out. And it says underneath it, "The only good pig, is a dead pig." There isn't any real way you could construe that into being a satire or being a commentary. That is about as definite as one could be. "The only good pig, is a dead pig," and here it is in the so-called Black Panther Coloring Book. How could that be construed to be satire in the context of what you have just said, that it is all in the mind of a person? What possible connotation could there be in the mind of a beholder that would not be violence prone, murder prone or in a sense opening up a dialogue. That is what I gather from your statement, but it is not borne out by some phenomena.

Mr. JONES. Is that from the Black Panther paper?

Mr. ASHBROOK. It is from the Black Panther Coloring Book.

Mr. JONES. Some of those cartoons may have been used in the paper. But to answer your question, you said that the caption states that the only good pig is a dead pig. Then you have to define what is meant by "pig." If a pig is intended to be or if you believe that a pig is a policeman who conducts himself improperly and in a criminal manner in a black community or in any community, then I would like for you to tell me how you could ever call this person, if he is alive, indeed a good policeman, you see.

Mr. ASHBROOK. That is not what it says. It says the only good pig is a dead pig.

Mr. JONES. That is right, because a pig would be the pig who was most criminal, you see what I mean? Either the pig who is going to come in and brutalize people—

Mr. ASHBROOK. Up is down, fair is foul, in is out.

Mr. JONES. You might say the only good polio germ is the dead polio germ.

Mr. ASHBROOK. That is the point you are starting out with the connotation that he has to be bad.

Mr. JONES. They don't say the only good policeman is a dead policeman: it says the only good pig is a dead pig. In other words you are using the phrase the only good bad policeman is a dead bad policeman.

Mr. ASHBROOK. In your Black Panther newspaper have you ever referred to a policeman as a policeman or to a good policeman? Isn't there almost an incessant use of the word "pig"? I read it fairly closely and I don't ever recall seeing the word policeman.

Mr. JONES. I believe the word policeman has been used in the paper and I believe it was used while I was editor. But the majority of the time they will use the term "pig," yes.

Mr. ASHBROOK. I found it particularly interesting because of your response, which I think is a reasonable response, that it is all in the mind of a person, it is what a person thinks, but I just don't see any connotation, to be quite honest with you, that would be read into this, particularly somebody stabbing the knife in the back and saying, "The only good pig is a dead pig." Maybe the average person goes through a semantical exercise that you are suggesting, but I just really don't

see it, to be quite honest with you. I would have to respectfully disagree with that connotation.

Mr. JONES. It really depends on your starting point. If you start with the assumption that the Black Panthers advocate killing policemen, then you would probably draw from that cartoon, you would think the cartoon implies the Black Panthers are advocating the killing of policemen.

Mr. ASHBROOK. Usually if you have a knife in somebody's back, normally the average person would be advocating killing somebody.

Mr. JONES. If you start with the assumption or the belief that the Black Panther Party is in favor of removing policemen from the community who do not conduct themselves properly, then you might see this is a cartoon depicting the removal of a policeman who does not conduct himself in a proper manner.

Mr. ASHBROOK. We are not talking about remove, we are talking about killing somebody. This is about the most violent way you could remove somebody from the scene, good or bad.

Mr. JONES. That, of course, is the cartoonist's prerogative, how he depicts the removal.

Mr. ASHBROOK. I just wanted to make sure this was part of the record. It is a little bit like I was talking to what I would call a more liberal-minded minister the other day and I asked him about the Black Panther Coloring Book. And he said there is some deep-seated psychological meaning behind this and he said, "I think they are just trying to tell us something."

I said, "Yes, with a knife in your back and a gun in your nose." I suppose you could read anything into it at all.

Mr. JONES. I can give you another example, possibly, of how cartoons have been used to depict this. During World War II it was not unusual to see a cartoon in the GI Joe comic books of GI Joe killing a Japanese soldier who might have been drawn to some outrageous proportions or have outrageously ethnic physical characteristics, and this was accepted because at the time the Japanese were considered to be enemies of the United States. So now if you think of this, if you saw that same cartoon now while there is peace existing among the Japanese people and the American people, you would not be influenced by this particular cartoonist's depiction.

Now if you start with the assumption that there must be something wrong to make people visualize the police this way, as an enemy, then you see what actually motivates a person to draw that type of picture and why it would be accepted by anyone. It would only be accepted by a person who believes that the police is indeed his enemy. You don't advocate killing the policeman, and I don't.

Mr. ASHBROOK. I accept that. If you start from the idea that the police is the enemy, this is logical. I merely want to put in the record also a comment which was in the Black Panther magazine, a cartoon signed "Emory," as you know, and it says:

So, here is where we began to create our revolutionary art—we draw pictures of our brothers with stoner guns with one bullet going through forty pigs taking out their intestines along the way—another brother comes along, rips off their technical equipment; brothers in tanks guarding the black house and the black community—also launching rockets on U.S. military bases—Minister of Justice H. Rap Brown burning America down; he knows she plans to never come around; Prime Minister of Colonized Afro-American Stokely Carmichael with hand-

grenade in hand pointed at the Statue of Liberty; preaching we must have undying love for our people; LeRoi Jones asking, "Who will survive in America?" "Black people will survive in America"—taking what they want—Minister of Defense Huey P. Newton defending the black community—two pigs down two less to go.

And so on and so on. Again this opens up a constructive dialogue, probably. I would have to be frank, among those who miss the point. If you start from the theory that the policeman is an enemy, then what they refer to, I suppose, is revolutionary art and they make a lot of sense.

But I think the record ought to show that it is not exactly correct to say, and the only criticism I would have of your testimony is I don't think it is exactly correct to say you could look at a cartoon like this and conclude that it is only what is in the mind of the beholder. I don't think many reasonable people would have a difference of opinion. When you see a policeman being stabbed in the back and blood coming out, this is not something that opens up a constructive dialogue; this is something that is inciting to violence.

Mr. JONES. This is because it is a popular usage. To keep the record straight that statement you read was a statement by Emory Douglas, not by the Black Panther Party or anybody that represents the Black Panther Party as spokesman.

Mr. ASHBROOK. It was printed by the Black Panthers?

Mr. JONES. Under the byline of Emory Douglas, so it is attributed to Emory, not to the Black Panther Party. Popular usage has actually altered the use of the term "pig." So when you see the cartoon there and you see a pig in a policeman's uniform, this does not necessarily connote to you a policeman who conducts himself improperly, it merely carries the connotation or indicates the inference of that being any policeman.

Mr. ASHBROOK. That is correct, I would buy that.

Mr. JONES. What you are doing in essence is applying a kind of ex post facto logic.

Mr. ASHBROOK. Murdering somebody whether he is good or bad is not ex post facto.

Mr. JONES. It depends on the status of the murder. For instance it is happening in Vietnam.

Mr. ASHBROOK. Here is a man stabbing him in the back; there is no way you can make that something you are striking a blow for.

Mr. JONES. If a Vietcong would turn and run, you would shoot him in the back.

Mr. ASHBROOK. You will admit that Black Panthers virtually rule out the possibility that a policeman can be a good guy?

Mr. JONES. No, I don't, because the Black Panther Party has circulated a petition in Oakland asking for community control of the police. They are merely saying the police must be responsive to the community they are serving. When they are not responsive and live outside that community and have an opportunity to conduct themselves in a violent manner, then we are saying that they must change this situation.

Mr. ASHBROOK. As a longtime reader of the Black Panther, I don't think the columns bring that message out.

If that in truth is a credo or thesis of belief of the Black Panthers, it is not reflected very well in their columns. I would say quite the op-

posite; the columns are inflammatory, indicate very little hope of redemption of the policeman, and on the most part hold them up as pigs who should be exterminated.

Mr. JONES. I think that bears some explanation, too. You have to remember the articles that appear in the Black Panther paper are articles that are submitted by people in the community. These articles are going to reflect the feelings of the people who write the articles. In the black community I have seen and experienced a great deal of frustration in my association with the police. This frustration is brought about by the fact that many black people feel they have no place to take their grievances except to the Black Panther paper. When a man is frustrated and feels he is not going to receive proper consideration in the normal course of legal proceedings, he will find other ways to rectify his situation.

You might look at the Black Panther paper as this: It might serve as a steam whistle on a kettle that is boiling, you see, and as long as there is an outlet for that type of frustration, and the paper serves as an outlet for people to vent their frustrations, the kettle won't explode. You silence that steam whistle and the kettle will explode.

Mr. ASHBROOK. I don't think it is a question of silencing it. In my office, for example, there are a lot of newspapers. I get one from somebody in Virginia called *Statecraft* that is rabidly anti-Semitic and anti-Negro. I get a white citizens' paper out of Augusta, Georgia. The point that comes across to me all the time, so many of my fellow white Americans look upon the White Citizens Council's *Statecraft*, and publications of that type, as just being a little more than nut publications, but there is a tendency of so many people in the black community to look upon *The Black Panther* not in that context, but as something you say is what people think in the community. Do you openly knock it; do you think it is wrong to do this?

I happen to think *Statecraft* is about the nuttiest thing put together.

Mr. JONES. I try to say this, sir; I attribute to the black community the same amount of intelligence that you attribute to your white friends; that any man can interpret for himself.

Mr. ASHBROOK. You won't knock the Black Panther publication?

Mr. JONES. I always make an attempt to do neither, but to understand.

Mr. ASHBROOK. The hottest place in hell is reserved for those who, in time of moral crisis, maintain a neutrality. I think you have to be one way or the other.

Mr. JONES. That is only going to be a problem if you go to hell. If you go to heaven you don't sweat that.

Mr. ASHBROOK. I wish I was as sure as you are.

Thank you, Mr. Chairman. I appreciate your answers. They are very forthright and illuminating.

Mr. PREYER. Mr. Counsel, you may proceed.

Mr. ROMINES. Let me pursue this line just a little further. Mr. Jones, you indicate that it was the intention of the Panther Party, with respect to these cartoons, that the pig symbolized a policeman who was misbehaving himself; is that correct?

Mr. JONES. Yes.

Mr. ROMINES. And the act of being killed, shot, or stabbed symbolically means removing him from the community; is that correct?

Mr. JONES. Yes, resistance to this and removal.

Mr. ROMINES. It didn't necessarily mean kill him and it didn't necessarily mean all policemen?

Mr. JONES. Correct.

Mr. ROMINES. You also indicated a few moments ago that unfortunately the term "pig" has come to have a generic meaning widely accepted across the country as meaning any policeman?

Mr. JONES. Right.

Mr. ROMINES. Why would the Panther paper continue to utilize these cartoons knowing that when people see the cartoons that they interpret them as meaning all policemen?

Mr. JONES. First of all, I don't think that you could say the Panther Party knows, because the Panther Party knows the origin of the cartoon and therefore I imagine the members of the Panther Party interpret the cartoons in the same light I interpret them. The fact that other people misconstrue the intent or purpose of the cartoon I don't think is really a fault of the Black Panther Party.

Mr. ROMINES. I am not saying it is the fault of anybody. I am just saying you are aware of the fact of how the word "pig" is interpreted now and I would assume that the Black Panther Party is aware of the fact of how the word "pig" is interpreted now?

Mr. JONES. If you accept that assumption of course you can accept your conclusion; if you don't accept that assumption of course you don't know what conclusion follows.

Mr. ROMINES. Hypothesize with me a moment. Let's assume that the Black Panther Party does know how the term "pig" is utilized now and what it means to most people. Why would they then continue to publish the cartoons as they do?

Mr. JONES. My answer would be I don't know, if your hypothesis is correct.

Mr. ROMINES. Let me ask you this question, Mr. Jones. We have had previous testimony here from several witnesses to the effect that one of the biggest problems that the black community faces anywhere is dope, in particular the dope pushers. Would you agree or disagree with that?

Mr. JONES. I don't know. It is kind of hard to say what the big problem is. I would say I would admit that it seems dope is a big problem.

Mr. ROMINES. Not only in the black community but in any community; however, we have had several witnesses say in the black community where they reside the dope pusher is probably their number one problem, if not number one right across to the top. My question is, Why is it there is nothing in the Black Panther Party newspaper which depicts dope pushers as enemies of the black community?

Mr. JONES. There have been articles condemning the dope pushers, saying, "Remove the pusher from the community." If I recall, there is a book written by a Panther that is circulated by the Black Panther Party opposing the use of dope and the peddler saying that it is just another means, it is an illegal form of capitalism. They are opposed to that, that somebody buys dope cheap and sells it to the user for a very dear price.

Mr. ROMINES. Have there ever been any cartoons depicting the symbolic removal of the dope pusher in the community?

Mr. JONES. I have never seen any.

Mr. ROMINES. If the dope pusher is an enemy of the black community as you have indicated the policeman is who does not conduct himself as he should, why have there been no cartoons?

Mr. JONES. Again we go back to the fact that this is the prerogative of the cartoonist to decide what he is going to draw. Nobody directs any cartoonist to draw any picture of anything. Now again it goes even further than that, that the Black Panther Party was founded with the intention of opposing racism that existed in the Oakland police force. So the initial cartoons were about policemen. So this indicated to anyone who wanted to draw a cartoon about policemen that this was the place to send that cartoon. If someone were to institute a policy of presenting cartoons condemning the dope pusher, probably then other people would follow suit.

Mr. ROMINES. You have indicated that the Panther Party has shifted emphasis from combating racism to combating capitalism, which is one of the reasons you left. You just mentioned a moment ago that some of the people looked upon dope pushing as a form of capitalism. It would appear to be a logical consequence that the Black Panther Party newspaper would attack dope pushing.

Mr. JONES. The Black Panther newspaper is strictly a community news service that prints what the people in the community want printed. As I said earlier, they can't submit these articles to other papers and still get the same consideration they get from the Black Panther paper. Unless the people in the community decide to start an all-out drive and submit articles to *The Black Panther*, if the policy is still the same as it was when I was managing editor, these won't get printed.

Mr. ROMINES. Would it have been the policy of the Black Panther newspaper to institute articles on its own, say attacking the dope pusher, as opposed to waiting for the local chapter to send in the information.

Mr. JONES. It is a possibility, but it would have been time consuming. If we were going to make this a newspaper issue then we would have been required to make sure our material was accurate because it would represent an official statement of the Black Panther Party.

Mr. ROMINES. What do you mean it would have represented an official statement of the Black Panther Party?

Mr. JONES. If the paper had adopted an editorial policy of attacking dope pushers then that would have been an official statement coming from the paper itself and not from the community.

Mr. ROMINES. Is an editorial statement or is an editorial in the Black Panther Party paper an official statement of the Black Panther Party?

Mr. JONES. No, it is an official statement of the editor.

Mr. ROMINES. Of the editor of the Black Panther paper?

Mr. JONES. Right.

Mr. ROMINES. Mr. Jones, there have been numerous statements by various Black Panther Party leaders and members which have been published in the Black Panther Party paper in which the word "revolution" is used, the words "revolutionary violence" are used, or in which the word "violence" is used all by itself. In a recent hearing on July 21, 1970, Committee Exhibit No. 2, consisting of excerpts

from various Black Panther Party newspapers, was introduced into the record as evidence. I hand that to you and let you examine it.

Mr. JONES. To start with, just scanning these I can see that every quotation is from an article that has an acknowledged author except one, author unknown, the last item you have here. So without even reading it, the entire thing, I would say whatever this states would be the opinion of the person who wrote it.

Mr. ROMINES. You have answered my question before I asked it. All of these articles pertain to revolution and revolutionary violence. I would ask, Mr. Chairman, that this committee exhibit be included in the hearing record at this point.

(The exhibit follows:)

[Committee Exhibit No. 2 of Part 3 of Black Panther Party Hearings, July 1970]

<u>QUOTATION</u>	<u>AUTHOR & BLACK PANTHER PARTY TITLE</u>	<u>HEADING OF ARTICLE & DATE</u>
"This is a class struggle. To all those lackeys, opportunists, rotten ferocious, diseased m-----f-----s, we will not stop until we have destroyed and committed destruction on capitalism. You must understand that the revolutionary struggle has yet to continue. So let there be bloodshed because these racist m-----f-----s have to go check it out in Vietnam...So you see, people, as brother Mao Tse-tung puts it, 'We are the advocates of the abolition of war, we do not want war, but war can only be abolished through war. And in order to get rid of the gun, it is necessary to take up the gun.'"	Bobby Seale, Chairman; George Sams and Cleveland Brooks, members.	"Reactionary Paper Tiger" BP 5/25/69 p. 4.
"This is...the year of the Panther. This is the beginning...of revolutionary struggle... the world of guns and political direction... we will dare to struggle and dare to win... This is the dawning of the age of revolution!"	Ericka Huggins, Political Education Instructor, New Haven Branch	"Ericka's Poem" BP, 5/25/69 p. 3.
"...We're not reformists, we're not in the movement to reform the curriculum of a given university...We are revolutionaries and as revolutionaries, our goal is the transformation of the American social order. In order to transform the American social order, we have to destroy the present structure of power in the United States, we have to overthrow the government...we say that we will do this by any means necessary...and the only means possible is the violent overthrow of the machinery of the oppressive ruling class."	Eldridge Cleaver, Minister of Information	"Revolution and Education" BP, 6/28/69 pp. 12-14
"If you kill a few, you get a little satisfaction. But when you can kill them all you get complete satisfaction. That's why we haven't moved. We have to organize the people. We have to educate the people. We have to arm the people. We have to teach them about revolutionary political power. And when they understand all that we won't be killing no few and getting no little satisfaction, we'll be killing em all and getting complete satisfaction."	Fred Hampton, Deputy Chairman, Illinois Chapter	"All Power To The People" BP, 7/19/69 p. 7.
"The Black Panther Party is an armed body for carrying out the political tasks of the revolution. We realize that it is going to take a revolution for Black People to attain freedom...The Black Panther Party defends itself with guns not merely for the sake of defending itself, but to organize the people, arm them, and help them to establish revolutionary political power."	Beth Mitchell, Minister of Information, Harlem Branch	"Revolution Is Inevitable" BP, 8/16/69 p. 12.

QUOTATION	AUTHOR & BLACK PANTHER PARTY TITLE	HEADING OF ARTICLE & DATE
"Now if we want to exercise Black Power, we do not go out and have a lay-in...The only thing that we can do now, brothers and sisters, is get our guns organized, forget the <u>In</u> s and shoot it <u>Out</u> ."	Bobby Seale, Chairman	"Black Panthers and Hunters Point" July 20, 1967 BP, 7/20/67 pgs. 4 & 15
"The Vanguard Party must provide leadership for the people...when they see the advantage in the activities of the guerrilla warfare method, they will quickly follow this example... When the masses hear that a gestapo policeman has been executed while sipping coffee at a counter, and the revolutionary executioners fled without being traced, the masses will see the validity of this type of approach to resistance. It is not necessary to organize thirty million Black people in primary groups of two's and three's, but it is important for the party to show the people how to go about revolution."	Huey Newton, Minister of Defense	"In Defense of Self Defense" BP, 5/4/68 pg. 6
"So what we're saying can be reduced to one simple sentence...very simple, very common, one that can be understood by everybody...WE ARE SLAVES, AND THE ONLY WAY TO BECOME FREE IS TO KILL ALL THE SLAVE MASTERS!!!"	George Murray, Minister of Education	"The Necessity of a Black Revolution" BP, 11/16/68 pp. 13 & 24
"The Revolution and total Destruction of this racist decadent imperialist American Society is my battle cry."	Charles Bursey, Captain, San Francisco Branch	Poem, "Tears of Joy" BP, 11/16/68 p. 15
"...we need change, we need freedom, we need Black Power and political power comes through the barrel of guns...Black men, Black people, colored prisoners of America, revolt every-where. Arm yourselves. The only culture worth keeping is a revolutionary culture. Change. Freedom everywhere. Dynamite! Black Power. Use the gun. Kill the pig everywhere."	George Murray, Minister of Education	"For a Revolutionary Culture" BP, 2/2/69 pg. 7.
"...if we kill a few of them [police], we'll have a little satisfaction, but if we kill some more, we'll have some more satisfaction, but if we kill all of them, we'll have complete satisfaction. ALL POWER TO THE PEOPLE!!!"	Emory Douglas, Minister of Culture	"Minister of Culture Emory Speaks at Hunters Point Rally" BP, 4/20/69 pg. 5.

<u>QUOTATION</u>	<u>AUTHOR & BLACK PANTHER PARTY TITLE</u>	<u>HEADING OF ARTICLE & DATE</u>
"...we're revolutionary and you are the enemy, you are part of the problem and we have nothing to say to you, except "WE WILL KILL ANYONE WHO STANDS IN THE WAY OF OUR FREEDOM."	"Big Man" Elbert Howard Managing Editor Deputy Minister of Information	"The Role of the Black Panther Party-- Reviewed" BP, 2/28/70 Editorial
"The power to destroy is ours and if it takes leveling Babylon to the ground for the sake of humanity, then this must be done...The gun plays a very important role in this because it is the gun that is being used to silence the voices that cry out for freedom. Therefore the masses of oppressed people have the right to pick up the gun and defend these voices and themselves at all cost."	John L. Clark, Baltimore Chapter	"Total Emancipation" BP, 3/15/70 p. 9.
"You need to start killing the racist pigs who are over there with you giving you orders. Kill General Abrahms and his staff, all his officers. Sabotage supplies and equipment, or turn them over to the Vietnamese people."	Eldridge Cleaver, Minister of Information	"To My Black Brothers In Viet Nam" BP, 3/22/70 p. 4.
"When a self-defense group moves against this oppressive system, by executing a pig by any means, sniping, stabbing, bombing, etc., in defense against the 400 years of racist brutality and murder this can only be defined correctly as self-defense..." "Today to be an assailant or terrorist is a quality that ennoble any honorable man because it is an act worthy of a revolutionary engaged in armed struggle against the shameful military dictatorship and its monstrosities."	Author unknown	"Organizing Self Defense Groups" 4/18/70, p. 7.

Mr. ROMINES. I would ask you this question, Mr. Jones: First of all, when these individuals make these statements about revolution and revolutionary violence, killing, et cetera, is it rhetoric or are they actually advocating a proposed course of action?

Mr. JONES. What you are asking me to do there is interpret somebody else's intention, which I am certainly not capable of doing.

I would say that the individual action after writing the article could tend to confirm whether or not it was rhetoric or an advocacy of that particular line of action.

Mr. ROMINES. It is not really the words that count, it is what he does after he writes the words.

Mr. JONES. That is right.

Mr. ROMINES. Why do you suppose or what, in your opinion, is the reason for writing articles such as these?

Mr. JONES. They are the frustration that I mentioned before that exists. I can remember when I first was talking to Huey when he was in the Alameda County jail, and he indicated to me also that there are many people who don't understand the philosophy and the principles of the Black Panther Party, and these people are oftentimes those who wish to act immediately without assessing the situation. This actually came in a letter from Huey. I also said there are many people who understand the principles and philosophy, but they hesitate to act at all.

So what you may see there is a result of what Huey has actually analyzed, the fact that those people who are unable to assess the situation and determine a real viable course of action want to go to that course of action which they know is available to them. This is what you may see in the Black Panther Party paper.

Mr. ROMINES. When you say Huey said there are people who know and understand, how did you phrase it, policies and principles of the Black Panther Party, would that essentially be the 10-point program?

Mr. JONES. Yes.

Mr. ASHBROOK. Mr. Counsel, could I ask a question, because this is a particular area of interest. I see the strain through the whole Black Panther publication. Doesn't Huey Newton pretty well, along the lines of what you have just said, divide up the black community, in fact, into those that agree with him and those who don't, and he tends to be derogatory of blacks who don't go along as he does, the so-called pig community or the white community? I just see a constant effort to polarize the black community in his sayings. I could read you what he said on July 20, 1967, where he in effect says the bootlicker philosophy, and if you look through various Black Panther newspapers he picked out people like Roosevelt Grier and Rafer Johnson, who in one particular issue you called bootlickers. The next bootlicker gallery contains Roy Wilkins, former Cabinet officer Robert Weaver, Senator Brooke, Congressman Dawson, Whitney Young, Floyd McKissick, James Baldwin, Martin Luther King. Isn't this a divisive type of campaign where if you don't agree with us 100 percent you are a white man's bootlicker, and you have probably taken most of your prominent Negro Americans, certainly not necessarily conservatives or moderates; some of these people are known to be fairly liberal.

You talked to him in the Alameda County jail. Isn't he in effect saying black leaders like Floyd McKissick and Whitney Young and

Roy Wilkins and Robert Weaver and at least like Roosevelt Grier, these people are also the moral enemy, bootlickers? They don't understand, so therefore we have to drive a wedge in the black community against them, and we have to constantly be on the assault against them? This is one of the parts of the Black Panthers, be with us or you are enemy, that I don't quite understand.

It just fits into what you said. I just wonder what your observations are. Is this the Black Panther philosophy, if you are not with us you are an enemy?

That bootlicker is certainly a very bad connotation to put on Whitney Young and Mr. McKissick, Congressman Dawson, or Senator Brooke in Massachusetts. But there is an effort to take black leaders other than the Carmichael, Newton, Seale variety and say they are bootlickers of the white society.

Mr. JONES. First of all, I don't attribute that type of statement to Huey. Huey, in my opinion, is a very understanding and forgiving person.

Mr. ASHBROOK. Of blacks?

Mr. JONES. Of blacks, yes.

Mr. ASHBROOK. Do you want me to read what he said:

Historically, the power structure has demanded that Black leaders cater to their desires and to the ends of the imperialistic racism of the oppressor. The power structure has endorsed those Black leaders who have reduced themselves to nothing more than apologizing parrots. They have divided the so-called leaders within the political arena. The oppressors sponsor radio programs, give space in their racist newspapers, and have shown them the luxury enjoyed only by the oppressor. The Black leaders serve the oppressor by purposely keeping the people submissive and passive—non-violent.

It goes on to say:

The Black people realize brutality and force can only be inflicted if there is submission. The community has not responded in the past or in the present to the absurd and erroneous, deceitful tactics of so-called legitimate Black leaders. The community realizes that force and brutality can only be eliminated by counter force through self defense.

Of course they go on to point out the Weavers, the Wilkins, the Youngs, the McKissicks, the James Baldwins, Rumford, King, Brooke, Dawson.

Mr. JONES. You went from an article to looking to the cartoon. Does he say that in the article that these are the people you are referring too?

Mr. ASHBROOK. These are the people you go on and call the bootlickers.

Mr. JONES. He states in his article who he is referring to. Any leader who would, in fact, inflict harm upon black people is the leader he is speaking of in that particular article. When you go to the cartoonist's depiction—

Mr. ASHBROOK. Those are not cartoons, these are pictures. This is your bootlickers gallery which points out the so-called legitimate black leaders who are, in effect, selling out the blacks. In effect what he is saying, following up on what you said and I understood you to say, is people don't understand. If they don't understand we have to point them out as an enemy. If they are black leaders like Whitney Young, everybody knows Whitney Young works in New York within the power structure. Does that make him a bootlicker?

Mr. JONES. No, sir, I think there is a misunderstanding there.

Mr. ASHBROOK. How can you misunderstand if you set up a bootlickers gallery and put Whitney Young in it?

Mr. JONES. There is no misunderstanding in what you say about the bootlickers gallery. There is a misunderstanding in the fact that you are taking an article written by Huey and then trying to superimpose that article over the contents of a photographic layout. Huey, I don't think, says in that article, and I am at a disadvantage because I don't have that——

Mr. ASHBROOK. He refers to so-called legitimate black leaders. You don't think there is a causal connection between what he has said here, that we have to in effect point out the deceitful tactics of so-called legitimate black leaders, which was said, and several months later you start a bootlickers gallery with Rafer Johnson, Roosevelt Grier, and these other people?

Mr. JONES. First of all, what is the date the article of Huey appeared?

Mr. ASHBROOK. July 20, 1967.

Mr. JONES. What is the date you have on the paper?

Mr. ASHBROOK. There is June 10, 1968, and there is July 20, 1967. As a matter of fact, that is the exact date.

Mr. JONES. The same date.

Mr. ASHBROOK. No causal connection?

Mr. JONES. He never referred to the bootlickers gallery.

Mr. ASHBROOK. Just as they never referred to good pigs as being the ones they didn't really mean in the cartoons. I agree.

Mr. JONES. If you might allow me, there is no such thing in my opinion, as a good pig. A pig is inherently bad, that is the policeman doing wrong. This is where we have a problem.

Mr. ASHBROOK. I have a problem, I will admit that. In effect you are saying this is not what Huey is talking about when he refers to the blacks who cater, who are apologizing parrots, he refers to them in one place, blacks who have been endorsed by the power structure, in another place, to the deceitful tactics of so-called legitimate black leaders. You don't think there is a connection between what he is talking about and what you are pointing out, in effect, Bob Weaver, Floyd McKissick, James Baldwin; these are the enemies, the bootlickers?

Mr. JONES. What Huey says is true. I hardly see how anybody who is going to be a tool of anyone else should ever describe himself as a leader. I think what Huey is saying is, we must pick our own leaders.

Mr. ASHBROOK. So we have to do these people in?

Mr. JONES. No, no.

Mr. ASHBROOK. You don't think it does them in in the black community to call Floyd McKissick a bootlicker?

Mr. JONES. Does it do what?

Mr. ASHBROOK. Does it do Floyd McKissick in to hang the label of Uncle Tom or bootlicker on him?

Mr. JONES. It would be equally wrong for Huey to say because these people have national stature they are going to be immune from any criticism. He is saying if Floyd McKissick does something that does not, in his opinion, benefit the black community, then Floyd McKissick is subject to criticism.

Mr. ASHBROOK. You, in effect, have held up all of these people, you in the sense of the Black Panthers at the time being associated with it, you have held these people up to, in effect, be the enemy of the black man with very few redeeming qualities. You have to point out on occasion McKissick is all right, on occasion he isn't. Therefore he is like a bowl of jelly. No, you have held him out to be a bootlicker, and in another place an Uncle Tom.

I happen to think this is the strategy of the Black Panthers, both in the sense of the publication, in the sense of Huey Newton and the theories of the Black Panthers, to drive a wedge in the black community establishing two camps, those who are the so-called Establishment, nonviolent types, and those who are the militant types who will openly advocate violence if necessary. As a reader, not as a person who is inside of the movement, as a reader of the movement, it is just about as clear as the nose on my face this is what Huey Newton and the Black Panthers are trying to do.

Mr. JONES. I would say the knowledge is already there, and the only thing Huey could be doing is pointing this out. I think it is improbable that you will ever find any race or group of people who, as a group, unanimously agree on any course of action.

Huey is pointing out, possibly, and again I am at a disadvantage without having the entire article, without having it to refer to, he is pointing out that there are some leaders who are, in fact, using tools that are ineffective and they have been using them for a long time and nothing has been done to correct the inequities that exist. So Huey is saying we must no longer place all of our faith in these leaders: we must select new leaders who are doing what we think needs to be done.

Mr. ASHBROOK. If you were to take the black community in America and the people that we would describe, maybe not what you would think or I would think, but what the public generally looks upon as a black leader, what black leader in the United States who is generally known would they have missed in this bootlicker gallery? If you end up with everybody from King, Baldwin, McKissick, Young, Weaver, Wilkins, even to the political leaders, what leader have they missed? They have in effect said no leader. Can you name one generally known black leader who is not in the bootlicker gallery?

Mr. JONES. Elijah Muhammad.

Mr. ASHBROOK. Again I don't honestly think he would be one who has national stature, who is generally known as a black leader. I would not accept him as a black leader. I am talking about the ones who are generally known, as he says, have access to the newspapers, radio programs, et cetera. I think we would both agree that he would not be a household name, where many of these people pretty well would. There really aren't any of your leaders, right or wrong. I am not going to pass judgment; you can do that better than I can. But there would not be any nationally known leader who has not at one time or another been put in the bootlicker gallery by the Black Panthers, which is, as I see it, an effort to drive a wedge between the ones working within the system, the nonviolent types, as against those who have the 10-point Black Panther program and are ready and willing to carry it out.

Mr. JONES. Maybe that serves as a corroboration of what Huey is asserting, that those leaders who are nationally known are doing very little to change the situation. Isn't it possible what Huey is

saying is true, that they have been placed in this position of national prominence by the fact that they do, in a sense, agree, but at least allow many of the inequities to continue and that they don't firmly oppose them?

Mr. ASHBROOK. I would buy that, sir. Looking at it from Huey Newton's point of view, I would say, yes, you are probably absolutely correct.

Mr. JONES. Malcolm X had much of the black community behind him, but he was not given the national prominence as, say, some of the other leaders.

Mr. ASHBROOK. I think were he alive Malcolm X would have been on this list. I think Malcolm X would have been there.

Mr. JONES. Yet he was not afforded an opportunity to gain the national attention that you give to some of the others.

Mr. ASHBROOK. I saw Malcolm X on television about as much as anyone else.

Mr. JONES. Always in a derogatory manner. There was always a cross-examination. This is off the subject of the Black Panther Party, but this is what the Black Panther Party is trying to correct.

Mr. ASHBROOK. I don't think he was put in the best context. I don't think there is any question about it.

Again going back to what you said your conversation was with Huey Newton that people didn't understand, maybe it is necessary. And again, I can understand, from the Newton point of view, maybe it is necessary to tear down and hang labels on what I would consider—I am not a black, so maybe what I would consider to be a leader in the black community, maybe I am dead wrong. But from his point of view I can see what he is trying to do and what they are trying to accomplish.

But there just aren't very many black leaders, with quotes around it, that we could know that are national leaders who haven't at one time or another been tarred and feathered literally by the Black Panthers as bootlickers, Uncle Toms, and so forth.

Maybe this is constructive in the black community. I recognize the strategy and it ties in very closely with what you just said.

Mr. JONES. This is actually what he is saying. For instance, you are saying that they are the leaders of the black community that you know and possibly that you endorse, when actually—

Mr. ASHBROOK. I didn't say that.

Mr. JONES. I am saying that the black community is going to have to pick its own leaders and endorse the tactics of its leaders because the black community feels these are effective means of erasing the problem.

Mr. ASHBROOK. There is only one problem there. Do the Black Panthers speak for the black community or do these people?

Mr. JONES. You can't pick one spokesman.

Mr. ASHBROOK. Who comes closer?

Mr. JONES. You are asking me to represent the entire black community and I can't do that. I can only represent Frank Jones. If you will let a representative of the black community come into the White House or into a congressional committee and say this man speaks for the black community, that is distortion of reality.

Mr. ASHBROOK. Nobody can speak for the Polish community; Catholic, Protestant, the National Council of Churches can't speak for all church groups. There is a tendency in our society to oversimplify and say this one person speaks for Republicans or for Democrats. We know that is not the case. But even within the framework there are people who have emerged as leaders. My point is there seems to be a colossal effort on the part of the Black Panthers to tear down some who have in this struggle in the past 20 years emerged as a leader.

Dick Gregory would be about the only one of national stature that I can think of, quite frankly, who isn't on there. But I can't think of very many others in the political sphere who have not had the brand from the Black Panthers, as these are, Uncle Tom and bootlickers. These are people, as Huey points out, apologizing parrots to the white community. I don't really think you can put Martin Luther King or Senator Brooke in that. But, again, that is my view.

Mr. JONES. When Martin Luther King was leading the Montgomery bus boycott, he was probably looked upon as the former Huey Newton of his day. He was a rabble rouser of his day and he was not considered then a responsible political leader; otherwise he would not have been thrown in jail.

Mr. ASHBROOK. I don't think that necessarily follows.

Mr. JONES. Later when he started to advocate nonviolence, then he was accepted by all as a leader because many felt this is what a leader should do. He should not allow the violence to occur.

Mr. ASHBROOK. You are probably saying what we often hear: the majority of the blacks are probably wrong, just as the majority of whites are probably wrong.

Mr. JONES. I will give you a solution offered by the Black Panther Party and that is that a plebiscite be conducted throughout the United States to determine what the will of the black people is, and that could be very easily done. You would not have to ask me what I thought; you could refer to your statistics from the electoral process.

Mr. ASHBROOK. Thank you for your answers.

Mr. PREYER. Mr. Counsel.

Mr. ROMINES. I only have about two or three more questions, Mr. Chairman.

I would like to finish a series of questions I started to engage in. On this series of quotations, Mr. Jones, I believe you said something to the effect that they are all opinions; is that correct?

Mr. JONES. All that were—now the one I have some doubts about is the one that says "author unknown."

Mr. ROMINES. All attributable in some way to an individual as to the necessity of a violent revolution; is that correct?

Mr. JONES. I didn't read the article. If that is what they say, that is the person's opinion, yes.

(At this point Mr. Ashbrook left the hearing room.)

Mr. ROMINES. Do any of these particular excerpts reflect the official policy of the Black Panther Party?

Mr. JONES. If they in fact coincide with the 10-point program and platform they do. If they don't, then they don't.

Mr. ROMINES. Some are by Bobby Seale, Huey Newton, "Big Man" Elbert Howard. Since these statements are made by acknowledged national leaders of the Black Panther Party, is it not a fair inference

that they at least represent, to a certain extent, the thinking of the Black Panther Party and the position of the Black Panther Party?

Mr. JONES. Only to the same extent that a statement by a prominent figure in the national Government would in fact bind the national Government. Whatever the President says when he is speaking or writing does not necessarily bind the United States Government to that course of action or to that particular philosophy. It is merely his opinion.

Mr. ROMINES. So when any national leader of the party makes a statement, irrespective of what that statement is, if it is not in conformance with the 10-point program it is not an official statement of the Black Panther Party?

Mr. JONES. That is the way the party operated when I was in it, yes.

Mr. ROMINES. I have no further questions at this time, Mr. Chairman.

Mr. PREYER. All right. We have a few moments and I will ask a few questions.

Mr. Jones, you are obviously a very intelligent and well-educated witness. I think it is well that we have a witness who is a former Panther who can speak as well as you can. You obviously have more education and you are more articulate than other witnesses we have had here. Also I think it is clear that you are still sympathetic to the party although you are not a member of the Black Panthers. Is that a fair statement?

Mr. JONES. Yes, sir, it is.

Mr. PREYER. Much of the testimony we have had has given the impression that in the black community, blacks, a majority of blacks I would say, are against violence as they see the Panthers advocating violence, but they are glad or express approval of the Panthers focusing attention on conditions in the black community. Would you say that is a fair summary of the way the black community generally regards the Panthers, that is, the black community is against the violence, they have approved the Panthers' bringing the attention to bear on the black community?

Mr. JONES. Again I am in the same position, that I can hardly speak for the majority of the black community. I would say it has been my experience, and the people I have spoken to, that there are some who are in disagreement with the concept of all-out violence. I don't think I have ever spoken to anyone in the black community who does not advocate self-defense.

Mr. PREYER. Would it be your position that you disapprove of violence except in the situation of self-defense?

Mr. JONES. Basically, yes. I say basically. There is a philosophy called preemptive self-defense, and I think probably anyone connected with national security understands this. If you see activity in Cuba which indicates there might be an attack on the United States, you might feel you have a right to block that particular activity that threatens you. With that exception I would say yes, I don't believe in violence except in the case of self-defense or preemptive self-defense.

Mr. PREYER. Preemptive self-defense would be like Russia invading Czechoslovakia?

Mr. JONES. I don't know, sir.

Mr. PREYER. The only point I want to take time to try to get clear is, you left the party, you say, because emphasis changed from racism to opposing capitalism. To try to get a little more practical meaning on that, let me ask you if this would be an example of that. Yesterday we had testimony that when the Panthers were first set up one of the things they did was to form pig patrols whose job was to deter police from brutalizing black people. They would take tape recorders when the black man was arrested by a policeman; they would have a tape recorder on the scene; they would advise a black man of his rights; they would follow him to jail in a car to make sure he wasn't mistreated on the way to jail. Certainly this is an example of self-help in the community that no one would quarrel with. I guess this would be an example, too, of combating racism, as you say.

Mr. JONES. Yes.

Mr. PREYER. So apparently the Black Panthers originally began to do that kind of thing. We heard later that was no longer being done, that they had abandoned that approach. From the testimony that we got, and this would be a summation of it rather than a citation of it, it is hard to get any other feeling other than that the Panthers have been gradually moving from that sort of service operation, if you want to call it that, maybe what you could call efforts to combat racism, to more and more revolutionary rhetoric, statements by Cleaver such as Mr. Ashbrook read.

Yesterday Cleaver's comments, his interviews in Algiers, were put in the record, in which he is making very hard comments. This is what you mean by moving toward opposing capitalism? Are they moving away from service activity in the community into revolutionary rhetoric and theory?

Mr. JONES. To start with, the service that the Black Panthers offers the community initially, that of patrolling the police in Oakland, that particular activity was not discontinued because the Panthers felt it was necessary. It was discontinued because laws were instituted that made that type of treatment or that type of activity basically illegal because the Mumford gun law was instituted in the State of California, many people believe, specifically to counter the Panthers and to prevent the Panthers from seeing that black people were not brutalized. Now the switch that caused me to leave the party was not that I went from a service to the community to that of revolution; it was strictly what I said, from combating the problem of racism, which I feel is a primary problem for blacks, and placing emphasis on capitalism, which they feel is the overall problem that causes racism.

If you can use an analogy that Eldridge has used on occasion—I think I read in one of the books from overseas—Eldridge said you might look at the problem that blacks have as that being of wearing an anklet attached to a ball by a chain. He says we must remove the ball. The ball, he says, is capitalism and the anklet is, in fact, racism. He says we must remove that ball to give a man freedom for motion.

I choose to attack the anklet, saying once you have the anklet removed you don't care how heavy the ball is. Once you are free of capitalism you are still going to be marked by the anklet, which is racism. I say let's remove the anklet and you will be free of racism, also. That was my cause for resignation.

Mr. PREYER. I can see your analogy there, although how it works out as a practical matter is not clear to me. Because the Panther newspaper

and the statements of Cleaver now and others, if they aren't attacking racism, how are they different from the statements they may have made earlier which you say are not attacking racism?

Mr. JONES. Again we have to deal with the period of time I was a member of the party. If you are speaking of statements that are made now, I don't really understand or I can't really speak for the party for any statements that are being made now or subsequent to my departure from the party. At the time I was a member of the party, as I said, the emphasis was on capitalism; we must remove the economic exploitation, which I agree should be done. But I don't agree that it should be done at the expense of removing institutionalized or even individual racism where it affects the entire community.

Mr. PREYER. Cleaver says the U.S. must be totally obliterated as it exists. I suppose that would be an anticapitalistic statement.

Well, the general tone that we get, beginning in 1967, from the Panthers was one more of a Robin Hood type operation in the community, and as it moved on we get more and more violent rhetoric and violent cartoons and it is hard to see, it looks like the goal is shifting from working within the system, if you want to put it that way—better jobs, eliminating racism, better housing—and is moving into just plain old vengeance on the white man for past wrongs. When you look at those cartoons there—Mr. Ashbrook went into that—it is hard to read much more in that way of changing things, other than out of a motive of vengeance, whether justified or not.

Mr. Ashbrook went into the question about meaning of the cartoons and that sort of thing so I won't go back into that except to say that, if your only standard is what is in the mind of the beholder when you judge something like a cartoon, then we have no standards any more, no responsibility for anything. Each man contributes to it whatever he wants it to mean.

You are a man who is running a bookstore and you know words and you use words. Don't you think words have a meaning that is objective; it is not something in everybody's mind that differs with each person, but have a general meaning. You have a cartoon of a man being stabbed in the back; doesn't that convey a thought?

Mr. JONES. Yes, sir, it does. Again I think, though, it is dependent upon a person's past and present environment as to how he interprets that. You talked about the meaning of words. The word "cool" has carried several meanings depending on your environment and your association with other people. The word "cat" could either refer to an individual or to the actual animal, the feline animal that we know of as a cat. So everything that is done depends on the individual, and this is actually what I think the Panthers might be striving for, the right for the individual to determine for himself.

You do have standards, standards that are imposed by your environment and by the training one receives from his parents and his church, whichever he decides to associate with. The most rational people recognize that the man who sets the best standards will be the man who prospers the most. So you will look to a prosperous example as a means of setting your standards.

Mr. PREYER. You don't think freedom of speech is an absolute right, do you, that you can say anything you want to say?

Mr. JONES. I know there is a standard argument against that, and that is the guy who stands up in a crowded theater and screams "Fire."

I would say the freedom of speech that only requires a response as opposed to a reaction should be allowed without censorship. I say that as a response to counter that reaction to the famous argument of "Fire."

Mr. PREYER. You do agree with the limited nature of freedom of speech, but you would say these cartoons and these statements do not provoke a reaction and therefore do not run afoul of this freedom of speech analogy.

Mr. JONES. I think it was Thomas Jefferson who said the freedom of speech should be defended as long as the governments stands ready to prosecute the acts that are a result of that particular speech. A man should be allowed to advocate whatever he wants. The only restriction should be placed upon the performance and not the advocacy.

Mr. PREYER. I think your description of the law is probably accurate. But your conclusion as to whether this type of cartoon and this type of speech doesn't provoke any sort of reaction or response is one which I might disagree with. There are a lot of psychotics around in the world, and you start teaching young people to off the pig and maybe in your mind you have justified that where it doesn't mean kill the cops. But to the young person or to the psychotic it may mean to him, well, here is a reputable justification for doing what I have always wanted to do, kill the cops; that is an OK thing to do now.

So I think that the way we use words and cartoons, they do have a dynamism of their own; something happens when you say things and when you put it in cartoons. I think to say, well, we can say anything as long as it doesn't lead to revolution or some overt action, it is difficult to figure out what it does lead to. You are dehumanizing your opponent, and it is hard to know what happens to people's minds when you start teaching young people police are pigs, the enemy is a pig, he is an animal, he is dehuman, and so forth.

Mr. JONES. Part of the key lies in what you just said. You said a person is looking for justification to do something and you stated he has always wanted to do it. You have to go back to a reason why a person has always wanted to do this. There must be a cause involved there, and the ideal answer would be to eliminate that cause so that nobody would ever want to kill a policeman.

As far as influencing children, my children were free to read anything that appeared in the Black Panther paper, and they were also subject to my interpretation and my explanation and my conveyance of my morals to them. This is the responsibility of a parent, and you can't hold the Black Panther Party responsible for the actions of children who are not actually cared for or who don't actually have responsible parents. You have to place that guilt someplace else.

Mr. PREYER. To say we will excuse this because the underlying cause justifies a person in wanting to kill somebody has to excuse everything. It is like saying there is nothing wrong with pornography because of some sort of psychological cause that drives people to want to look at dirty pictures. You don't justify dirty pictures on that ground. Here there may be a basic drive in a lot of people that are twisted to kill people. They will say, "Well, we will let you talk about that because there has been mistreatment in the past and there is some basis for why you want to kill people."

Let me ask you one final question. We have been trying to determine whether the Panthers are a revolutionary group or whether they are really reformists. Yesterday the testimony we had came down strong on the side that they were really a revolutionary group. I would gather that you would agree with this statement. This is from an article in *The Washington Post* by Bernard D. Nossiter. He has been talking about the Black Panther Revolutionary People's Constitutional Convention in Philadelphia recently. He says—

the Panthers are reformers, not radicals. For all their talk, and sporadic use of guns, for all the repetition of "proletariat" and "oppression," their vision is not—or at least not yet—one in which an underclass forcibly seizes power from a ruling class. Rather, they seek a society more congruent with the vision they heard in grade school, one that offers to blacks "life, liberty and the pursuit of happiness."

I take it you would agree with this?

Mr. JONES. In a sense I do. I would again like to deal with the words "reform" and "revolution." The only difference I see in the two is the time span involved. Reform, of course, might take place over a long period of time and revolution implies an immediate change. The past history of the Panthers has indicated that they are, in fact, reformist because there has been no real confrontation on a class basis or a race basis. So I would agree they are reformers, yes.

Mr. PREYER. We are glad to have testimony with us that represents that point of view, and you have represented it very articulately.

Mr. Counsel, do we have some further testimony tomorrow?

Mr. ROMINES. Yes, sir, we do.

Mr. PREYER. We will recess the hearings until 10 o'clock tomorrow morning.

(Whereupon, at 12:20 p.m., Wednesday, October 7, 1970, the subcommittee recessed, to reconvene at 10 a.m., Thursday, October 8, 1970.)

BLACK PANTHER PARTY
Part 4
National Office Operations
and
Investigation of Activities in
Des Moines, Iowa, and Omaha, Nebr.

THURSDAY, OCTOBER 8, 1970

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C.

PUBLIC HEARING

The subcommittee of the Committee on Internal Security met, pursuant to recess, at 10:45 a.m., in Room 311, Cannon House Office Building, Hon. Richardson Preyer, chairman of the subcommittee, presiding.

(Subcommittee members: Representatives Richardson Preyer of North Carolina, chairman; Richard H. Ichord of Missouri, chairman of the full committee; and John M. Ashbrook of Ohio.)

Subcommittee members present: Representatives Preyer, Ichord, Ashbrook.

Committee members also present: Representatives Albert W. Watson of South Carolina and William J. Scherle of Iowa.

Staff members present: Donald G. Sanders, chief counsel, and Stephen H. Romines, assistant counsel.

Mr. PREYER. We will resume our hearings on the Black Panther Party. Mr. Counsel, you may call your first witness.

Mr. ROMINES. I call Clive Lisbon De Patten.

Mr. PREYER. Mr. De Patten, will you stand and be sworn. Raise your right hand. Do you solemnly swear the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DE PATTEN. I do.

Mr. PREYER. Be seated.

TESTIMONY OF CLIVE LISBON DE PATTEN

Mr. ROMINES. Would you please state your full name for the record?

Mr. DE PATTEN. Clive, C-l-i-v-e, Lisbon De Patten.

Mr. ROMINES. What is your age?

Mr. DE PATTEN. 19.

Mr. ROMINES. What is your date of birth?

Mr. DE PATTEN. October 25, 1950.

Mr. ROMINES. What is your current address, please?

Mr. DE PATTEN. 1517 17th Street, Des Moines, Iowa.

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Mr. ROMINES. Are you now, or have you ever been, a member of the Black Panther Party?

Mr. DE PATTEN. I have previously been a member.

Mr. ROMINES. Where were you a member?

Mr. DE PATTEN. In the Des Moines Chapter and the Kansas City Chapter.

Mr. ROMINES. When did you join the Black Panther Party?

Mr. DE PATTEN. April 13, 1969.

Mr. ROMINES. Why is it that you are able to remember that date with such specificity?

Mr. DE PATTEN. Well, it was that date that I was beaten and hospitalized and that my mother was beaten and hospitalized and jailed and my brother, all of us were jailed on that day, you know. There was a little insurrection in Des Moines.

Mr. ROMINES. Did you actually join in the jail, then?

Mr. DE PATTEN. I joined inside the jail.

Mr. ROMINES. How did you go about joining?

Mr. DE PATTEN. Two weeks earlier—I had been beaten 2 weeks earlier and I went up to Panther headquarters then, you know. I came up with some “off the wall” theory of marching downtown, destroying it, because I had gotten beat, you know. I don’t know, I guess I was kind of acting like the kooks, you know, they didn’t deal with me. The second time I took a more levelheaded approach, you know.

Mr. ROMINES. What, if anything, were the requirements to become a member?

Mr. DE PATTEN. First of all you have to go through 6 weeks of political education, and that is the most stringent requirement, you know.

Mr. ROMINES. Was this in Des Moines?

Mr. DE PATTEN. In Des Moines, supposedly all over the Nation.

Mr. ROMINES. Did you actually go through 6 weeks of indoctrination in Des Moines?

Mr. DE PATTEN. Six weeks of political education.

Mr. ROMINES. What were you taught during those 6 weeks?

Mr. DE PATTEN. We studied Chairman Mao’s “red book” and Marxism-Leninism and socialism in general, you know.

Mr. ROMINES. Were you taught anything other than what you have just referred to out of the books, any other type of classes?

Mr. DE PATTEN. Occasionally we had a class on how to deal with people out in public, like when selling the Panther paper, you know, and if you happened to run across a rightwinger, how to deal with this type of individual, you know.

Mr. ROMINES. Who taught the class?

Mr. DE PATTEN. Charles Knox; he was the deputy minister of education.

Mr. ROMINES. Would he have been the leader of the Black Panther Party in Des Moines?

Mr. DE PATTEN. No.

Mr. ROMINES. Who was the leader at that time?

Mr. DE PATTEN. The leader was Edward Charles Smith. They often have said that Charles Knox was the leader and on the night of the bombing there was a power struggle between the two, but that is a complete fallacy.

Mr. ROMINES. "The night of the bombing," to what are you referring?

Mr. DE PATTEN. The night that Panther headquarters was bombed.

Mr. ROMINES. Now let me go back to my other sequence. You said Edward Charles Smith was the leader of the local chapter?

Mr. DE PATTEN. Yes; he was the deputy minister of defense.

Mr. ROMINES. Is he sometimes referred to as Charles Smith?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Did Mr. Knox teach all of the classes?

Mr. DE PATTEN. The majority of them he did.

Mr. ROMINES. Who else would have been teaching classes?

Mr. DE PATTEN. Sometimes it would just be a discussion, you know and we would involve ourselves in ideological struggles, you know.

Mr. ROMINES. How did the teachings from the "red book" relate to what you were learning? For what purpose were you studying the "red book"?

Mr. DE PATTEN. We studied the "red book" to kind of grasp the situation that black people are in today because it is a very similar situation. But it can't be applied wholly to the situation here in the United States, but it can somewhat be applied.

Mr. ROMINES. Did you try to relate the teachings of the "red book" to your situation as you see it now?

Mr. DE PATTEN. Yes; and also in the "red book" we studied things like "The Eight Points for Attention" and 11 points of liberalism, you know.

Mr. ROMINES. You mentioned a minute ago that you were taught to deal with, I believe you used the term, "rightwingers"; is that correct?

Mr. DE PATTEN. Yes.

Mr. ROMINES. How are you taught to deal with rightwingers?

Mr. DE PATTEN. I will give you a "for instance." One time in Kansas City, this was shortly after Pete O'Neal got some documented evidence on the chief of police, this woman called up and said she—and may I quote her?

Mr. ROMINES. Yes.

Mr. DE PATTEN. She said, "Where is that black bastard Pete O'Neal?" you know, I said, "Well he is not here at the moment."

Mr. ROMINES. Were you in Kansas City at this time?

Mr. DE PATTEN. I was. I said, "May I help you?" She said, "Look, I am a poor white working woman," you know, and she said they are doing everything for those black people; they even passed a law in Kansas where if they rioted and robbed the stores nothing would happen to them. I didn't know anything about any such law and I still don't, you know. I told her if she was a white working woman then we should ally ourselves; that she should be my normal ally, you know, because we were talking about not a race struggle, we were talking about a class struggle, you know. The oppressed people were revolting against the United States, revolting against the oppression, you know. I guess from the way I talked to her, by not cussing her out or calling her all types of names, you know, that she took a more objective approach to the Black Panthers. I told her that any time she wanted to she could come down to headquarters and that we would talk to her.

Mr. ROMINES. What kind of headquarters are you talking about now?

Mr. DE PATTEN. The Black Panther headquarters.

Mr. ROMINES. Would it be a fair assumption that you were taught to get along with rightwingers just like you were taught to get along with anybody else, to be civil and polite to them?

Mr. DE PATTEN. Yes.

Mr. ASHBROOK. All you said, Mr. Witness, is the woman said a certain statement. Would that infer that she was a rightwinger?

Mr. DE PATTEN. No, she went into it deeper than that, about how supportive she was of the Establishment and how the Establishment should deal more with the poor whites, you know.

Mr. ASHBROOK. Sounds more like a liberal than a rightwinger.

Mr. DE PATTEN. No, she wasn't a liberal at all. I don't think that liberals have a habit of calling up and saying, "Where is that black bastard?"

Mr. ASHBROOK. Rightwingers do that; is that what you are saying?

Mr. DE PATTEN. The majority of them that I have dealt with. I can name a few more instances.

Mr. ROMINES. Is there currently a Black Panther chapter in Des Moines, Iowa?

Mr. DE PATTEN. No, there isn't.

Mr. ROMINES. There was though at one time; is that correct?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Do you know when the Black Panther chapter ceased to exist as a functioning chapter?

Mr. DE PATTEN. It was in February or March, I believe; I am not sure of the date.

Mr. ROMINES. Of what year?

Mr. DE PATTEN. Of 1970.

Mr. ROMINES. Why did they cease to exist as a Black Panther Party chapter?

Mr. DE PATTEN. There was some conflict with the national headquarters, evidently, you know. The Des Moines Chapter, they wanted to, and like they are now doing, they are pursuing a hard-core communist line.

Mr. ROMINES. Do you know what difficulty the Des Moines Black Panther chapter had with national that caused the disbandment of the Des Moines Black Panther local chapter? What happened?

Mr. DE PATTEN. I don't know of any specific incidents. It is just the way of thinking in the Midwest is slightly, it is slower than it is on the coast, you know.

Mr. ROMINES. Did the national office of the Black Panther Party order the local office to disband itself?

Mr. DE PATTEN. Not to disband itself, but they just expelled the chapter, I believe.

Mr. ROMINES. Were you in Des Moines at the time?

Mr. DE PATTEN. No, I wasn't.

Mr. ROMINES. Where were you at that time.

Mr. DE PATTEN. I was in the Army.

Mr. ROMINES. How do you know then that the Des Moines Black Panther chapter was ordered to, how did you phrase it?

Mr. DE PATTEN. They were just no longer Black Panthers.

Mr. ROMINES. That was because of an order from national; is that correct?

Mr. DE PATTEN. I believe so, I believe national is the only one that could do that.

Mr. ROMINES. Do you have any idea what the reasons were that caused national to give that order to the Des Moines Chapter?

Mr. DE PATTEN. Not any specific reason. It also occurred in Kansas City, in the Minneapolis NCCF, and the Omaha NCCF.

Mr. ROMINES. What is NCCF?

Mr. DE PATTEN. The National Committee to Combat Fascism. I don't know, it must have been a Midwest thing.

Mr. ROMINES. There must have been some reason for it; they surely wouldn't overnight say just disband.

Mr. DE PATTEN. I don't know of any specific reasons.

Mr. ROMINES. Can you think of any possible reasons, any series of incidents?

Mr. DE PATTEN. I can't think of any series of incidents. I believe that Des Moines and Kansas City have differed somewhat from the other Panther chapters, you know.

Mr. ROMINES. Well, in what respect?

Mr. DE PATTEN. Des Moines and Kansas City were closely associated, more so than Kansas City-Chicago or Des Moines-Chicago. A lot of the ideology was passed on between the two chapters. There was almost no difference between the two, you know.

Mr. ROMINES. Do you think then the ideology that Kansas City and Des Moines Chapters expressed had anything to do with national's action?

Mr. DE PATTEN. That must be the reason.

Mr. ROMINES. What was the ideology that the Des Moines and Kansas City Chapters had?

Mr. DE PATTEN. The Des Moines Chapter, like I said, they wanted to pursue like the Panthers, you know? They say they are Marxist-Leninist. And somebody comes out and says, "Are you a communist?" And they say, "No, I am a Marxist-Leninist." That confuses people. The Des Moines Chapter wanted to pursue a hard-core communist ideology, especially after coming in contact with sincere communist whites, with hard-core communist whites. The Kansas City Chapter, I believe, they wanted to relate more on a cultural level; that is from my understanding. I have not been to Kansas City, I don't know for sure about Kansas City.

Mr. ROMINES. You made the statement that the Des Moines Black Panther chapter wanted to relate more on a hard-core communist level; is that right?

Mr. DE PATTEN. Yes.

Mr. ROMINES. What do you mean by that, what is a hard-core communist level?

Mr. DE PATTEN. Just simply not to be ashamed to say you are a communist, you know. If you ask a Black Panther is he a communist he might say, "Well I am a Marxist-Leninist," or "I support the Vietcong's right for self-determination," or give some answer like that. You know in Des Moines they will just say, "Yes, I am a communist, yes," you know, and "I follow Mao Tse-tung's thoughts."

Mr. ROMINES. When they say, "Yes, I am a communist," does that mean they are a member of the Communist Party, U.S.A.?

Mr. DE PATTEN. No, it does not.

Mr. ROMINES. What does it mean then?

Mr. DE PATTEN. It just means that they follow the communist ideology down to a "T" and they don't beat around the bush; they don't try to hide the fact that they are a communist.

Mr. ROMINES. When you say, "they are a communist," you mean they subscribe wholeheartedly to communist ideology and will admit it?

Mr. DE PATTEN. Yes.

Mr. ROMINES. What was the Black Panther Party chapter in Des Moines, Iowa's attitude toward the Communist Party, U.S.A.?

Mr. DE PATTEN. We have always been against the Communist Party, U.S.A., mainly because of their actions during the labor disputes of the 1930's, I believe. Instead of, you know, really working to organize people, they became reformist back in that era, you know. And I think that is the main thing they have against the American Communist Party.

Mr. ROMINES. Do you subscribe to this hard-core communist line?

Mr. DE PATTEN. No.

Mr. ROMINES. Do you consider yourself a communist?

Mr. DE PATTEN. No. I do, if I may add, consider myself an objective realist, you know. I will look at communism and capitalism objectively, you know.

Mr. ROMINES. Do you know when the Black Panther Party chapter was formed in Des Moines?

Mr. DE PATTEN. I don't know the exact date. I was told that it was shortly after national, shortly after national was formed that we were one of the first, I think we were the first chapter in the Midwest.

Mr. ROMINES. When you joined the Black Panther Party in April of 1969, what was their office address?

Mr. DE PATTEN. I believe it was 1205 11th Street.

Mr. ROMINES. In Des Moines?

Mr. DE PATTEN. Yes.

Mr. ROMINES. What was the size of the Black Panther Party when you joined in April of 1969?

Mr. DE PATTEN. I can't say for sure, but in Des Moines it was somewhere between 30 and 50.

Mr. ROMINES. You have mentioned Mr. Smith and Mr. Knox as being leaders at that time; is that correct?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Were there any other leaders of the Panther Party at that time?

Mr. DE PATTEN. There was a Mary Rhem.

Mr. ROMINES. Is that R-h-e-m?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Are there any other people in a position of leadership?

Mr. DE PATTEN. Michael Harris, who is now doing 25 years for a parole violation. He was the deputy chairman.

Mr. ROMINES. Is he serving the 25 years for parole violation or what he was originally convicted for?

Mr. DE PATTEN. For a parole violation.

Mr. ROMINES. He was originally convicted for armed robbery and thereafter violated his parole. He was arrested, convicted for armed robbery and sentenced to 25 years.

Mr. DE PATTEN. And then placed on parole, and then for parole violation they sent him up for 25 years.

Mr. ROMINES. That was his original sentence though. Were there any other leaders of the Black Panther Party at that time?

Mr. DE PATTEN. There was Beverly Williams, and she was the deputy minister of finance.

Mr. ROMINES. Any others known to you to be leaders at that time?

Mr. DE PATTEN. There was a captain—I can't recall his name—and there was a lieutenant of distributions, Stephen Green.

Mr. ROMINES. What was the average age of the Black Panther Party members in Des Moines when you joined?

Mr. DE PATTEN. I would say the average age would be about 20.

Mr. ROMINES. What type of education did the members have?

Mr. DE PATTEN. Well, like Charles Knox he has attended college, but most of them were high school dropouts.

Mr. ROMINES. While you were a member did any of them have jobs?

Mr. DE PATTEN. Charles Knox, he worked at the detoxification center.

Mr. ROMINES. What is the detoxification center?

Mr. DE PATTEN. For alcoholics.

Mr. ROMINES. Who sponsored that program, do you know?

Mr. DE PATTEN. It is called the Harrison Treatment [& Rehabilitation] Center.

Mr. ROMINES. Is that a State or a city or a Federal program, do you know?

Mr. DE PATTEN. No, I don't.

Mr. ROMINES. Do you know who finances it?

Mr. DE PATTEN. No, I don't.

Mr. ROMINES. Were there any other members of the party gainfully employed while you were a member?

Mr. DE PATTEN. I was working, but I got laid off. I was working at Inland Mills, and then some did get jobs at the steel factory and were eventually laid off.

Mr. ROMINES. While you were a member of the party, did the size of the chapter increase or decrease?

Mr. DE PATTEN. Up until the bombing it was steadily increasing, you know. Then when the bomb went off, I don't know, that kind of shook people up, you know; it kind of drew a line as to who was for real and who wasn't.

Mr. ROMINES. This was a bomb in the Panther Party headquarters, is that correct?

Mr. DE PATTEN. Not in the Panther Party headquarters; it was bombed from the outside.

Mr. ROMINES. How do you know it was bombed from the outside?

Mr. DE PATTEN. From what the Tobacco and a certain part of the FBI—

Mr. ROMINES. Some Federal agency investigated?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Did they come to the conclusion that the bomb was thrown into the building from the outside?

Mr. DE PATTEN. It was a C-4 plastic explosive and it was attached to the building.

Mr. ROMINES. Did they definitely conclude it was C-4 or did they say it may have been?

Mr. DE PATTEN. I believe they concluded it was C-4.

Mr. ROMINES. How do you know they concluded?

Mr. DE PATTEN. This was what they told us.

Mr. ROMINES. Who is "they"?

Mr. DE PATTEN. That Tobacco thing.

Mr. ROMINES. Are you talking about the Alcohol, Tobacco, and Firearms Division of the Internal Revenue Service?

Mr. DE PATTEN. Right.

Mr. ROMINES. Approximately how many members did you have in your Panther Party chapter at the time of the bombing?

Mr. DE PATTEN. Between 30 and 50.

Mr. ROMINES. During the period of time you were a member of the Black Panther Party there, were any of the members expelled from the party?

Mr. DE PATTEN. No. Especially not in Des Moines. We made it a policy never to expel a person. We never expelled a person.

Mr. ROMINES. No matter what he did?

Mr. DE PATTEN. No.

Mr. ROMINES. Why not?

Mr. DE PATTEN. We believed that this individual could be worked with and if an individual did some kind of act that warranted him being expelled, like we criticized him, you know, and we criticized him harshly and if the person could not deal with this criticism then he quit. But we never did write up any list and say Des Moines Chapter purges; we never did do that.

Mr. ROMINES. It was your position that no matter what a person did you could still work with him?

Mr. DE PATTEN. Yes.

Mr. ROMINES. You tell me there is no longer an official Black Panther Party chapter in Des Moines today. Is there a group that has taken its place?

Mr. DE PATTEN. Yes; they have formed the Black Revolutionary Communist Youth.

Mr. ROMINES. Would the people who are members of that organization have been Black Panther Party members?

Mr. DE PATTEN. Most of them.

Mr. ROMINES. Who is the leader of that organization?

Mr. DE PATTEN. Well, there is no such leader in terms of a central staff, but it can be—I don't know, there is really no leader. They all seemed to be working together, you know.

Mr. ROMINES. Well—

Mr. DE PATTEN. Nobody is actually spearheading the organization.

Mr. ROMINES. Nobody makes the decisions?

Mr. DE PATTEN. No.

Mr. ROMINES. Are you a member of that organization?

Mr. DE PATTEN. No.

Mr. ROMINES. Did you ever associate with them at all?

Mr. DE PATTEN. I served at the welfare mothers free breakfast program.

Mr. ROMINES. Does this organization have any meetings at all?

Mr. DE PATTEN. I never attended any.

Mr. ROMINES. Is Mr. Knox a member of that organization?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Mr. Smith?

Mr. DE PATTEN. Yes; he is in jail now.

Mr. ROMINES. How about Steve Green?

Mr. DE PATTEN. No.

Mr. ROMINES. Beverly Williams?

Mr. DE PATTEN. No.

Mr. ROMINES. Mary Rhem?

Mr. DE PATTEN. Yes.

Mr. ROMINES. David Colton.

Mr. DE PATTEN. No.

Mr. ROMINES. How about Archie Simmons?

Mr. DE PATTEN. He is in prison too; I don't know. I don't know if he ever was a member there.

Mr. ROMINES. Would you give me the name of that organization again?

Mr. DE PATTEN. The Black Revolutionary Communist Youth.

Mr. ROMINES. How big is that organization in terms of membership?

Mr. DE PATTEN. I have no idea. I have been talking to two members. But, you know, I haven't been associated with them that much.

Mr. ROMINES. What is their contribution to the breakfast program?

Mr. DE PATTEN. They serve there; you know, they just cook and serve.

Mr. ROMINES. Is this the same type of breakfast program that the Panthers once had there?

Mr. DE PATTEN. No.

Mr. ROMINES. Different?

Mr. DE PATTEN. It is entirely different.

Mr. ROMINES. How is it entirely different?

Mr. DE PATTEN. First of all, this program is financed by the mothers themselves, by the welfare mothers themselves. I don't think they go out into the community and solicit from businesses like the Panthers did. I believe that they purchased everything themselves in kind of a community type thing, you know, and feed the children. They don't relate to the kids that much; they just feed them.

Mr. ROMINES. No attempt to educate the children?

Mr. DE PATTEN. No, none whatsoever.

Mr. ROMINES. While you were a member of the Black Panther Party, were any Black Panther Party members employed by any federally funded projects?

Mr. DE PATTEN. None were.

Mr. ROMINES. Do you know whether any were employed by any State-funded projects?

Mr. DE PATTEN. I don't know because I don't know about that Harrison detoxification center, I don't know whether it is State, city, or what.

Mr. ROMINES. Do you know whether there are any Black Panther Party members on welfare?

Mr. DE PATTEN. None, I believe.

Mr. ROMINES. Do you know whether any of the Black Panther Party members were receiving food stamps?

Mr. DE PATTEN. No.

Mr. ROMINES. Do you know whether any of the members of the Black Revolutionary Communist Youth organization are employed by any federally funded projects?

Mr. DE PATTEN. None of them.

Mr. ROMINES. Any by State-funded projects?

Mr. DE PATTEN. No.

Mr. ROMINES. During the period of time you were a member in the Des Moines Black Panther Party chapter, do you know whether any of your local members traveled to any other Black Panther Party chapters?

Mr. DE PATTEN. Well, primarily to Kansas City. And when they had the Oakland conference, I believe two went out to the Oakland conference. But it was just mainly travel to Kansas City.

Mr. ROMINES. Any travel to Omaha?

Mr. DE PATTEN. Yes, we went to Omaha, but there wasn't a Panther chapter there.

Mr. ROMINES. What was there?

Mr. DE PATTEN. A National Committee to Combat Fascism.

Mr. ROMINES. What, if anything, is the relationship between the Black Panther Party and the National Committee to Combat Fascism?

Mr. DE PATTEN. I believe the NCCF is kind of a proving ground, you know. If they are really interested in serving the people, they form this organization first and they organize from the same kind of things the Panthers organize around. If they do a good job then they become a chapter. That is my belief.

Mr. SCHERLE. Mr. Chairman, will the counsel yield before we get too far afield?

Mr. ROMINES. Surely.

(At this point Mr. Watson entered the hearing room.)

Mr. SCHERLE. For the record, the Harrison detoxification center in Des Moines is a public-funded organization. Charles Knox, whose name has come up repeatedly, came to Des Moines, Iowa, originally as a VISTA worker, which is a part of the OEO. Now I would like to know, if the witness can reply, who at the Harrison Center hired Knox.

Mr. DE PATTEN. No, I don't have any idea.

Mr. SCHERLE. I think this center was set up under the administration of Harold Hughes when he was Governor in Iowa.

One other item that counsel just has brought up, and that is this breakfast you have reference to. Have you participated in both the Des Moines and Kansas City Panther breakfasts for children programs?

Mr. DE PATTEN. I only went to the one in Kansas City about five or six times. But I served in the Des Moines regularly.

Mr. SCHERLE. You did. I also have information, by your statement,¹ that the children were provided with political education during the breakfast programs. He said that they would talk with them about capitalism and imperialism by reducing the instruction to a level suffi-

¹ Reference is to transcription of taped interview of witness by committee investigator.

cient for them to grasp. You also admit that with Panther guidance the children would answer that the parents would have to be done away with. He explained that the technique involved was telling the children to put their parents in the position of oppressor and as such what would they do if the parents would continue to oppress and beat them down. Is this true?

Mr. DE PATTEN. No; I was trying to draw the parallel between the black people today and the predominantly white power structure. Black people are the children, and the white power structure is the father. I was not talking on a personal level, like would you kill your father, I was not coming from there at all.

Mr. SCHERLE. The reason I bring this up at this time is because Jerry Rubin about a week before the tragedy at Kent State made this statement, for which he was paid \$2,500, that it is time for you, if you really believe in the philosophy, to go home and kill your parents because they are the oppressors. Now I was trying to correlate the thinking between what Jerry Rubin said and perhaps what might have been taught to these children.

Mr. DE PATTEN. No, that is totally unethical. I don't believe the Panther Party relates very much to Jerry Rubin's ideology, like revolutions for the hell of it. That is not where it is at, you know.

Mr. SCHERLE. Were there any instructions at all that were given to the students or the children when they participated in the breakfasts? Because we have had testimony from good reliable sources in Kansas City that those children there were indoctrinated by some of this questionable philosophy that you have mentioned here this morning.

Mr. ROMINES. Mr. Scherle, I believe when I was asking Mr. De Patten about the breakfast program it was a breakfast program run not by the Panthers, but one run by the welfare mothers. I have not yet asked him about the Black Panthers' breakfast program conducted while he was a member of the party in 1969.

Mr. SCHERLE. You are going to touch on that?

Mr. ROMINES. Yes.

We were discussing the members of the Des Moines Black Panther Party chapter who had traveled to other chapters. You mentioned the fact that they had gone to Kansas City and to the NCCF chapter in Omaha. Did any of them travel to St. Paul or Minneapolis?

Mr. DE PATTEN. Yes; as a matter of fact I went up to Minneapolis; Charles Smith and myself and Stephen Green went up to Minneapolis. That was shortly after I became a Panther because I was still in the training status. I was still undergoing my 6 weeks' probation period. We went up there to a Trotskyite convention up there. I can't recall the name of the convention, but it was a Trotskyite convention.

Mr. ROMINES. Would the Socialist Workers Party have had anything to do with it?

Mr. DE PATTEN. Right, the Socialist Workers Party and the Young Socialist Alliance.

Mr. ROMINES. For what reason did you go to the convention?

Mr. DE PATTEN. To speak.

Mr. ROMINES. Were you invited to speak?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Were you paid to speak?

Mr. DE PATTEN. No; we sold Panther papers.

Mr. ROMINES. Which one of the three of you was the spokesman?

Mr. DE PATTEN. Well Charles Smith did most of the speaking. In fact he did the speaking to the largest group. I don't know, as a test of my political education level I did get up and speak to some of them up there, you know, for just a couple of short minutes.

Mr. ROMINES. What was the substance of your remarks?

Mr. DE PATTEN. I went up there, you know, and I started off with the old stereotype, you know, power to the people. And then at that point the crowd went wild; wow, right on, you know. But up until that point they had been denouncing us, you know.

Mr. ROMINES. Who had been denouncing you?

Mr. DE PATTEN. The Young Socialist Alliance and the WSP or whatever it is.

Mr. ROMINES. SWP?

Mr. DE PATTEN. SWP, that is right. They had been not denouncing the Panther Party as such, but denouncing the ideology as being reformist, you know. They said the Black Panthers 10-point platform was a revisionistic platform and that the Panther breakfast-for-children program was a reformist measure, you know. We tried to show them the significance of the breakfast program, you know, not only in terms of feeding the kids, but in terms of instilling the ideology in their minds, you know. They still didn't relate to it. So we finally broke it down. A 14-year-old brother had gotten shot up here, you know, so we asked these people, we said, "Why don't we go down into the black community and see who can gain the most support, us or you?" We were talking to black members of the Trotskyite convention, you know.

Mr. ROMINES. When was this convention, do you remember?

Mr. DE PATTEN. No, I don't remember for sure, but it was before my 6 weeks were over, I believe.

Mr. ROMINES. So that would have been in April or May of '69?

Mr. DE PATTEN. Yes.

Mr. ROMINES. How many people were present?

Mr. DE PATTEN. At the convention, they said somewhere near a thousand; it was well over a thousand.

Mr. ROMINES. Would these have all been members of SWP or YSA or was the general public invited?

Mr. DE PATTEN. I think they were all members from all across the Nation.

Mr. ROMINES. Were you invited specifically to come or did you just go voluntarily?

Mr. DE PATTEN. We were invited.

Mr. ROMINES. What was the purpose for your travels to the Kansas City area?

Mr. DE PATTEN. I went down to Kansas City, and the car that I was in, you know, broke down in Kansas City. I really didn't mean to tie up with the Panthers in Kansas City, but the car broke down and they were the only ones I could turn to. I had an old '49 Plymouth, you know.

Mr. ROMINES. For what reason had you gone to Kansas City?

Mr. DE PATTEN. We were returning from out West, you know, and we took Interstate 70.

Mr. ROMINES. Where had you been in the West?

Mr. DE PATTEN. Into some of the concentration camps that were used for the Japanese Americans back in World War II.

Mr. ROMINES. When were you there?

Mr. DE PATTEN. It was after the convention in Minneapolis. We took Interstate 70.

Mr. ROMINES. Would this have been the same three individuals Smith and Green?

Mr. DE PATTEN. No.

Mr. ROMINES. Who was this?

Mr. DE PATTEN. This was myself and Gary Stroud.

Mr. ROMINES. Who is Gary Stroud?

Mr. DE PATTEN. He was in the party at the time.

Mr. ROMINES. From Des Moines?

Mr. DE PATTEN. Yes.

Mr. ROMINES. For what reason did you go out to see, as you put it, concentration camps?

Mr. DE PATTEN. I like to see things for myself and we went out there to Weiser, Idaho, and they did have concentration camps out there. They were used for labor camps now, you know, but some of them were being rejuvenated, and so on and so forth.

Mr. ROMINES. They were being used for what?

Mr. DE PATTEN. For labor camps, migrant laborers.

Mr. ROMINES. Would it be people who were doing some kind of work in that area?

Mr. DE PATTEN. Yes.

Mr. ROMINES. And they were just living in the facilities; is that correct?

Mr. DE PATTEN. Yes.

Mr. ROMINES. So it really wasn't being used as any camp per se?

Mr. DE PATTEN. No, not at the time. The primary purpose was the concentration camp back in World War II for the Japanese Americans.

Mr. ROMINES. But it was then being used for just anybody that needed to live there?

Mr. DE PATTEN. No; migrant workers, for people who worked in the camp.

Mr. ROMINES. Had you perhaps received any information that the concentration camps were going to be used for blacks?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Where did you receive that information?

Mr. DE PATTEN. The McCarran Act and the King Alfred Plan.

Mr. ROMINES. What is the King Alfred Plan?

Mr. DE PATTEN. The King Alfred Plan is a plan to imprison or kill all black people within a period of, I think, it was either 8 or 24 hours, you know, much the same as the Nazis did the Jews.

Mr. ROMINES. Where did you hear this plan?

Mr. DE PATTEN. No, I have seen the plan.

Mr. ROMINES. You have seen it?

Mr. DE PATTEN. Yes. You can go to the Black Topographical Center and they can give you copies.

Mr. ROMINES. Go to where?

Mr. DE PATTEN. The Black Topographical Center in Chicago.

Mr. ROMINES. What is the Black Topographical Center?

Mr. DE PATTEN. I don't know exactly, but they have the black populations in every city and so on and so forth. That is not where I heard of the King Alfred Plan from, but that is where you can get it if you ever need it, you know, and acts like the McCarran Act, the Smith Act, you know.

Mr. ROMINES. Do you know what the McCarran Act and the Smith Act actually say?

Mr. DE PATTEN. I know what the Smith Act actually says.

Mr. ROMINES. Have you read it?

Mr. DE PATTEN. Yes, I have read it. Somebody on trial, they were Trotskyites in Minneapolis and they were imprisoned for their beliefs under the provisions of the Smith Act.

Mr. ROMINES. Were they imprisoned in a concentration camp?

Mr. DE PATTEN. No; there was only 13 of them and they could go into jails.

Mr. ROMINES. I am interested in this King Alfred Plan. Now you have read it?

Mr. DE PATTEN. Yes, I have.

Mr. ROMINES. What does it say?

Mr. DE PATTEN. It says, first of all, that in case of any major black uprising all throughout the country, I am not talking about localized in New York City and Harlem or Chicago, but if there was ever a major uprising throughout the entire United States that the first thing that they would do would be send the Negro leaders down into the black community to pacify the people. And if that didn't work then that was when the President, whoever would be President at that time, would just push a button, you know, and bang.

Mr. ROMINES. Who drew up this plan?

Mr. DE PATTEN. I have no idea, I have forgotten.

Mr. ROMINES. But you have read it?

Mr. DE PATTEN. I have read it.

Mr. ROMINES. It is available at the what center?

Mr. DE PATTEN. The Black Topographical,¹ and also it goes into the fact that why throughout every major black community throughout the entire Nation there is either a railroad or some freeways or the roads are being widened, you know. It explains in detail every move that is being made. Like it is very visible in Des Moines at this time.

Mr. ROMINES. What is very visible in Des Moines?

Mr. DE PATTEN. The blacks; they used to occupy on the west side an area called Center Street, and it would be comparable to 14th Street here in Washington, D.C. It was very close to downtown so they brought in urban renewal. The people were paying taxes for \$5,000 or \$6,000. Urban renewal came by and said, "We will give you \$4,500 for it." For the people this was more money than they ever had and they said OK, but when the place came and paid the people, the people got \$2,500 or \$3,000, you know. That was to get the black people away from downtown. Then to further get them away from downtown they came in with the freeway, and I think anybody can tell you that Des Moines' freeway is only taking half of its capacity. They just had an

¹ Subsequent committee investigation revealed that a Black Topographical Center does exist on 79th Street in Chicago and that information issued by officials of the organization coincides with information supplied by De Patten.

article in the paper where it sometimes takes longer to go by the freeway, go by way of the freeway, you know, so how else can this be construed, you know.

Mr. ROMINES. Tell me exactly how you construe this?

Mr. DE PATTEN. Also, let me finish, there is Drake University and the blacks are moving further out toward that area now. So now they are going to build a freeway up on Harding Road, which would cut the blacks off from Drake University. The area that I live in now is the most valuable land in the city, where the downtown is going to expand, which would make it about three times the size it is now.

Mr. ROMINES. How do you interpret all of this freeway building, is this a deliberate attempt?

Mr. DE PATTEN. I believe it is.

Mr. ROMINES. A deliberate attempt to do what?

Mr. DE PATTEN. To keep black people from getting downtown; they don't want black people downtown. They don't want black people at Drake University so they put in a freeway that is not really needed.

Mr. ROMINES. Does the freeway connect these various places?

Mr. DE PATTEN. Connect?

Mr. ROMINES. Yes, so you can travel on a road from one place to another?

Mr. DE PATTEN. Yes.

Mr. ROMINES. You have lost me somewhere. What does the building of freeways have to do with what we were talking about a few minutes ago, about the King Alfred Plan?

Mr. DE PATTEN. The freeway is one of the primary ways the King Alfred Plan would get the black people. This is where the heavy artillery can be carried into the black community.

Mr. ROMINES. So the building of the freeways, according to the plan, is so the Government or the Establishment can "get the black people"?

Mr. DE PATTEN. Easy access, right. You know I talked to some officers in the Army while I was there and I asked them about the King Alfred Plan, and they said yes, there is such a plan, but they would never do it, you know. My question to that was if they would never do it why should they even need such a plan, you know, and I got this from officers.

Mr. ROMINES. Do you know the address of the center in Chicago where this plan can be obtained?

Mr. DE PATTEN. I don't know the exact address, but I imagine you can find it in the phone book in Chicago.

Mr. PREYER. I think it would be well before you leave the King Alfred Plan to allow the members of the committee to go into it. And I think we need to get a copy of it and try to pin it down. We have had difficulty enough laying to rest these concentration camp rumors and I think that has been done now, but I think we want to get to the bottom of this, too.

Chairman Ichord.

Chairman ICHORD. Mr. De Patten, where did you first hear of the King Alfred Plan? This is the first time I have ever heard of it or any rumors of it.

Mr. DE PATTEN. I heard of it in Des Moines and after hearing of it—

Chairman ICHORD. Did somebody just tell you about it?

Mr. DE PATTEN. No, I have read the actual draft of the plan.

Chairman ICHORD. Who is circulating such a plan?

Mr. DE PATTEN. I don't know the individual's name, but he also came up with the theory that—like he has been correct so far in everything he has said about Des Moines, you know.

Chairman ICHORD. Is this some Black Panther individual?

Mr. DE PATTEN. No.

Chairman ICHORD. You don't know his name?

Mr. DE PATTEN. I don't know his name, but he was a white individual, you know, and he came there and, you know, like he just started laying it on the line about why they were building all the freeways in Des Moines, you know.

Chairman ICHORD. And you actually believed that there was such a plan.

Mr. DE PATTEN. Yes.

Chairman ICHORD. Do you still believe there is such a plan?

Mr. DE PATTEN. Yes, I do. I have talked to officers in the Army, and they say there is such a plan only America would never do it.

Chairman ICHORD. What officers in the Army did you talk to about such a plan?

Mr. DE PATTEN. These were second lieutenants, one was an ROTC type and one was an OCS type.

Chairman ICHORD. White or black?

Mr. DE PATTEN. White.

Chairman ICHORD. Are you sure they weren't just pulling your leg, so to speak?

Mr. DE PATTEN. No, they weren't pulling my leg.

Chairman ICHORD. What makes you think they weren't pulling your leg?

Mr. DE PATTEN. Because I have seen the concentration camps.

Chairman ICHORD. Where did you see a concentration camp?

Mr. DE PATTEN. Weiser, Idaho.

Chairman ICHORD. You saw a detention camp that was used, back in World War II, to detain the Japanese, did you not? You did not see one that was now being used to detain anyone?

Mr. DE PATTEN. Not yet. Another provision of the King Alfred Plan is that the public housing projects, especially the high-rise projects—now if you look closely at each one of them you find out that it is very hard for one mass movement to get out of that public housing project. Like if there was a bomb set to go off in 5 minutes, you know, everybody would die because they only have one or two exits, entrance and exits.

Chairman ICHORD. Now, Mr. De Patten, and I will yield, but I want to assure you that if there is any such thing as the King Alfred Plan I am sure that I as chairman of the full committee would have heard about it. I think I can assure you there is nothing such as the King Alfred Plan.

Mr. DE PATTEN. You have heard of the McCarran?

Chairman ICHORD. Yes, I have heard of the McCarran Act. I can also assure you that we have sworn testimony from the Department of Justice that there is no such thing as a detention camp now being maintained in the United States. It is true that there were such camps

back in World War II, which I consider a black page in American history. There are no concentration camps or detention camps being maintained today or even being readied for maintaining.

Mr. DE PATTEN. I may suggest for you to read *CONCENTRATION CAMPS USA*. I have forgotten the name of the author.

Chairman ICHORD. I would tell you this, that *CONCENTRATION CAMPS USA* was written by an individual who was hired by a communist-front organization called the Citizens Committee for Constitutional Liberties. As a matter of fact in the hearings we held a lady, Miriam Friedlander, an officer of the committee, appeared and testified. She was chairman of that committee. Miriam Friedlander has been identified as a member of the Communist Party. The Justice Department has attributed the starting of the rumors about concentration camps to the Committee for Constitutional Liberties and the article written by Mr. Charles R. Allen. We have also received evidence to the effect that the Black Panthers and other radical extremist organizations have circulated these rumors in the black community. Let me put your mind at rest, there is no such thing as a concentration camp being now maintained or even being readied for maintaining. It is sheer rumor, a fantasy of the imagination.

Mr. DE PATTEN. That still does not put my mind to rest because, you know, I have been there.

Mr. SCHERLE. Mr. Chairman, would my colleague yield? For the benefit of the witness, and I am from the State of Iowa, last year the Governor's office checked out this so-called King Alfred Plan. They found that it is a nonexistent government plan—it just doesn't exist. The State bureau of investigation in Iowa and the FBI disavowed any credibility to this plan whatsoever. This bogey plan was developed as such to show to the blacks. It was to generate fear and get the blacks to join the Black Panther Party. That is what it amounts to.

Mr. DE PATTEN. No, no, I disagree with that completely. Because the party was formed before I even knew of the King Alfred Plan or had any conception whatsoever of there even being a concentration camp.

Mr. SCHERLE. We are not talking about concentration camps here. This plan, as such, is nonexistent.

Chairman ICHORD. Mr. Scherle, the staff has just handed me a note describing the King Alfred Plan as follows: John A. Williams, an author, wrote a book entitled *The Man Who Cried I Am*. In it he set out a fictitious account of the plan for genocide which he called the King Alfred Plan. The plan has been extracted from this work of fiction and has been spread around the country by persons who allege that it is an actual plan of the United States Government. Read in the context of the book it is obviously fiction. Williams is also the author of the book *The King God Didn't Save*, which concerned Martin Luther King.

So I suppose John Williams is, in fact, the person, is that right, writing a fictitious book and then it appears that this alleged plan was lifted from this book of fiction.

Mr. SANDERS. I have not read the book, but we are trying to get a copy from the Library of Congress.

Chairman ICHORD. I think the staff should run this rumor down and try to put it to rest.

Mr. SCHERLE. Thank you, Mr. Chairman.

Mr. PREYER. Do you have any questions, Mr. Ashbrook? Mr. Watson?

Mr. WATSON. Who is King Alfred? What connection does he have with this?

Mr. DE PATTEN. What connection does King Alfred have with what?

Mr. WATSON. Who is King Alfred?

Mr. DE PATTEN. I have no idea. There was a contradiction right there. First of all you said that King Alfred was a nonexistent plan. Secondly you said—

Mr. WATSON. It is fiction.

Mr. SCHERLE. Nonexistent is fiction; there is no such government plan.

Mr. DE PATTEN. He said there was no such plan, that it could not be traced down. If they could not trace it down in Iowa, how was whoever did it able to trace it down in a matter of minutes?

Mr. SCHERLE. What I am talking about is fiction as against reality.

Mr. ASHBROOK. The book of Mao Tse-tung was a real book, that was by a real person who said real things. What you have referred to is a fantasy in somebody's mind which now is passed off to you as something like Mao Tse-tung's "red book." That is basically the difference.

Mr. DE PATTEN. Whatever happens the King Alfred Plan does describe in detail what is happening in the black community. It describes the freeways, the railroad tracks, the project areas.

Mr. SCHERLE. Mr. Chairman, if the witness will yield, you can apply this to almost anything. You can apply it to an airport which is located outside of a town and disrupts things.

Mr. DE PATTEN. That is part of it.

Mr. SCHERLE. You can't say that this King Alfred proposal is not a premeditated fictional document. Numerous things have transpired since the founding of our great country that maybe you could apply to some type of destruction. But this is almost ridiculous to apply this unless you have reason to do it. Anybody who applies this plan to reality can certainly subscribe to the term I used, it is a plan of fear. And if you want to believe it sure, it can shake hell out of you. But in reality it is nothing.

Mr. DE PATTEN. The McCarran Act?

Mr. SCHERLE. We are not talking about the McCarran Act, we are talking about King Alfred now.

Mr. DE PATTEN. The McCarran Act is a reality.

Mr. ASHBROOK. Black Panthers using guns are realities too.

Mr. DE PATTEN. National Guardsmen using guns are realities.

Mr. ASHBROOK. There is a bit of difference, isn't there?

Mr. DE PATTEN. No, there isn't.

Mr. ASHBROOK. There isn't?

Mr. DE PATTEN. There is a difference, there is a difference.

Mr. PREYER. Mr. Watson.

Mr. WATSON. I was just trying to say since you contend the King Alfred Plan is something real and the facts say that it is fantasy I thought that a man of your intelligence would have inquired about who King Alfred was. What is the relevancy of it? I asked you about that. You just accepted it at face value. Who is King Alfred?

Mr. DE PATTEN. King Alfred, that is only a name.

Mr. WATSON. That is a fictitious name, isn't it?

Mr. DE PATTEN. OK.

Mr. WATSON. Let me ask you one further thing. You said a part of the King Alfred Plan, whatever that be, is to move the blacks from their little buildings and put them into big high rise apartments with the little exits so that if the place is bombed or something they can't get out; is that it?

Mr. DE PATTEN. No, I was just using the bomb as an example.

Mr. WATSON. You say to take them out of these shanties and put them into these high rise apartments, that is part of the King Alfred Plan where you will be concentrated?

Mr. DE PATTEN. Yes.

Mr. WATSON. So I am to conclude then you are against any Government program to remove the blacks from the ghetto and from a slum to where they can be put into a new building?

Mr. DE PATTEN. I always like to answer it like this.

Mr. WATSON. Yes or no, are you for it or are you against it?

Mr. DE PATTEN. Am I against what, any specific program?

Mr. WATSON. Do you remember the question I asked or shall we repeat it?

Mr. DE PATTEN. Repeat it.

Mr. WATSON. Are you for or against the removing of the black person from the ghetto, slum, substandard dwelling, and putting him in a new Government housing project?

Mr. DE PATTEN. I am against it.

Mr. WATSON. You are against it? That is just what we wanted to know, your feeling. That shows your thinking. I am sure your black people will understand and appreciate your position now that you are against the improvement of their economic lot. I am sure knowing that they will turn against you.

Mr. DE PATTEN. Is that an improvement? Do you know how they came to that conclusion? They studied rats. They studied rats and they put them in an area, in a real small confined area. The rats were not satisfied because the rats were being oppressed.

Mr. WATSON. Is that part of the King Alfred Plan, too?

Mr. DE PATTEN. No, it isn't. The rats, then they built them upon layers and layers, they were still confined to the same area but it went up, thereby the rats became complacent.

Mr. WATSON. You do not want your black people to be put into better housing?

Mr. DE PATTEN. In better housing, yes.

Mr. SCHERLE. Will my colleague yield?

Mr. WATSON. Yes, I will be happy to yield.

Mr. SCHERLE. Can you show me any apartment dwelling that is different than those in which whites live that would not compact units scattered all over the United States in new urban dwellings? What is the difference between urban renewal as far as whites are concerned and urban renewal as far as blacks are concerned? Does the rat philosophy apply to both of them?

Mr. DE PATTEN. I don't want to get off on the wrong foot. If you want to get my personal feelings on it, urban renewal to me is nigger removal.

Mr. SCHERLE. Would we call the other one white removal?

Mr. DE PATTEN. No.

Mr. SCHERLE. What is the difference?

Mr. DE PATTEN. The difference is this, black people are oppressed because of their color. White people may be oppressed as individuals, but blacks are oppressed because of their color.

Mr. SCHERLE. I am of German and Hungarian descent. Am I oppressed because of my nationality?

Mr. DE PATTEN. No, you are not, but then again your skin color isn't the same as mine.

Mr. SCHERLE. Oh, baloney.

Mr. PREYER. If there are no further questions on the King Alfred Plan you may proceed, Mr. Counsel.

Mr. ROMINES. Mr. De Patten, during the period of time you were a member of the Black Panther Party in Des Moines, did any national officers of the Black Panther Party visit in Des Moines?

Mr. DE PATTEN. No.

Mr. ROMINES. Did any members of the Des Moines Black Panther Party chapter engage in any speaking engagements for which they were paid?

Mr. DE PATTEN. You mean like to be paid as an individual or a donation to the organization?

Mr. ROMINES. To be paid as a speaker.

Mr. DE PATTEN. No. There have been like Charles Smith and myself who spoke at Drake University and like after the speaking engagements, we went there not knowing that we were going to get any money. Like, they did donate some money after the speaking engagement.

Mr. ROMINES. Was this a donation?

Mr. DE PATTEN. No, we sold papers and plus the people were organized. They said, "Wow, you did a beautiful thing."

Mr. ROMINES. How much money did you receive for your speaking engagements?

Mr. DE PATTEN. It wasn't a speaking engagement; it was more like a class type thing, 10 or 15 dollars.

Mr. ROMINES. Are there any other instances where members of the party spoke or received invitations to speak where they received any money therefor?

(At this point Mr. Ichord and Mr. Ashbrook left the hearing room.)

Mr. DE PATTEN. Not being paid. We made money off the Panther papers, but we didn't get paid for it, as such.

Mr. ROMINES. Did you ever take up collections?

Mr. DE PATTEN. Yes. We went to one of the college campuses in Iowa and we were talking about the bombed Black Panther headquarters, you know. And at that time we were rather unified behind the blacks, but disunified at the same time, you know, especially after the first few days after the blast. We went to these college campuses, and we had intended to get another headquarters. Nobody would rent us anything or nobody would even sell us anything for fear they would get bombed again.

Mr. ROMINES. But to return to my original question, did you ordinarily take up a collection after somebody spoke?

Mr. DE PATTEN. Not ordinarily, no.

Mr. ROMINES. When a collection was taken up approximately how much money did you obtain?

Mr. DE PATTEN. I don't know, that wasn't in my department. Most of the time I spent in Des Moines I was in the trainee status and I didn't know really too much of what was going on.

Mr. ROMINES. Who would have handled the finances?

Mr. DE PATTEN. Beverly Williams handled the finance department.

Mr. ROMINES. In addition to the training classes you said you took for, I believe you said, a 6-week period, did the Panther Party have any other political education classes?

Mr. DE PATTEN. We held an open political education class; we used to have it every Tuesday before the bombing.

Mr. ROMINES. Was that open to anybody?

Mr. DE PATTEN. Anybody.

Mr. ROMINES. Was that held in your headquarters?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Who taught the classes?

Mr. DE PATTEN. Charles Knox.

Mr. ROMINES. What was the average attendance at your classes?

Mr. DE PATTEN. I don't know; I never took a count, but the basement was pretty large and it was always packed.

Mr. ROMINES. Would you have an approximation?

Mr. DE PATTEN. Oh, a hundred.

Mr. ROMINES. Were there both blacks and whites there?

Mr. DE PATTEN. Yes; primarily white college students and what I term white liberals.

Mr. ROMINES. What, basically, was taught at these classes?

Mr. DE PATTEN. Well, we always tried to break it down, you know, especially to the black people, that it wasn't a race struggle. We tried to always clear up our line because we were not projecting a race trouble type of thing. We were talking about class struggle and we tried to relate this to the whites and the blacks, you know.

Mr. ROMINES. Was any particular textbook used during these classes?

Mr. DE PATTEN. No, no textbook; it was all verbal and with the use of a blackboard. Then we would get into the economic base and the substructure and superstructure and so on and so forth.

Mr. ROMINES. During the period of time you were a member of the Black Panther Party in Des Moines, was a breakfast-for-children program operated by the Black Panther Party?

Mr. DE PATTEN. Yes, at two churches. We had one on the west side and one on the south side.

Mr. ROMINES. Do you remember the addresses of the churches?

Mr. DE PATTEN. One was at 11th and Forest, and I don't remember the address of the other one on the south side.

Mr. ROMINES. Were the breakfast programs already in existence when you became a member?

Mr. DE PATTEN. Yes, as a matter of fact it was because of the breakfast program that I joined. They were having a rally to get more funds for the breakfast program. It was in the aftermath of that rally that there was a little semiriot situation, you know. That is why I came in.

Mr. ROMINES. It was your initial attempt to join the party?

Mr. DE PATTEN. No, I wasn't joining; I was just walking down the street minding my own business, you know. I saw the police, about eight of them, beating up on this one brother, you know. So I ran down there and I said, "You can't do that." I said "Don't do that," you know. I tried to talk, and they said, "Get away or you are going to get the same thing." I said, "I don't care you can't do that," you know. They said, "Move on or we will put you under arrest." I said, "No you can't do that," you know. So two of them grabbed each one of my arms and they began walking toward the paddy wagon, you know.

They tried to put handcuffs on me. Now handcuffs are the most painful thing that I have ever seen, more painful than Mace and the clubs, this way they put them on. I was not going to let them put them on. So one raised the stick and hit me. I fell to the ground and I kept trying to get up, and more came over and started kicking me and punching me and consequently I lost about a pint of blood, I believe, or a half pint of blood. I got a chipped tooth, and they took me to the paddy wagon. They then brought my brother in and said, "That is fine," and then they brought my mother in and that shook me up. When they brought my mother in the paddy wagon then I knew that something had to be done.

Mr. ROMINES. This is when you joined the party?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Would this have been on April 13, 1969?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Did you participate in any of the breakfast programs?

Mr. DE PATTEN. In Des Moines, yes, every day.

Mr. ROMINES. What was the average attendance at the breakfast programs?

Mr. DE PATTEN. At the west side church it was about 100 to 125 every morning and on the south side church it was between 30 and 50.

Mr. ROMINES. What members of the Panther Party actually operated the breakfast programs other than yourself?

Mr. DE PATTEN. Everybody.

Mr. ROMINES. Was there any type of education given to the children?

Mr. DE PATTEN. Yes.

Mr. ROMINES. What did you try to teach the children?

Mr. DE PATTEN. We tried to break down capitalism and imperialism on a level that they could understand. We would also break down socialism on a level they could understand.

Mr. ROMINES. How would you do that?

Mr. DE PATTEN. Like socialism we would say, like there are five kids here, you know, and one of these individuals has five pieces of candy. If you give each one of the others a piece of candy that would be socialism. Socialism was simply sharing, an equal distribution of whatever somebody had, you know. That is the way we broke it down.

Mr. ROMINES. Did you have any posters on the walls?

Mr. DE PATTEN. No; the church would not allow it.

Mr. ROMINES. Did you ever use the Panther Coloring Book there?

Mr. DE PATTEN. No, that Panther Coloring Book was disbanded shortly after it was printed.

Mr. ROMINES. Did you ever teach them anything about oppression?

Mr. DE PATTEN. Yes.

Mr. ROMINES. What did you teach them about oppression?

Mr. DE PATTEN. We just taught them, you know, like the significance of the things that were going on in the black community and relating it to the Vietnamese people's struggle. We always tried to move them from the level, move them from a local level and take them to an international level.

Mr. ROMINES. Did you teach them anything at all about the police department?

Mr. DE PATTEN. Yes.

Mr. ROMINES. What did you teach them about the police department?

Mr. DE PATTEN. First of all, I think this is where another hangup may be. In our political education classes the first thing we emphasized was that the police were human beings; that they had the very same kind of emotions going on, you know. But then again we emphasized that the number of atrocious policemen far outnumbered the number of altruistic ones; the ones that really wanted to serve the people are in the minority. We called them pigs not because they look like it or smell like it or anything like that, but because of the way they act.

Mr. ROMINES. How did the children understand the term "pig"? What did they understand it to mean?

Mr. DE PATTEN. We always brought it up to the politicians, the businessmen, the three levels of oppression. That is another thing that we emphasized. The first level of oppression would be the policeman, your most visible level; the second would be the businessman, which the policeman protects; and the third one would be the politicians.

Mr. ROMINES. Did you teach the children anything as to what should be done to eliminate the oppression?

Mr. DE PATTEN. We teach them things like the word "revolution," what it meant, what was a revolutionary, you know.

Mr. ROMINES. What was a revolutionary?

Mr. DE PATTEN. A revolutionary is one who digs revolution; one who wants to overturn the system.

Mr. ROMINES. Did you teach them that the system should be overturned?

Mr. DE PATTEN. We taught them that if the system didn't come around to what we needed that it should be overthrown. We always related to Abraham Lincoln.

Mr. ROMINES. How did you do that?

Mr. DE PATTEN. Abraham Lincoln stated that when a government doesn't meet the ends of the people then it is the people's right and it is the people's duty to overthrow that government and establish something that will serve the people.

Mr. ROMINES. Would it be a fair statement to make that you were teaching them if the Government, or the Establishment, didn't serve the ends that the Black Panther Party thought it should serve, then the Government should be overthrown?

Mr. DE PATTEN. Not the Black Panther Party; we are talking about the black people. Like most of the time, like everybody knows what capitalism is. Some people may dig it, some may not. So what we try

to tell them, we always did give an objective view of both of them. We never taught them that capitalism was all bad because we know that is incorrect.

Mr. WATSON. Excuse me, Mr. Counsel. What good did you tell them about capitalism?

Mr. DE PATTEN. We said that capitalism has implemented some very socialistic programs, which it has.

Mr. WATSON. You are talking to little children like that; that capitalism has implemented some very good socialistic programs?

Mr. DE PATTEN. Has implemented a few.

Mr. WATSON. That is the way you got the message to the little children. I just wanted to know that you were getting the benefit of capitalism over in the language that children understand.

Mr. DE PATTEN. Like I was saying, we also taught them like the benefits of capitalism weren't a few, you know, like they implement some socialistic programs to further capitalism, you know.

Mr. SCHERLE. How do you correlate those?

Mr. DE PATTEN. Like the welfare program. We say that is a very socialistic program.

Mr. SCHERLE. The welfare program is socialistic?

Mr. DE PATTEN. And the Medicaid program and all these kinds of things.

Mr. SCHERLE. You mean it is wrong for the Government to take care of the disadvantaged, the unfortunate, and the needy through programs?

Mr. DE PATTEN. No.

Mr. SCHERLE. What are you trying to say?

Mr. DE PATTEN. They are not meeting the welfare mothers' needs; that is why there is a National Welfare Rights Organization.

Mr. SCHERLE. How many cities and towns does that exist in throughout the United States? Are you trying to tell me that all those people you are talking about that you claim to be so interested in you advocate that they should come forth and say that we abolish all these programs?

Mr. DE PATTEN. No.

Mr. SCHERLE. Then they must be serving a purpose?

Mr. DE PATTEN. I am saying that these programs should really meet the needs of the people and not be used as pacification programs.

Mr. SCHERLE. You mean attending to their needs is pacifying them?

Mr. DE PATTEN. No, because you are not really attending to their needs. The welfare checks are insufficient.

Mr. SCHERLE. The what?

Mr. DE PATTEN. The welfare checks are insufficient.

Mr. SCHERLE. The taxpayers' checks are also insufficient.

Mr. DE PATTEN. That is right, and that is also incorrect.

Mr. SCHERLE. That is incorrect too?

Did you tell these young people anything about the free enterprise system? You said you took a piece of candy and divided it into five parts. Did you tell those youngsters how that is earned, how that came about being?

Mr. DE PATTEN. How that piece of candy?

Mr. SCHERLE. Yes, or cake, whatever you distributed to the five, how was it earned? Somebody had to earn that?

Mr. DE PATTEN. Yes. But I also broke it down that somebody worked hard to get this piece of candy, but at the same time—

Mr. SCHERLE. Were they being paid for their labors?

Mr. DE PATTEN. But at the same time he stepped on other people to get there.

Mr. SCHERLE. Let me pursue one or two things about this breakfast. You made the statement that the Panther hope for a revolution lies in power to the youth and that the Panther breakfast program was designed for two purposes, to feed the hungry children—this to me is good—and to provide the children with revolutionary instructions and indoctrination. Revolutionary instruction and indoctrination. Don't you think that you could have taught those children a lot more by expressing to them the values of opportunities and the collection of ideas and—

Mr. DE PATTEN. Opportunities that they will never see?

Mr. SCHERLE. Whose fault is that?

Mr. DE PATTEN. It is certainly not theirs. They have made a study of Des Moines. Everybody thinks of Des Moines, Iowa, as a corn town with no urban problems.

Mr. SCHERLE. I don't.

Mr. DE PATTEN. They made a comprehensive study of the school system in Des Moines and they found Irving Junior High, which is predominantly black, is just as inferior as in the bottom 10 percent in terms of what the kids learn, as opposed to the rest of the schools throughout the Nation. They are in the bottom 10 percent of the Nation.

Mr. SCHERLE. This is not necessarily true because they have implemented the Clark plan here, and it was based primarily on trying to find out why the schools here in Washington weren't advancing, and they find out they can't read and write. Let me tell you something about the State of Iowa. The State of Iowa has the highest literacy rate in the Union. So don't give me that idea that the schools are bad in the State of Iowa.

Mr. DE PATTEN. But they are inferior. Irving, predominantly black, is inferior to Merrill, which is predominantly white.

Mr. SCHERLE. I won't pursue that because I think you are wrong. What is the extent of your education?

Mr. DE PATTEN. To the 11th grade.

Mr. SCHERLE. When you went to this course that lasted for 6 weeks, did you use the "red book" there, too?

Mr. DE PATTEN. Yes.

Mr. SCHERLE. If I am not mistaken then the philosophy in the "red book" says the power of the people comes out of the barrel of a gun?

Mr. DE PATTEN. It says that.

Mr. SCHERLE. Did you have gun training in your course?

Mr. DE PATTEN. Not as such because most of the weapons that the Panthers are acquainted with I am already familiar with. I have fired a shotgun before.

Mr. SCHERLE. Since you had been in the Army were the others there given any gun training at all?

Mr. DE PATTEN. No; I joined before I went to the Army.

Mr. SCHERLE. No, the others in the class. Did you have different classes? Did any of them receive any gun training?

Mr. DE PATTEN. No, because they know. Anybody can operate a .22 or a .270 rifle.

Mr. SCHERLE. Everybody can?

Mr. DE PATTEN. They should.

Mr. SCHERLE. I beg to differ with you. Some of them, I am sure, don't because maybe some of them don't even possess a weapon of that nature. What I am trying to find out, in the course of the 6 weeks were you given any type of training in the gun manual breakdown, cleaning, firing, or anything at all?

Mr. DE PATTEN. No.

Mr. SCHERLE. What do you know about the Jewett Lumber Company in that fire, were you there?

Mr. DE PATTEN. I was in Des Moines at the time, but I was not a Panther then.

Mr. SCHERLE. What is the story behind that fire?

Mr. DE PATTEN. They indicted Charles Knox, Joe Anna Cheatom, and her son and charged them with the bombing.

Mr. SCHERLE. Charles Knox, was he still with VISTA at the time?

Mr. DE PATTEN. I am not too clear on that. I don't believe he was.

Mr. SCHERLE. He had left VISTA and he had become the head of the Black Panthers.

Mr. DE PATTEN. He wasn't the head.

Mr. SCHERLE. There was a difference of opinion as to who headed the Black Panthers. He was pretty high up on their ladder, wasn't he, deputy minister of education.

Mr. DE PATTEN. That is the fifth highest rank. Mary Rhem outranked him.

Mr. SCHERLE. Why don't you tell me the story about how the Panthers were involved in the Jewett Lumber Company fire?

Mr. DE PATTEN. I can't, because I don't know about it. I wasn't even involved with the Panthers then. I believe at the time I was in Detroit, if I am not mistaken. You are talking about right after the Martin Luther King assassination?

Mr. SCHERLE. No; I am not quite sure about the date. But I do know that members of the Black Panthers were implicated. I was wondering what more you could tell me as to their involvement, why were they arrested, Charles Knox?

Mr. DE PATTEN. I don't know. He was acquitted, so I don't know. I am not that familiar with the Jewett Lumber Company.¹

Mr. SCHERLE. Did you know Donald or Doug Lawson in Des Moines during the time of the bombings in Des Moines?

Mr. DE PATTEN. Was he black or white?

Mr. SCHERLE. Black. He was in Des Moines at the time of the bombings of the police station, the one up in Ames, Drake. And he traveled back to Minneapolis and was in the process of going somewhere with some explosives and they went off and they never found him again. It was James Lawson, do you know him?

Mr. DE PATTEN. No, I didn't.

Mr. SCHERLE. One more question. You mentioned the National Committee to Combat Fascism in Omaha. Was there any connection between your organization and them?

¹ See pages 4844, 4845 of the testimony of Sgt. Albert Gladson for the facts concerning this fire.

Mr. DE PATTEN. An affiliation? We knew each other.

Mr. SCHERLE. Did you know any of those that were implicated in the booby-trap murder of Larry Minard, the policeman that was killed in Omaha?

Mr. DE PATTEN. I knew all of them, not all of them but the majority of them.

Mr. SCHERLE. Which one of those did you know?

Mr. DE PATTEN. I knew Poindexter, I knew Wayne Peak, I knew Will Peak, I knew David Rice.

Mr. SCHERLE. How did you know them?

Mr. DE PATTEN. I had been up there, they held a rally up there.

Mr. SCHERLE. In Omaha?

Mr. DE PATTEN. Yes, and I went up there for the rally.

Mr. SCHERLE. When was that?

Mr. DE PATTEN. I don't remember.

Mr. SCHERLE. Was it shortly before the time of the death of the policeman?

Mr. DE PATTEN. No, it was a long time ago.

Mr. SCHERLE. Was David Rice the author of an underground newspaper?

Mr. DE PATTEN. Not that I know of, not at the time I was there. I don't know what happened after I left.

Mr. SCHERLE. Was there a National Committee to Combat Fascism also in Des Moines?

Mr. DE PATTEN. No, there was a Black Panther chapter in Des Moines.

Mr. SCHERLE. What was this committee, what did it consist of, what was its significance for existence?

Mr. DE PATTEN. It was much like the Panther organization. So many people wanted to start Panther organizations and some of them had been led astray. So, like I said earlier, the National Committee to Combat Fascism would be kind of a proving ground as to their sincerity to serving the people.

Mr. SCHERLE. Were you shocked when you found out that Rice and Poindexter were involved in the murder of Larry Minard?

Mr. DE PATTEN. What do you mean was I shocked?

Mr. SCHERLE. Were you surprised?

Mr. DE PATTEN. Yes, to be truthful.

Mr. SCHERLE. That is all, Mr. Chairman, at the present time.

Mr. PREYER. I believe the record might note that police officers from both Des Moines and Omaha will be here next Tuesday and Wednesday. Perhaps they can throw more light on some of these questions that have been raised and also the question of the arrest and beating of the witness and his parents, his mother, that he has talked about.

Mr. SCHERLE. Mr. Chairman, just one more question. Did you mention the name Joe Anna Cheatom?

Mr. DE PATTEN. Yes.

Mr. SCHERLE. Would you give me a little background on her?

Mr. DE PATTEN. I don't know that much about her. She was just implicated with Charles Knox on that Jewett Lumber Company thing.

Mr. SCHERLE. She is associated with the National Welfare [Rights] Organization?

Mr. DE PATTEN. Yes, she is associated with it. I don't know whether she is a member or not, I don't know that much about her.

Mr. SCHERLE. Thank you.

Mr. WATSON. Mr. Chairman, will you indulge me a question here?

Counsel was discussing the breakfast program for the children and perhaps earlier you will remember that Mr. Scherle brought to your attention the statement that you had made that you asked the children to put their parents in the same position as the Establishment, do you recall that question?

Mr. DE PATTEN. Yes, but I didn't say that. I didn't say put your father and mother in the position of the power structure. What I was trying to relate to them was like the white power structure is the father and the black people are the children and we have been treated as children.

Mr. WATSON. So in that connection you would ask them to put the mother and father in the position of the Establishment, just from that angle, that was the point you were making?

Mr. DE PATTEN. Yes. And like the parallel would be the mother-father is the Establishment, and then the daughter and son would be black people.

Mr. WATSON. They would be the black people. All right now that was the parallel you were making, mother and daddy were the Establishment and the children were the black people?

Mr. DE PATTEN. Right.

Mr. WATSON. Now were you teaching love of the Establishment?

Mr. DE PATTEN. No.

Mr. WATSON. Just the opposite?

Mr. DE PATTEN. No, we were not teaching hate of the Establishment.

Mr. WATSON. Now I want you to think through this, you were teaching hate of the Establishment. Then you were actually teaching those young people to hate their parents?

Mr. DE PATTEN. No. That doesn't have any connection whatsoever.

Mr. WATSON. It doesn't? This is your decision and this is what you said you do. Why did you select the parents to put them in the place of the Establishment instead of something else that you hated?

Mr. DE PATTEN. Or the master-slave relationship, I could have just as easily used that, but black people—a lot of them—still don't believe there are slaves.

Mr. WATSON. Was not a part of the selection of the parents and putting them in the place of the Establishment and the children in the place of the oppressed blacks to break down discipline?

Mr. DE PATTEN. No. You mean like the Jerry Rubin kind of thing?

Mr. WATSON. No; to break down discipline in teaching these youngsters not to respect their parents?

Mr. DE PATTEN. No; we teach them to highly respect their parents.

Mr. WATSON. If you teach that why would you put the parents in the place of this vicious bad oppressor.

Mr. DE PATTEN. There is no need to be sarcastic.

Mr. WATSON. If you are teaching them to love their parents why would you put their parents in the place of this vicious oppressor?

Mr. DE PATTEN. Now we are going to be sarcastic.

Mr. WATSON. You are going to be sarcastic with the children?

Mr. DE PATTEN. If we are going to deal with it on a level of at least semi-intelligence then there is no need to use any sarcasm.

Mr. WATSON. You are being sarcastic?

Mr. DE PATTEN. No; you brought up the sarcasm, "this vicious oppressive system." Do you believe it is that way?

Mr. WATSON. I am asking the questions now. Did you say that you were teaching hate of the Establishment?

Mr. DE PATTEN. No, I did not; you said it.

Mr. WATSON. You were teaching love of the Establishment?

Mr. DE PATTEN. No, I wasn't. I was teaching them to take an objective look at the Establishment.

Mr. WATSON. Oh, an objective look. Oh, you were teaching them to be objective. Were you teaching them to be objective about religion? What did you teach them about that?

Mr. DE PATTEN. We didn't get into religion.

Mr. WATSON. You didn't get into religion?

Mr. DE PATTEN. No.

Mr. WATSON. You have some notions about that?

Mr. DE PATTEN. Do I? Yes; religion is left up to the individual.

Mr. WATSON. According to what you said your notions are, organized religion is the greatest oppressor of black people.

Mr. DE PATTEN. Of people, right, it is.

Mr. WATSON. Of all people?

Mr. DE PATTEN. Especially the Asian, African, and Latin American countries, and it is.

Mr. WATSON. You didn't teach the little kiddies that?

Mr. DE PATTEN. No; we were serving in a church, both of the places that we were serving in was a church.

Mr. WATSON. That was quite ironic.

Mr. DE PATTEN. How can we teach them to be against the church and they are eating in a church?

Mr. WATSON. I was fixing to ask you that. If you had such a strong feeling that organized religion is the oppressor of your people, why would you use the facilities of a church?

Mr. DE PATTEN. I said organized religion.

Mr. WATSON. Organized religion, isn't the church a part of an organized religion?

Mr. DE PATTEN. I am talking about not having to pay taxes. I am talking about the pimp preacher in the black community, the preachers who profess to be among their people and their people are walking around in rags and they are driving Cadillacs. I am talking about the hypocrites. I am not saying that everybody in religion is a hypocrite, I am not saying that.

Mr. WATSON. You know I might say this, Mr. Chairman, I think those who share your feeling are beyond redemption, but it does disturb me that you are so poisoning the minds of little kids against the parents and against the lawless society. Let me ask you about this, out in Seattle they taught the children, as I recall, the little ditty "off with the pigs, off with the pigs"; that was a little sort of morning chorus. Did you have that chorus?

Mr. DE PATTEN. No, we didn't.

Mr. WATSON. You never taught "off the pig"?

Mr. DE PATTEN. We never taught them in the church.

Mr. WATSON. Where did you teach them "off the pig"?

Mr. DE PATTEN. We didn't teach them as such.

Mr. WATSON. As such, but you taught them, just not as such, but you taught them?

Mr. DE PATTEN. Like when they came to the open political education classes we would show a film like "Off the Pig."

Mr. WATSON. But that was to be objective?

Mr. DE PATTEN. Yes.

Mr. WATSON. Are you familiar with any activities of the Black Panthers down in Charleston, South Carolina?

Mr. DE PATTEN. No, I don't know anything about them.

Mr. SCHERLE. May I proceed just a moment? If I am not mistaken the witness said that neither the Des Moines nor the Kansas City Chapters had formal political education classes for the children while he was a member. However, both chapters had open PE classes for adults on Tuesday nights. They would show the movie "Off the Pig" and another movie which portrayed how the du Pont Corporation messes over the black workers. He said actually the classes were designed to promote a greater awareness within the oppressed as to what this oppressive system really is in the terms of being unfair to the working class and the poor black and white. Now can you possibly tell me what the movie "Off the Pig" was?

Mr. DE PATTEN. It shows how the Panthers got started in Oakland, California.

Mr. SCHERLE. And you would show PE classes. Now what are those, political education classes?

Mr. DE PATTEN. Yes.

Mr. SCHERLE. For the adults. Now how many people attended those Tuesday night movies showing "Off the Pig" which means "kill the police"?

Mr. DE PATTEN. I only went to one of them because the headquarters was bombed 2 weeks after I joined, you know. The headquarters was packed that night.

Mr. SCHERLE. These PE classes that you showed how to kill policemen, which means "off the pig," were packed?

Mr. DE PATTEN. We didn't show them how to kill policemen.

Mr. SCHERLE. I mean the title "Off the Pig," that is what it means?

Mr. DE PATTEN. No, it doesn't.

Mr. SCHERLE. In this here, I get that is exactly what it means.

Mr. DE PATTEN. Who says that?

Mr. SCHERLE. I believe you do.

Mr. DE PATTEN. I said there is more than one way of offing the pig. Like Eldridge Cleaver stated any time you escape the mind of the oppressor that can be termed as offing the pig.

Mr. SCHERLE. If I may, De Patten said that the Des Moines Chapter definitely operated according to the rules handed down by the national office. He said that the expression "off the pig" by the strictest Panther definition means to kill them.

Mr. DE PATTEN. Yes, by the strictest definition. But there is more than one definition. Like Eldridge Cleaver even stated that.

Mr. SCHERLE. Of course, I am not going to take too much of what Eldridge Cleaver said as my basis of philosophy. You might if you want to, but it certainly doesn't represent mine nor does his definition and interpretation represent mine.

Mr. WATSON. You talk of off the pig, whatever interpretation they meant, it meant hate the policeman; didn't it? It depicts the policeman in the worst possible light? Right?

Mr. DE PATTEN. Is there a best possible light?

Mr. WATSON. It is the worst possible light. I believe earlier you said you were objective in your instruction. What was the name of the movie or anything you did to be objective, which showed the people the other side?

Mr. DE PATTEN. Because, like I said earlier, we did teach them that the police officers were human beings first.

Mr. WATSON. Yes, to be shot, human beings to be shot. What movie did you show on the other side?

Mr. DE PATTEN. You haven't studied my record close enough. This man here told me when he went to Kansas City that every time I got arrested I tried to talk with them; that I tried to be objective with them and I didn't start any trouble with them; every time I got arrested, every time. I told them that they were human beings.

Mr. WATSON. But you can't think of any film that you showed complimentary to the police, just offhand?

Mr. DE PATTEN. Complimentary to them, no.

Mr. SCHERLE. Mr. Counsel, if the witness will answer, how thoroughly indoctrinated have you become, or do you feel you have become, by the teachings that you attended in your 6 weeks' indoctrination period? Were you a star pupil?

Mr. DE PATTEN. A star pupil?

Mr. SCHERLE. I mean did you really go and accept what you were taught with a deep interest and it changed a lot of your thinking that you had maybe prior to that time?

Mr. DE PATTEN. It didn't change my thinking.

Mr. SCHERLE. It just solidified it?

Mr. DE PATTEN. Right.

Mr. SCHERLE. In other words, you got a great deal out of that 6 weeks' course.

Mr. DE PATTEN. I did get a great deal out of it.

Mr. SCHERLE. And you have retained it?

Mr. DE PATTEN. I have retained it.

Mr. SCHERLE. And you will continue to retain it?

Mr. DE PATTEN. No.

Mr. SCHERLE. What is the difference?

Mr. DE PATTEN. It depends. Like I said, I plan in the future I would like to go to Cuba. I would like to go; I want to see how communism really is.

Mr. SCHERLE. You also made the statement in here that you don't believe—you are not a communist by your own terms although you believe in communism in Southeast Asia? Now you want to go to Cuba and you want to go to Hanoi?

Mr. DE PATTEN. No, China. You know I want to see for myself if communism is what it is put up to be by either side; if communism is good it is good or if it is bad it is bad. I want to see, I want to study objectively communism. I want to see—

Mr. SCHERLE. Is there a good and a bad communism?

Mr. DE PATTEN. Yes.

Mr. SCHERLE. What is the difference?

Mr. DE PATTEN. It depends on the leader.

Mr. SCHERLE. But the philosophy varies under the leader?

Mr. DE PATTEN. Not the philosophy, as such, how the philosophy is applied, whether it is applied liberally, whether it is applied dogmatically, or whatever.

Mr. SCHERLE. I didn't think there was much room for bargaining in communism.

Mr. Counsel.

Mr. ROMINES. Do you know whether any members of the Des Moines Panther Party have obtained or attempted to obtain money or merchandise from merchants in that area through extortion attempts.

Mr. DE PATTEN. No.

Mr. ROMINES. No, you don't know or, no, they have not?

Mr. DE PATTEN. Not to my knowledge they haven't.

Mr. ROMINES. What, if anything, is the connection or relationship between the Black Panther Party chapter, National Committee to Combat Fascism chapter, or whatever chapters have basically taken their place in Des Moines, Kansas City, Omaha, or St. Paul?

Mr. DE PATTEN. What is the connection?

Mr. ROMINES. Is there any connection or relationship between those four areas?

Mr. DE PATTEN. How do you mean connection?

Mr. ROMINES. Is there any official relationship between the four areas. For example, would one city be in charge of the other three?

Mr. DE PATTEN. I don't believe so.

Mr. ROMINES. Is there much travel between those four cities by individual chapter members?

Mr. DE PATTEN. You mean now or back then?

Mr. ROMINES. Let's go back then, was there at the time you were a member?

Mr. DE PATTEN. Just mainly between Kansas City and Des Moines.

Mr. ROMINES. Not much between Omaha and St. Paul?

Mr. DE PATTEN. No.

Mr. ROMINES. How about now?

Mr. DE PATTEN. I don't know.

Mr. ROMINES. What was the basic purpose for the travel between Kansas City and Des Moines when you were a member?

Mr. DE PATTEN. Like I said, I had gotten stranded down in Kansas City, you know.

Mr. ROMINES. You have already told me about you, but how about other members. Was there much travel by them, Kansas City members coming to Des Moines.

Mr. DE PATTEN. Just one time they did.

Mr. ROMINES. What?

Mr. DE PATTEN. Or twice.

Mr. ROMINES. What was the purpose for coming to Des Moines?

Mr. DE PATTEN. They thought that they could help reorganize the chapter, you know.

Mr. ROMINES. Who came to Des Moines?

Mr. DE PATTEN. I remember one and that was Captain Finley.

Mr. ROMINES. Would that be Henry Finley?

Mr. DE PATTEN. I believe; I don't know his name for sure. I know later on Alonzo Nash did and André Weatherby.

Mr. ROMINES. Came from Kansas City to Des Moines?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Do I understand correctly that it was basically to help you organize or reorganize your chapter; is that correct?

Mr. DE PATTEN. Yes.

Mr. ROMINES. You don't know the current extent of travel between those four cities?

Mr. DE PATTEN. Right now, no, I don't.

Mr. ROMINES. How was the Black Panther Party chapter in Des Moines supported financially?

Mr. DE PATTEN. Well, from the newspaper sales and from individual donors, you know.

Mr. ROMINES. Do you know the names of any individual donors?

Mr. DE PATTEN. No, that wasn't my department. Like I said I didn't spend that much time in Des Moines.

Mr. ROMINES. Do you know whether any of the donors were Caucasian?

Mr. DE PATTEN. Yes.

Mr. ROMINES. You do know that, but you do not know their names?

Mr. DE PATTEN. No, I know that there should be some, like I have seen some around headquarters before, but I don't know them by name. Like some came up from the Grinnell campus, Grinnell, Iowa.

Mr. ROMINES. You say you don't know any by name. Do you know any of them by the organization they represent or by the position they hold?

Mr. DE PATTEN. No; just they were mainly students.

Mr. ROMINES. Have there been any organizations that you know of that have furnished support to the Black Panther Party chapter in Des Moines while you were a member, support either financially or otherwise?

Mr. DE PATTEN. No.

Mr. WATSON. Mr. Counsel, excuse me, you are probably aiming towards this statement about the Weathermen and the Young Lords and the Southern Patriot Party?

Mr. ROMINES. It is possible.

Mr. WATSON. May I ask you that. Did you not state that you were receiving financial and spiritual support from the Weathermen, Young Lords, and the Southern Patriot Party?

Mr. DE PATTEN. Not in Des Moines.

Mr. ROMINES. Where?

Mr. DE PATTEN. That is supposed to be the rest of the Nation, like Chicago is the only chapter that has the Young Patriots, not the Southern Patriots, the Young Patriots.

Mr. ROMINES. How about the Young Lords?

Mr. DE PATTEN. They are all affiliated.

Mr. WATSON. Young Lords; you knew nothing about an organization the Southern Patriot Party, which you say you regard as the white Black Panther Party?

Mr. DE PATTEN. The Young Patriot Party, I made a mistake on that.

Mr. WATSON. It is the Young Patriot Party, not the Southern Patriot Party?

Mr. DE PATTEN. That is right.

Mr. WATSON. I didn't think our Southern people would have that kind of patriotism. It is the Young Patriot Party.

Mr. DE PATTEN. But they are from the South.

Mr. WATSON. They are from the South, that clarifies it. But they are not Southern Patriots?

Mr. DE PATTEN. No; they are called the Young Patriots and they fly a Confederate flag.

Mr. WATSON. Do you allow that at your meetings?

Mr. DE PATTEN. I don't have anything against the Confederate flag.

Mr. WATSON. Just the American flag?

Mr. DE PATTEN. I don't have anything against any flag.

Mr. WATSON. The Black Panther Party does receive, according to you, significant financial and spiritual support from the Weathermen, the Young Lords, and the Young Patriot Party?

Mr. DE PATTEN. I don't know where I was at when I said financial, not financial. Just the Young Lords, like they are supposed to be just like the Panther Party; they probably have enough trouble funding themselves, you know.

Mr. WATSON. Earlier you said you knew nothing about any Black Panther activities in Charleston, South Carolina. You do know about some in the South?

Mr. DE PATTEN. No. That used to be one of my main criticisms of the party, that they never went down South.

Mr. WATSON. So far as you know then the Young Patriot Party, that is a Black Panther arm in the South?

Mr. DE PATTEN. No; the Young Patriot Party is based in Chicago.

Mr. WATSON. I thought you said the Young Patriot Party were from the South?

Mr. DE PATTEN. Right; they are comprised of Appalachians.

Mr. WATSON. How do you know that?

Mr. DE PATTEN. From what they have said in the Black Panther paper.

Mr. WATSON. What did they say?

Mr. DE PATTEN. When they were out to the convention in Oakland.

Mr. WATSON. Whoever it is, whatever it is, wherever they are from, the Young Patriots whatever, they supported the Black Panther movement?

Mr. DE PATTEN. Yes. Now again I would like to say it is not the Southern Patriots, it is the Young Patriots. The Southern Patriots is another entirely different organization that I don't know much about. I got them mixed up. The Southern Patriots are, I believe, based down South.

Mr. WATSON. The Weathermen declared in the paper this morning that three prominent Weathermen said they declared war on the United States a year ago, according to this press report in the *Washington Daily News*.

A year ago we blew away the Haymarket pig statue at the start of a youth riot in Chicago. Last night we destroyed the pig again. This time it begins a fall offensive of youth resistance that will spread from Santa Barbara to Boston, back to Kent and Kansas.

Do you share that ambitious goal?

Mr. DE PATTEN. Pardon?

Mr. WATSON. Do you share that goal?

Mr. DE PATTEN. No.

Mr. WATSON. You do not?

Mr. DE PATTEN. No.

Mr. SCHERLE. If the gentleman will yield, you mentioned student activities in Black Panthers from Grinnell.

Mr. DE PATTEN. Yes.

Mr. SCHERLE. Were there any other colleges and universities in the State of Iowa that had Black Panther student activities?

Mr. DE PATTEN. No; they didn't have Black Panther student activity. I said they had students visiting from these campuses.

Mr. SCHERLE. What other campuses visited Black Panther headquarters?

Mr. DE PATTEN. We went to Drake—

Mr. SCHERLE. No, I mean which one of those came to you besides Grinnell? The University of Iowa at Iowa City?

Mr. DE PATTEN. No.

Mr. SCHERLE. Drake?

Mr. DE PATTEN. I believe some students from Drake have been to Black Panther headquarters; I am pretty sure of that.

Mr. SCHERLE. The University of Northern Iowa?

Mr. DE PATTEN. No.

Mr. SCHERLE. Simpson?

Mr. DE PATTEN. No, we have gone to Simpson though.

Mr. SCHERLE. You have gone to Simpson. When you were a member of the Black Panther Party you visited most of the major colleges and universities in the State of Iowa and you were there on speaking engagements, is that right, or on a few of them?

Mr. DE PATTEN. Only a few of them.

Mr. SCHERLE. And did you receive an honorarium when you were there? Were you paid for speaking?

Mr. DE PATTEN. No.

Mr. SCHERLE. In any case at all, can you recall?

Mr. DE PATTEN. You mean like we will give you \$50 to come up here or something like that?

Mr. SCHERLE. Yes, or a hundred or more.

Mr. DE PATTEN. No, I don't believe so.

Mr. SCHERLE. You didn't derive any money at all?

Mr. DE PATTEN. No; only from the Panther papers we sold, from the donations.

Mr. SCHERLE. What was your main reason for visiting the various campuses in Iowa as a Black Panther group?

Mr. DE PATTEN. To promote the Black Panther ideology and to sell papers and to rap with the students to see where they were coming from.

Mr. SCHERLE. Thank you.

Mr. ROMINES. Mr. De Patten, as an ex-member of the Black Panther Party, what do you understand the term "self-defense" to mean as it is used by the Black Panthers?

Mr. DE PATTEN. Self defense is defending oneself.

Mr. ROMINES. Under what circumstances?

Mr. DE PATTEN. Under any given circumstances.

Mr. ROMINES. Does it mean only defend yourself when immediately and physically attacked or can it be a broader term than that?

Mr. DE PATTEN. A broader term, would you mind explaining?

Mr. ROMINES. Can it mean more?

Mr. DE PATTEN. I still don't understand what you mean, can it mean more.

Mr. ROMINES. Generally speaking, the term "self-defense" obviously includes that situation where a man points a gun at you and you take measures to defend yourself. Now, as the Panthers use the term, does it mean any circumstance other than that? For example, let's assume that the Black Panther shoots a policeman who has not done anything other than just walk down the street, is that self-defense?

Mr. DE PATTEN. No.

Mr. ROMINES. It is not?

Mr. DE PATTEN. Not that I know of.

Mr. ROMINES. If that policeman has done something which the Black Panther Party feels is wrong or is bad and a member of the Black Panther Party shoots him, is that considered self-defense?

Mr. DE PATTEN. That depends on what wrong he did.

Mr. ROMINES. Can you explain what you mean by that?

Mr. DE PATTEN. If he murdered a black person that would definitely be wrong, you know, or like if he murdered a white person or like has happened in Des Moines where a white dude got off and he was intoxicated, you know.

Mr. ROMINES. What happens if a policeman just arrests somebody, would a black person be justified under the term "self-defense" in killing the officer?

Mr. DE PATTEN. It depends upon the conditions leading up to the arrest.

Mr. ROMINES. Can you explain what you mean by that?

Mr. DE PATTEN. If he is being unjustly arrested, you know.

Mr. ROMINES. Then it would be self-defense to kill the officer; is that right?

Mr. DE PATTEN. Yes.

Mr. ROMINES. If a white officer arrests a black man for anything, any crime, any alleged crime, would that be a just arrest, assuming the black man committed the crime?

Mr. DE PATTEN. Assuming he committed the crime? Then you have to get into the definition of the crime.

Mr. ROMINES. OK.

Mr. DE PATTEN. Like you may define—it is near Christmas and I go out and steal some toys for my kids, you may consider that a crime, but I wouldn't.

Mr. ROMINES. Do you have any knowledge, Mr. De Patten, of any members of the Black Panther Party having dynamite in their possession?

Mr. DE PATTEN. No.

Mr. ROMINES. Do you have any knowledge of any Black Panther Party members being arrested within the past year on a charge of a felony?

Mr. DE PATTEN. Not Black Panthers. The chapter was expelled.

Mr. ROMINES. People who were Black Panther Party members?

Mr. DE PATTEN. Do I have any knowledge of them being arrested for it, yes.

Mr. ROMINES. How about Archie Simmons?

Mr. DE PATTEN. Yes.

Mr. ROMINES. What was he arrested and convicted for?

Mr. DE PATTEN. He was arrested for possession of blasting caps.

Mr. ROMINES. And dynamite. Was he convicted for it?

Mr. DE PATTEN. He was convicted of something or other; they said it was more along the lines of who bombed the police station.

Mr. ROMINES. Was he actually convicted for possession of dynamite?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Was he a member of the Black Panther Party?

Mr. DE PATTEN. In the beginning.

Mr. ROMINES. How about Michael Smith, was he a member of the Black Panther Party?

Mr. DE PATTEN. He has been.

Mr. ROMINES. How about Mary Rhem, is she a member of the Black Panther Party?

Mr. DE PATTEN. She was.

Mr. ROMINES. David Colton?

Mr. DE PATTEN. No.

Mr. ROMINES. David Colton was not a member?

Mr. DE PATTEN. No.

Mr. ROMINES. Is he a member of the new Black Revolutionary Communist Youths?

Mr. DE PATTEN. Yes.

Mr. ROMINES. How about Charles Smith?

Mr. DE PATTEN. Yes.

Mr. ROMINES. Where is he now?

Mr. DE PATTEN. Jail.

Mr. ROMINES. For what?

Mr. DE PATTEN. I am not sure; they said for something about robbing.

Mr. ROMINES. Robbing a McDonalds hamburger restaurant?

Mr. DE PATTEN. Yes, something like that.

Mr. ROMINES. How about Peter Williams?

Mr. DE PATTEN. He is in jail.

Mr. ROMINES. Was he a member of the Black Panther Party?

Mr. DE PATTEN. No.

Mr. ROMINES. Was he a member of the Black Panther Party in any other city?

Mr. DE PATTEN. I don't know; I am not that familiar with him.

Mr. ROMINES. I have no further questions, Mr. Chairman.

Mr. PREYER. At this time we will recess until Tuesday morning when we will hear further evidence. Thank you for being with us today.

(Whereupon, at 12:37 p.m., Thursday, October 8, 1970, the subcommittee recessed to reconvene at 10 a.m., Tuesday, October 13, 1970.)

BLACK PANTHER PARTY

Part 4

National Office Operations and Investigation of Activities in Des Moines, Iowa, and Omaha, Nebr.

TUESDAY, OCTOBER 13, 1970

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C.
PUBLIC HEARINGS

The subcommittee of the Committee on Internal Security met, pursuant to recess, at 10 a.m., in Room 311, Cannon House Office Building, Washington, D.C., Hon. Richard H. Ichord, chairman of the full committee, presiding.

(Subcommittee members: Representatives Richardson Preyer of North Carolina, chairman; Richard H. Ichord of Missouri, chairman of the full committee; and John M. Ashbrook of Ohio.)

Subcommittee member present: Representative Ichord.

Committee member also present: Representative William J. Scherle of Iowa.

Staff members present: Donald G. Sanders, chief counsel, and Stephen H. Romines, assistant counsel.

Chairman ICHORD. The committee will come to order. The meeting this morning is a continuation of the hearings into the activities of the Black Panther organization. The hearings will continue through Thursday of this week and these hearings are expected to conclude the inquiry into the Black Panther organization.

I understand, Mr. Counsel, you have with you a number of police officers today.

Mr. ROMINES. Yes, sir, Mr. Chairman. We have two police officers this morning.

CHAIRMAN ICHORD. Call your first witness then.

Mr. ROMINES. I call Sergeant Albert Dean Gladson and Detective Warren Martin.

Chairman ICHORD. Are both of you going to testify together? Raise your right hands and be sworn. Do you solemnly swear the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GLADSON. I do.

Mr. MARTIN. I do.

Chairman ICHORD. Please be seated.

Mr. ROMINES. Will you please state your full name for the record?

TESTIMONY OF ALBERT DEAN GLADSON AND WARREN L. MARTIN

Mr. GLADSON. Albert Dean Gladson.

Mr. ROMINES. By whom are you employed?

Mr. GLADSON. By the city of Des Moines, Des Moines Police Department.

Mr. ROMINES. In what capacity?

Mr. GLADSON. Sergeant in charge of the intelligence unit.

Mr. ROMINES. How long have you been in charge of the intelligence unit?

Mr. GLADSON. The past 2 years.

Mr. ROMINES. Detective Martin, would you please state your name for the record.

Mr. MARTIN. Warren L. Martin.

Mr. ROMINES. By whom are you employed?

Mr. MARTIN. The city of Des Moines, the intelligence unit.

Mr. ROMINES. How long have you been with that unit?

Mr. MARTIN. Approximately 8 months.

Mr. ROMINES. Sergeant Gladson, is there now or has there ever been a Black Panther Party in the city of Des Moines?

Mr. GLADSON. There has been, yes.

Mr. ROMINES. Is there one there now?

Mr. GLADSON. No, not as such.

Mr. ROMINES. When was the Black Panther Party formed in Des Moines?

Mr. GLADSON. It took out articles of incorporation with the State of Iowa on July 18 of 1968.

Mr. ROMINES. I hand you what has been marked Committee Exhibit 9 and I ask you if you can identify that, please.

Mr. GLADSON. It is a copy of the articles of incorporation, State of Iowa, of the Black Panther organization.

Mr. ROMINES. Does the exhibit list a number of incorporators?

Mr. GLADSON. Yes, it does.

Mr. ROMINES. Who would the incorporators be?

Mr. GLADSON. Do you want all the names?

Mr. ROMINES. No, there should be three incorporators on the last page.

Mr. GLADSON. The three incorporators listed are Charles Knox, Mary Rhem, and Michael Harris.

Mr. ROMINES. Would these have been the leaders of the Black Panther Party as it was originally formed in Des Moines?

Mr. GLADSON. Yes.

Mr. ROMINES. I also note on that exhibit, Sergeant, on page 1 under article 4, the name John M. Manders as its original registered agent. Who is Mr. Manders?

Mr. GLADSON. He is an employee of the State of Iowa. I believe he is with the Agriculture Department.

Mr. ROMINES. Is he still associated with the Panther Party?

Mr. GLADSON. Not to my knowledge, no.

Mr. ROMINES. Do you know when he ceased to associate with the Panther Party?

Mr. GLADSON. It would be in the spring of 1969, close to April of '69.

Mr. ROMINES. Mr. Chairman, I ask that Committee Exhibit 9 be included in the record.

Chairman ICHORD. There being no objection, the document will be admitted to the record.

(Document market Committee Exhibit No. 9. See appendix A, pages 5009-5011.)

Mr. ROMINES. Are these articles of incorporation still in effect, Sergeant?

Mr. GLADSON. No.

Mr. ROMINES. When were they dissolved?

Mr. GLADSON. They were rescinded in 1970, dissolved.

Mr. ROMINES. Do you know when they were dissolved, the exact month?

Mr. GLADSON. No, it was approximately the first of the year 1970.

Mr. ROMINES. Did the Black Panther Party as an officially designated party go out of existence, then, in the first part of 1970?

Mr. GLADSON. Yes, they were nationally dissolved by the national party headquarters for failure to comply with the rules and regulations of the national Black Panther Party.

Mr. ROMINES. Would this have been about the same time that the articles of incorporation were dissolved?

Mr. GLADSON. Yes, that was in February 1970.

Mr. ROMINES. Did any other organization take the place of the Black Panther Party in Des Moines?

Mr. GLADSON. Yes.

Mr. ROMINES. What is the name of that organization?

Mr. GLADSON. It is known as the Black Revolutionary Communist Youth Party.

Mr. ROMINES. Do you know who the leaders of the Black Revolutionary Communist Youth Party are?

Mr. GLADSON. Charles Knox and Mary Rhem.

Mr. ROMINES. So the leadership is basically the same in that party as its predecessor, the Black Panther Party, correct?

Mr. GLADSON. Correct.

Mr. ROMINES. Do you have any information as to the number of members in the new party?

Mr. GLADSON. At this time since it is newly formed, no, I do not.

Mr. ROMINES. Let's go back to the Panther Party for a few minutes, Sergeant. First of all, what would you estimate its peak membership to have been?

Mr. GLADSON. At the peak I would say there was approximately close to a hundred members.

Mr. ROMINES. Would these have all been active members that could be counted upon by the party to participate in any given function?

Mr. GLADSON. The majority of this membership would have been, yes.

Mr. ROMINES. When did this peak membership occur?

Mr. GLADSON. 1969.

Mr. ROMINES. Do you know when in 1969?

Mr. GLADSON. The spring of 1969.

Mr. ROMINES. Did they begin to lose members after the spring of 1969?

Mr. GLADSON. Yes.

Mr. ROMINES. Would you know why they began to lose members?

Mr. GLADSON. Membership was made up primarily of a lot of juveniles. The parents, through all the happenings and the troubles that were being caused, started putting pressure on a lot of the younger juveniles, started taking control. They had been with the party for approximately a year. Some of them realized the effect of the party. From our conversation with some of them they got out because they didn't want to suffer the consequences of the party.

Mr. ROMINES. Do you know whether any members of the Black Panther Party were actually kicked out or expelled from the party during the period of time it was in existence?

Mr. GLADSON. To my knowledge, no, there was none.

Mr. ROMINES. Sergeant, do you know the address of the initial headquarters of the Black Panther Party?

Mr. GLADSON. It is 1207 11th.

Mr. ROMINES. Is that in Des Moines?

Mr. GLADSON. Yes, Des Moines, Iowa.

Mr. ROMINES. Do you know by whom that building is owned?

Mr. GLADSON. It was owned and donated to the Black Panthers by Catholic Charities.

Mr. ROMINES. Do you know how long the Black Panther Party remained in the 1207 11th Street headquarters?

Mr. GLADSON. It left 1207 11th in approximately June of 1969.

Mr. ROMINES. Do you know whether the Black Panther Party paid any rent to the Catholic Charities for the use of the building at 1207?

Mr. GLADSON. To my knowledge there was no rent paid.

Mr. ROMINES. You indicated they moved in June of '69; is that correct?

Mr. GLADSON. Yes.

Mr. ROMINES. Where did they go in June of '69?

Mr. GLADSON. They located their temporary quarters at 1210 University in Des Moines, Iowa.

Mr. ROMINES. Who owns that building?

Mr. GLADSON. It is owned by the Sanitary Mattress factory.

Mr. SCHERLE. Why did the Black Panthers move from one building to another?

Mr. GLADSON. Their headquarters located at 1207 11th was destroyed by a blast of dynamite on 4-26-69. It destroyed the premises.

Chairman ICHORD. Proceed, Mr. Counsel.

Mr. ROMINES. Was there ever any investigation to ascertain what type of explosives were used to blow up the Panther headquarters?

Mr. GLADSON. Yes, there was.

Mr. ROMINES. Who made the investigation?

Mr. GLADSON. The local authorities and we called in the Army explosive experts out of Rock Island Arsenal Depot.

Mr. ROMINES. Were they able to make a determination as to what types of explosives were used?

Mr. GLADSON. Yes.

Mr. ROMINES. What type?

Mr. GLADSON. Dynamite.

Mr. ROMINES. Did the Black Panther Party in Des Moines accuse any particular individuals or any organization of blowing up their headquarters?

Mr. GLADSON. They accused the Des Moines Police Department of being instrumental in the explosion at their headquarters.

Mr. ROMINES. Did any of the members of the Black Panther Party in Des Moines make any statements subsequent to the bombing contrary to their accusations that the police department caused the bombing?

Mr. GLADSON. Yes.

Mr. ROMINES. Who made the statements, where, and what were they?

Mr. GLADSON. It was approximately 2 weeks after the bombing of the Panther headquarters, Clive De Patten, Michael Smith, and one other party spoke before a group in Minneapolis, Minnesota, and openly advocated that they had exploded a device to blow up their own headquarters to gain national recognition for the Black Panther Party.

Mr. ROMINES. Sergeant, did the Black Panther Party move from 1207 11th Street to 1210 University immediately after the bombing?

Mr. GLADSON. No, it was approximately a month.

Mr. ROMINES. What, if anything, did the Panthers do around their headquarters at 1207 immediately after the bombing?

Mr. GLADSON. They set a fence around the front portion of the residence and they took up armed guards. Black Panther Party members carried weapons and sat on the front porch and patrolled the immediate area of their home.

Mr. ROMINES. Were there ever any shots fired around the premises?

Mr. GLADSON. We had reports from the neighborhood. Uniformed men went up to investigate shootings in that area.

Mr. ROMINES. Was anyone ever actually shot, wounded?

Mr. GLADSON. No.

Mr. ROMINES. Was anyone ever threatened with a weapon on the premises?

Mr. GLADSON. There was one threat to a Federal Alcohol, Tobacco Tax officer at 1207 11th by one Michael Smith.

Mr. ROMINES. Could you relate to the committee, please, the circumstances of that threat?

Mr. GLADSON. The Federal officer went to the house during an investigation. Michael Benjamin Smith pointed a shotgun into his face and said that he was going to shoot him.

Mr. ROMINES. Were any charges brought?

Mr. GLADSON. Charges were filed with reference to assault on a Federal officer.

Mr. ROMINES. What was the disposition?

Mr. GLADSON. The charges were dismissed.

Mr. ROMINES. Do you know why they were dismissed, Sergeant?

Mr. GLADSON. No, I do not.

Mr. ROMINES. Did any organization other than the Black Panthers utilize the premises at 1210 University?

Mr. GLADSON. Yes, the Black Mobile Street Workers.

Mr. ROMINES. What is the Black Mobile Street Workers?

Mr. GLADSON. It is a local organization of welfare mothers.

Mr. ROMINES. Do they receive any Federal funding?

Mr. GLADSON. No, they do not.

Mr. SCHERLE. Mr. Chairman, will the witness describe the building at its new location in which the Black Panthers came in?

Mr. ROMINES. Are you referring to the building at this time, because there was a subsequent move, Mr. Scherle.

Mr. SCHERLE. The building at 1210, would you describe that building?

Mr. GLADSON. 1210 is a small office attached to another building. It is housed under one roof of the Sanitary Mattress factory located at 1300 University.

Mr. SCHERLE. You have a Black Panther group on one side and the Sanitary Mattress on the other, correct?

Mr. GLADSON. Correct, sir.

Mr. SCHERLE. Who owns that building?

Mr. GLADSON. The owner's name I do not have with me.

Mr. SCHERLE. Proceed, Counsel.

Mr. ROMINES. What, if anything, Sergeant, was the relationship between the Black Mobile Street Workers and the Black Panther Party during the period of time the Panthers were in existence as a nationally recognized organization? Was there any relationship other than mere sharing of facilities?

Mr. GLADSON. Charlie Knox assists in the operation of the Black Mobile Street Workers, along with the organizer of it, one Joe Anna Cheatom. Katherine Bryson was involved. Charlie Knox is involved in this Black Mobile Street Workers organization.

Mr. ROMINES. So if I understand you correctly, to a certain extent you have an interrelation of leaders; is that correct?

Mr. GLADSON. Correct.

Mr. ROMINES. Sergeant, did the Black Panther Party maintain their office at 1210 University until February of 1970 when they became no longer an officially recognized Black Panther Party chapter?

Mr. GLADSON. Yes.

Mr. ROMINES. Now you have indicated that the Black Panther Party has, in effect, been superseded or been replaced by the Black Revolutionary Communist Youth organization. Do they maintain their headquarters at 1210 University?

Mr. GLADSON. They use the facilities of 1210 University along with their headquarters in which Charlie Knox lives at 1414-16 University.

Mr. ROMINES. What is located at 1414-1416 University.

Mr. GLADSON. It is a two-story brick apartment building, a four-apartment complex.

Mr. ROMINES. Do you know who has apartments in that complex?

Mr. GLADSON. Three of them, yes.

Mr. ROMINES. Who would those three be?

Mr. GLADSON. On 1414 there is one Edward Charles Smith and a Mary Rhem lives up. They are up and down apartments. There is a Paul Walker. In 1416 Charlie Knox, Peter Williams occupy the upper apartment. The lower apartment at the present time is vacant.

Mr. ROMINES. Do you know who owns that building? Is that one building?

Mr. GLADSON. It is one building, two addresses, yes.

Mr. ROMINES. Do you know who owns the building?

Mr. GLADSON. It is owned by a Mrs. Winifred Hoskins of Des Moines, Iowa.

Mr. ROMINES. Do you know the rent that is paid?

Mr. GLADSON. The exact amount, no.

Mr. ROMINES. Sergeant, do you know why the Black Panther Party as a nationally recognized organization went out of existence in February of 1970?

Mr. GLADSON. They were dropped by the national Black Panther Party.

Mr. ROMINES. Do you know why?

Mr. GLADSON. For not going along with the guidelines of the Black Panther Party.

Mr. ROMINES. Do you have any information as to what guidelines they did not go along with?

Mr. GLADSON. No, I do not.

Mr. ROMINES. Sergeant, while the Black Panther Party was in existence, did they sell the Black Panther Party newspaper?

Mr. GLADSON. They did, yes.

Mr. ROMINES. Do you have any information as to approximately how many they would sell per week in Des Moines?

Mr. GLADSON. I would say approximately 100 per week.

Mr. ROMINES. Would that number fluctuate at all from week to week?

Mr. GLADSON. Yes.

Mr. ROMINES. Is the Black Panther Party paper still being sold in Des Moines?

Mr. GLADSON. It has not been for the last several months.

Mr. ROMINES. Do you know why it has not been sold?

Mr. GLADSON. No.

Mr. ROMINES. Sergeant, do you know whether there is any relationship between the sale of the Black Panther Party paper in Des Moines and the sale of that newspaper in St. Paul?

Mr. GLADSON. Yes.

Mr. ROMINES. What is the relationship?

Mr. GLADSON. The papers have been coming into Des Moines to a Peter Williams who resides with Charlie Knox at 1416 University. He has been shipping them via bus to St. Paul, Minnesota, to one Gary Hogan.

Mr. ROMINES. Is there an officially recognized, that is, a nationally recognized, Black Panther Party chapter in St. Paul?

Mr. GLADSON. No.

Mr. SCHERLE. Mr. Chairman, if counsel will yield, we had testimony the other day from Clive De Patten that these newspapers were also sent to various colleges and universities for sale on the campus.

Mr. GLADSON. They sold them at Ames, at Iowa State University up there. They sold them around Drake University. But this has been done by Charlie Knox and some of his associates of the Panther Party. They themselves were actively involved in the sale of these papers.

Mr. SCHERLE. Just for the record, I wanted to make sure that the information was there that they were distributed throughout the State to the various colleges and universities.

Mr. GLADSON. They have showed up in Iowa City, University of Iowa, Grinnell University, Grinnell, Iowa, and then they were sold at most of our local high school and junior highs.

Mr. ROMINES. While the Black Panther Party was in existence in Des Moines, did they maintain a breakfast-for-children program?

Mr. GLADSON. Yes, they did.

Mr. ROMINES. When was it started?

Mr. GLADSON. In late 1968.

Mr. ROMINES. And how long did it last?

Mr. GLADSON. To the spring of 1969.

Mr. ROMINES. At how many different locations was it maintained?

Mr. GLADSON. It was held at 1207 11th at the start of it.

Mr. ROMINES. That would have been the headquarters of the Panther Party at that time; is that correct?

Mr. GLADSON. Yes.

Mr. ROMINES. Do you have any information, Sergeant, as to the average attendance at the breakfast program during the time it was in operation?

Mr. GLADSON. At the peak of the program there was approximately 50 children involved in it.

Mr. ROMINES. Would that number have fluctuated from day to day?

Mr. GLADSON. Yes, it would have.

Mr. ROMINES. Do you know whether there are any attempts to educate the children who attended this breakfast program.

Mr. GLADSON. Yes, there were.

Mr. ROMINES. Can you relate to the committee basically those educational attempts?

Mr. GLADSON. At one point they were using the coloring book which the Black Panthers published with reference to the white racist pig and the black power which they advocated.

Mr. ROMINES. Were there any attempts to indoctrinate the children to hate the police, hate the Establishment, that type of teachings?

Mr. GLADSON. Yes, it was a hatred-type teaching.

Mr. ROMINES. Sergeant, does the Black Revolutionary Communist Youth organization presently maintain and operate a breakfast program?

Mr. GLADSON. Not as such, but Charlie Knox is involved in the breakfast program which is being sponsored by the Methodist Church organization of Des Moines, Iowa, at present.

Mr. ROMINES. There is, then, if I understand you, a breakfast program in Des Moines, but not sponsored, operated, or maintained by the Black Revolutionary Communist Youth organization; is that correct?

Mr. GLADSON. Correct.

Mr. ROMINES. Who sponsors the breakfast program in existence today?

Mr. GLADSON. The Methodist Church is the primary sponsor of it.

Mr. ROMINES. Is anyone else involved?

Mr. GLADSON. The Mothers of Dignity, which is a welfare organization, welfare mother organization.

Mr. ROMINES. Is that the Mothers of Dignity and Justice?

Mr. GLADSON. Yes.

Mr. ROMINES. Do they receive any Federal funds?

Mr. GLADSON. No, it is a welfare, local welfare.

Mr. ROMINES. Is there any attempt made at these breakfast programs now in existence to indoctrinate or educate the children?

Mr. GLADSON. No.

Mr. ROMINES. You mentioned a minute ago that the Black Revolutionary Communist Youth organization is helping, I believe you said, to a certain extent; is that correct?

Mr. GLADSON. One Charlie Knox is involved in the program.

Mr. ROMINES. How is he involved in the program?

Mr. GLADSON. He is picking up the supplies for the program. He delivers them himself in the early morning hours, has it there for the early morning hour breakfast.

Mr. ROMINES. You say supplies, do you mean food?

Mr. GLADSON. Yes, he picks up food.

Mr. ROMINES. Is he using any particular type of vehicle to pick up the food?

Mr. GLADSON. He has been using a car sponsored by the Iowa Children and Family Services.

Mr. ROMINES. You say a car sponsored by the Iowa Children and Family Services; is that correct?

Mr. GLADSON. Yes, they were donating a car for use to Charlie Knox every evening.

Mr. ROMINES. What, if anything, is the relationship between the Iowa Children and Family Services and the Black Revolutionary Communist Youth organization?

Mr. GLADSON. At this time there was nothing.

Mr. ROMINES. They are just donating a car for Mr. Knox to use?

Mr. GLADSON. Donating the use of the car, yes.

Mr. ROMINES. Is Mr. Knox employed by the Iowa Children and Family Services?

Mr. GLADSON. He has since been hired.

Mr. ROMINES. You say, "since been hired." What do you mean by that?

Mr. GLADSON. He was hired as of last Thursday to start work this Thursday with the Iowa Children and Family Services.

Mr. ROMINES. In what capacity?

Mr. GLADSON. As a counselor for juvenile delinquents and juveniles.

Mr. ROMINES. Do you know what his salary is to be?

Mr. GLADSON. Approximately \$7,000 per year.

Mr. ROMINES. Do you know whether the Iowa Children and Family Services receives any Federal funding?

Mr. GLADSON. Yes.

Mr. ROMINES. Do you know from whom?

Mr. GLADSON. It has Federal funds coming from the Des Moines Model Cities agency, the U.S. Department of Health, Education, and Welfare, and the Law Enforcement Assistance Administration.

Mr. ROMINES. What, if anything, is the attitude of the city toward Mr. Knox's being employed by the Iowa Children and Family Services?

Mr. GLADSON. The city is very upset with the announcement of hiring one Charlie Knox to counsel juvenile delinquents.

Mr. ROMINES. Have they made any statements to the effect that they are upset?

Mr. GLADSON. Yes.

Mr. ROMINES. What have they said?

Mr. GLADSON. The city council and the mayor are threatening to shut off all financial aid to the program. The United Fund is also threatening to cut off their donations to it.

Mr. ROMINES. That would be shutting off of funds by the city?

Mr. GLADSON. Shutting off the finances given to these programs through the city.

Mr. SCHERLE. Mr. Chairman, will counsel yield? For the benefit of the record, I contacted the regional director of HEW yesterday afternoon after our investigation and demanded that they withhold all funds. Late yesterday afternoon the regional director sent a telegram to Des Moines stating it no longer would give any funds until they have completed an investigation. While I am on the subject, would the witness give us some background on Charlie Knox?

Mr. ROMINES. He is prepared to give it a little later in the testimony. If you prefer to have it now it would be fine.

Mr. SCHERLE. I will wait.

(At this point Mr. Scherle introduced the following into the record :)

[Des Moines Tribune, October 9, 1970]

Charles Knox Hired to Counsel Delinquent Youth

Leads 'Red' Organization In D.M.

By Jerry Mursener
(Copyright 1970, Des Moines Register,
and Tribune Company)

Charles Knox, admitted leader in a recently formed Black Revolutionary Communist Youth organization here, has been hired as a \$7,000-a-year counselor for juvenile delinquents in the Model City area.

Larry Scales, director of the Iowa Children's and Family Services which is supervising the juvenile project, confirmed Friday that he personally had hired Knox.

Scales said that he interviewed Knox Thursday and was "impressed with his confidence and concern and ability in working with black youth."

In recent days, a handbill signed by Knox and Mary Rhem, another organizer of the Black Revolutionary Communist Youth, has been circulated on Des Moines' near north side.

"This explains my political philosophy in full," Knox said Thursday when asked about the contents of the handbill.

When asked Friday about his new counseling job, Knox, 25, said he had "no comment."

In the circular, Knox writes, in part:

"We Communists are not afraid to express our political

views and to wage struggle against fascism. Our politics are the politics of liberation. Our struggle is the people's struggle."

Police Raid

Knox and Miss Rhem, who were occupants of apartments at 1414-1416 University ave., raided by police last Friday, lashed out at the officers who conducted the raid.

In the handbill, they said: "Again the fascist authorities (police) of Des Moines unjustifiably harassed the Black Revolutionary Communist Youth by ransacking our apartment while they were not at home (the brothers and sisters were serving the people by assisting with the free-breakfast program)."

As outlined in the plans of the Model City Juvenile Treatment Project, Knox, as a counselor, would be working with a maximum of eight Model City area juveniles who had been confined in the State Training School for Boys at Eldora and the State Training School for Girls at Mitchellville and released to the project for rehabilitation.

The project for juveniles is being financed with \$225,270 in federal funds, including money from the Des Moines Model City agency, the U.S. Department of Health, Education and Welfare (HEW) and the Law Enforcement Assistance Administration.

John Wolfe, senior planner on the Model City staff who supervises the corrections project, said, "We are supporting the Iowa Children's and Family Services. Strictly speaking, we have nothing to do with hiring. We have contracted with the Iowa Children's and Family

services and must trust their judgment in hiring personnel."

Scales said Knox is expected to begin work next Thursday. Scales added that, as director, he has final say over the hiring and that no approval of the appointment was necessary.

Wolfe said "we have no disagreement with the hiring practices unless it can be shown in the terms of concrete facts, instead of supposition or reaction, that an employe is inadequate."

No Conviction

The corrections project is to have a professional director, a professional supervisor and six young paraprofessionals. Each paraprofessional — a position Knox has been hired for — will be about 18 to 25 years of age and each will supervise a maximum of eight young people.

Wolfe pointed out Friday that Knox hasn't been convicted of any serious crime. He said that Knox has proven his ability to work with people in other jobs, including counseling work at the Harrison Detoxification Center.

"We are trying to bring alienated individuals into the mainstream of our projects," Wolfe said. "A person shouldn't be shut out because his political views disagree with the majority."

Charges

During the past two years, Knox has been arrested by Des Moines police on two arson charges, unlawful assembly, resisting arrest, disturbing the peace and quiet, two assault and battery charges, disturbing a public assembly and resisting execution of process.

Several of the charges, however, have either been dismissed or are currently under appeal in the courts.

The arson charge, brought in connection with an Oct. 9,



CHARLES
KNOX

1968, fire at the Jewett Lumber Co., was dismissed. Knox' latest conviction was by the District Court, which upheld two charges against Knox for illegal use of sound equipment and disturbing the peace.

In addition, two charges — one assault and battery and one disturbing the public peace and quiet — have been placed "on call" by Municipal Court Judge Luther Glanton at the request of the Polk County attorney's office.

Judge Glanton said Friday that the county prosecutor had requested the continuance because of other legal charges that were pending against Knox when the "on call" order was signed on Feb. 18, 1970.

Earlier this year, from late last December until mid-April, Knox was employed through the Concentrated Employment Program (CEP), a government financed, city-operated project.

In the CEP project, Knox received \$370.40 for 15 weeks of work.

Suspicious

Scales, of the Iowa Childrens and Family Services, said Friday that he was unfamiliar with "all the stuff he (Knox) is accused of. I know only of a couple of arrests."

"There have been a great many suspicions," Scales said, "and it's unfortunate. But I'm fully aware of the implications in dealing with Charles and the emotional reaction of the community. I have no choice but to recognize his competence and compare it with the other candidates."

He said that Knox was referred — along with 15 other candidates — to the Iowa Children's and Family Services through CEP, which is operated through the city with Model City funds.

"I confess a certain amount of risk," Scales said. "The project objectives are the ones for which he'll get a salary. He's not going to be out doing his own thing without some supervision."

Scales added: "While he's a controversial character, we also have to recognize that he's a very competent one. He is influential in (the Model City area) community, and we feel that that can be channeled to meet the objectives of our goals."

Panther Link

Knox, formerly of Chicago, who came to Des Moines in 1967 as a VISTA worker, was mentioned in testimony before a congressional hearing in Washington, D.C., Thursday.

Cleve DePatten of Des Moines, who said he was a former member of the Black Panther organization here, said Knox served as minister of education for the local Panther unit.

De Patten, who said he joined the Panther in April, 1969, and quit last February, testified that Knox, as a member of the Des Moines chapter conducted classes that consisted of studying the "Red Book" of Chinese Communist party chairman Mao Tse-tung, along with principles of Marxism, Leninism and socialism.

DePatten said Knox also conducted "open political education" sessions for adults at the Panther headquarters.

Joined Army

DePatten, 19, of 1517 Seventeenth St., said that membership in the Des Moines Panther organization — once estimated at between 30 and 50 members — began to decline after the headquarters was bombed in April 1969.

He quit the party last February to join the Army and was discharged after two months on grounds of "unsuitability" for military service. He is now employed by the U.S. Office of Economic Opportunity in a work training program at Soul Village.

In about March, 1970, after membership had dwindled because of the bombing, the local Panther organization ceased functioning because of a conflict with national Panther headquarters, De Patten told the congressional committee.

Some of the Des Moines leaders, he said, "wanted to pursue a hard-core Communist line," rather than identify themselves as "Marxists-Leninists," the label preferred by the national Panther party.

In the raid last Friday, referred to in the Knox-Rhem handbill, police broke into Knox's apartment — which he shared with Charles Edward

Smith, and confiscated a quantity of arms and ammunition.

Police Denial

Police Capt. Scott Crowley, chief of the Des Moines police investigations division, denied Friday that police, who were armed with search warrants, held anyone at gunpoint as alleged in the handbill.

He said that one officer out of each of the four-man squads was armed with a shotgun "but we held no one at gunpoint."

He said that police did "possibly break some windows out of the doors" and "kicked in" doors at three apartments, including Knox's.

Broke Locks

Crowley said that the search parties also broke locks on the door to a garage in the rear of the building.

A spokesman for the owner of the apartment building said that they were notified by police that the locks on the garage had been broken, but had not been notified of any damage to the building.

The building is owned by Mrs. Winifred Hoskins, 2021 Forty-eighth St.

During the raid last Friday, police had warrants to search the five apartments in the building, but did not find anything in two of the apartments.

In addition, they searched the Mobile Street Workers headquarters, 1210 University Ave., where nothing was confiscated.

Police said they went to the building after two "admitted Black Panthers" were arrested for armed robbery two weeks ago.

Police said the two men, Peter John Williams and Smith, who lived with Knox, apprehended in a car shortly after a \$900 holdup of McDonald's Drive-in restaurant, Thirty-second street and Forest avenue.

Smith, 19, identified by DePatten at Thursday's hearing as deputy minister of defense for the former Des Moines Panther unit, and Williams, 19, are both being held in the Polk County jail under \$26,000 bonds each awaiting preliminary hearings, set for Oct. 14.

Each is being held on \$25,000 bonds on armed robbery charges and \$1,000 each on charges of carrying a concealed weapon.

[Omaha World-Herald, October 13, 1970]

Probe in Iowa

Hiring of Red Cuts Off Money

Washington (AP)—The Kansas City office of Department of Health, Education and Welfare (HEW) has ordered all funds withheld from an Iowa agency which hired admitted Communist organizer Charles Knox as a youth counselor.

Regional director of HEW, Max Milo Mills, said Monday he sent a telegram to the Iowa Children's and Family Service in Des Moines notifying it that all funds would be cut off pending a full investigation into the hiring of Knox.

Knox, 25, was hired last Friday to counsel juvenile delinquents in the Model Cities area. The Iowa Children's and Family Service is a private agency which hold a government contract with the Model Cities agency.

Mills said the investigation was requested by Rep. William Scherle, R-Ia., who told him "it is apparent that no background check on Charles Knox had been made by the various funding federal agencies."

Knox's hiring set off a furor in the Des Moines City Council, all seven members of which pledged to have Knox dismissed or withdraw the contract from the agency.

Said Scherle: "It is a sad commentary that a malfunction in the administration may jeopardize the results and benefits of such a program. Once again, a multifunded federal project is incapable of reacting because of overlapping authority."

Mr. ROMINES. Sergeant, I will refer you to the date October 6, 1970, and ask you if the car that you have previously testified was supplied to Charlie Knox for use to pick up, as I understand it, groceries or staples for the breakfast program, was utilized for any other purpose?

Mr. GLADSON. This car came to our knowledge from a police officer who reported that at 6:15 p.m. on 10-6-70 a black female was passing out a handbill at the location of 25th and University in Des Moines, Iowa.

Mr. ROMINES. Was she using this car?

Mr. GLADSON. This car was the car which she got back into and drove away.

Mr. ROMINES. How were you able to ascertain that the car she was driving was the car given to Charlie Knox for the purposes of picking up food?

Mr. GLADSON. Through the officer's report the license plate number was checked out. It came back registered to the Iowa Children and Family Services as one of their fleet cars.

Mr. ROMINES. Were you able to identify the woman?

Mr. GLADSON. No, we were not.

Mr. ROMINES. Were you able to acquire a copy of the paper that she distributed that day?

Mr. GLADSON. Yes.

Mr. ROMINES. Were you able to acquire all of it?

Mr. GLADSON. No, just a portion of it.

Mr. ROMINES. Were you able to acquire the masthead on the paper?

Mr. GLADSON. Yes. It is *People's American Daily News*, first revolutionary daily newspaper of the American working class and people, produced under the leadership of the American Communist Workers Movement, Marxist-Leninist.

Mr. ROMINES. Does it indicate volume number?

Mr. GLADSON. It is volume No. 1, No. 3, Thursday, October 3, 1970.

Mr. ROMINES. That would indicate that is the third issue of that paper; is that correct?

Mr. GLADSON. Yes.

Mr. ROMINES. I hand you what has been marked Committee Exhibit No. 10 and I ask you, first of all, what it is.

Mr. GLADSON. That is a copy of a newspaper.

Mr. ROMINES. What is the title of the newspaper?

Mr. GLADSON. *American MASS LINE*.

Mr. ROMINES. And what is the first statement in that newspaper in bold type?

Mr. GLADSON. "COMING OCTOBER 1ST: 'PEOPLE'S AMERICA DAILY NEWS!'"

Mr. ROMINES. Mr. Chairman, I would ask at this time that Committee Exhibit No. 10 be included in the record.

Chairman ICHORD. There being no objection, it will be included in the record.

(Document marked Committee Exhibit No. 10. See appendix A, pages 5012-5015.)

Mr. SCHERLE. Mr. Counsel, will you yield at that point? Was said party alone at the time?

Mr. GLADSON. Pardon?

Mr. SCHERLE. Was said party alone at the time she was in the car?

Mr. GLADSON. She had two small children in the car; there was no other adult with her.

Mr. ROMINES. Do you know to whom she was passing out the literature, Sergeant?

Mr. GLADSON. People walking along the sidewalk in this area.

Chairman ICHORD. If I may intervene there, Mr. Counsel, what relationship does this incident of passing out the *American MASS LINE*, and what was the name of the other paper?

Mr. GLADSON. The *People's America Daily News*.

Chairman ICHORD. What is the relationship of this incident to the family welfare service?

Mr. ROMINES. It is my understanding, Mr. Chairman, based on the witness' testimony, that the car was given or loaned to Mr. Knox for the exclusive purpose of picking up food to take to the breakfast program. Yet that same car was being utilized, at least on this one occasion, to pass out the type of literature which has just been described and testified about.

Chairman ICHORD. You identified the car, but you have not identified the woman?

Mr. GLADSON. No, sir. The car was checked out; it was signed out that evening to Charlie Knox.

Chairman ICHORD. Proceed, Mr. Counsel.

Mr. ROMINES. Sergeant, while the Black Panther Party was in existence, did they conduct any what have been termed political education classes?

Mr. GLADSON. Yes.

Mr. ROMINES. Where were those classes taught?

Mr. GLADSON. At 1207 11th and 1210 University.

Mr. ROMINES. Were any ever taught at 1416 University?

Mr. GLADSON. Yes.

Mr. ROMINES. Who taught the classes?

Mr. GLADSON. Charlie Knox and Mary Rhem.

Mr. ROMINES. Can you basically relate to the committee the substance of classes?

Mr. GLADSON. They were dealing with the Marxist-Leninist red Mao book of communist teaching.

Mr. ROMINES. Does the Black Revolutionary Communist Youth presently conduct any classes?

Mr. GLADSON. They are starting them up at present, yes.

Mr. ROMINES. Have they actually started them or are they in the process of starting them?

Mr. GLADSON. They are in the process; they have passed out the literature announcing the study group plan.

Mr. ROMINES. Have they announced who will conduct the classes?

Mr. GLADSON. One Charlie Knox and Mary Rhem.

Mr. ROMINES. Sergeant, have any police officers been killed in Des Moines by members of the Black Panther Party?

Mr. GLADSON. No.

Mr. ROMINES. Any members of the Black Panther Party been killed by police officers?

Mr. GLADSON. No.

Mr. ROMINES. While the Black Panther Party was in existence do you know whether any members of the party made any speeches for which they were paid?

Mr. GLADSON. I do not know whether they were paid, no.

Mr. ROMINES. Do you know whether they made any speeches?

Mr. GLADSON. Yes.

Mr. ROMINES. Who were the principal spokesmen?

Mr. GLADSON. Charles Knox, Michael Benjamin Smith, and a Michael Harris.

Mr. ROMINES. Where did they speak?

Mr. GLADSON. They spoke at Grinnell College, Grinnell, Iowa; they spoke at Drake University; they also spoke at a meeting held in Minneapolis, Minnesota.

Mr. ROMINES. Do you know of any other locations where they spoke?

Mr. GLADSON. No.

Mr. ROMINES. Sergeant, this committee received certain testimony last Thursday pertaining to a fire at Jewett Lumber Company on October 10, 1968. Do you have any information on that fire?

Mr. GLADSON. Yes, I do.

Mr. ROMINES. Could you tell the committee briefly what happened?

Mr. GLADSON. That was a fire at the Jewett Lumber Company, and damage was in excess of \$500,000. Subsequently there were five arrests.

Mr. ROMINES. Let me interrupt you at this point. Was it ever definitely determined whether the fire started accidentally or whether it was by arson?

Mr. GLADSON. It was an arson fire.

Mr. ROMINES. Proceed.

Mr. GLADSON. Subsequently there were five arrests of a Terry McDonald, who was charged with arson; a Calvin Johns, Jr., charged with arson; Joe Anna Cheatom, charged with arson; Melvin Cheatom, her son, charged with arson; and a Charles Knox, charged with arson.

Mr. ROMINES. What was the disposition of these cases?

Mr. GLADSON. One Calvin Johns, Jr., was found guilty and sentenced to 10 years in the men's reformatory.

Mr. ROMINES. What type of plea did he enter?

Mr. GLADSON. He entered a guilty plea.

Mr. ROMINES. How about the charges with respect to the other individuals?

Mr. GLADSON. The charges were dismissed against the other individuals on a point of law.

Mr. ROMINES. What was that point of law?

Mr. GLADSON. It concerns having corroboration of two witnesses on the other parties.

Mr. ROMINES. What does Iowa law require in a case like this?

Mr. GLADSON. It requires having two corroborating witnesses on the other parties involved in the act.

Mr. ROMINES. I would assume you only had one corroborating witness; is that correct?

Mr. GLADSON. We had two to start with, Terry McDonald and Calvin Johns, Jr. They both stated their part in the fire. At the time of

trial Terry McDonald refused to testify, and it was the point of law that we had only one corroboration. The charges were directed not guilty against the other three. He himself was—also the charge was dismissed.

Mr. ROMINES. Sergeant, in early 1970 was there a boycott of a supermarket in Des Moines known as Griger's?

Mr. GLADSON. Yes, there was.

Mr. ROMINES. Could you relate to the committee briefly the circumstances of that boycott?

Mr. GLADSON. It was Griger's Food Market located at 1317 Forest, Des Moines, Iowa. It happened in February, the week of the 16th, 1970. They picketed the store with reference to excessive prices of food.

Mr. ROMINES. When you say "they" to whom are you referring?

Mr. GLADSON. I am speaking of black parties in the community there.

Mr. SCHERLE. Will counsel yield for a moment? As to the Jewett Lumber Company, where were these five people you mentioned employed?

Mr. GLADSON. Terry McDonald was from Waterloo, Iowa, along with Calvin Johns, Jr., from Waterloo, Iowa. They were unemployed. Joe Anna Cheatom, she is involved in welfare work.

Mr. SCHERLE. Could you explain that, involved in welfare, a recipient or administrator or what?

Mr. GLADSON. She was involved in this Black Mobile Street Workers organization.

Mr. SCHERLE. At a salary?

Mr. GLADSON. She gets a salary; she is one of the founders. Her son Melvin, he was only, I think, 15 at the time, and Charlie Knox was holding his position in the Black Panther Party, unemployed.

Mr. SCHERLE. Was Charlie Knox a former VISTA employee?

Mr. GLADSON. He came to Des Moines, Iowa, from Chicago employed as a VISTA worker.

Mr. SCHERLE. This is a part of the antipoverty agency, OEO.

Mr. GLADSON. Correct. He left the program and since has stayed in Des Moines, Iowa.

Mr. ROMINES. We were discussing the boycott at Griger's, Sergeant. I believe you indicated the boycott was essentially by blacks in the neighborhood; is that correct?

Mr. GLADSON. Yes, it was being picketed by individuals whom we identified as a Steve Green; a Michael Smith, who is a known Black Panther; Charlie Knox, a known Black Panther; and one Gabe Taylor, who is the director of the Gateway Opportunities Center. He was involved in the picketing.

Mr. ROMINES. Approximately how many pickets would have been involved, Sergeant?

Mr. GLADSON. Probably altogether it lasted for several weeks. There were probably 20 involved in the picketing on this.

Mr. SCHERLE. Counsel, once again if I may interrupt, some of these names you have mentioned, are they not affiliated with local poverty agencies in Des Moines or CAP agencies?

Mr. GLADSON. Gabe Taylor is; he is the director of the Gateway Opportunities Center.

Mr. SCHERLE. And some of these people were involved in this boycott for weeks?

Mr. GLADSON. They were involved in the picketing.

Mr. SCHERLE. Who runs the OEO agency in Des Moines; who is in charge of that agency?

Mr. GLADSON. Mr. Tyson is the State director of it.¹

Mr. SCHERLE. Doesn't he oversee any of these things located right in Des Moines? Do you have any rapport at all with the director of OEO in Des Moines?

Mr. GLADSON. Things have come to our attention which we have directed to their attention.

Mr. SCHERLE. How in the world could a situation like this happen where a CAP agency would be involved in picketing and yet the director would do nothing about it for weeks?

Mr. GLADSON. Along with being involved in the picket, sir, an OEO van was used in transportation of persons that was going to frequent this food market. They were placed in this van and taken to another market to do their shopping.

Mr. SCHERLE. You mean because the people in that general area felt that the prices were too high in this store the federally funded OEO agency in Des Moines allowed them to use a van to transport those prospective customers from one store to another?

Mr. GLADSON. The van was being used, yes, sir.

Chairman ICHORD. It sounds to me like, Mr. Scherle, you had better be checking with the Committee on Education and Labor.

Mr. SCHERLE. Mr. Chairman, this is one thing that has bugged me ever since I have been on this committee. We have some agencies of government that are multiple funded which are really tentacles of the parent organization and end up being nothing more than rich step-children without any parental guidance. Nobody knows exactly what one agency is putting in or what is put in by the other agency, no one has jurisdiction over any governing procedures or expenditures as far as that agency is concerned and they just run.

You are right. We have got to make changes and we have suggested numerous times both to Don Rumsfeld who heads up the OEO program, we have suggested to the Labor Department, suggested to HEW that this method of funding be discontinued. We haven't been proved successful. I think we have to exercise our options just a little bit more stringently.

Was a Joe Anna Cheatom involved in this picketing, too, Sergeant?

Mr. GLADSON. Not to my knowledge, sir.

Mr. SCHERLE. Counsel, proceed.

Mr. ROMINES. Were there ever any incidents, other than peaceful picketing, at Griger's during this period of time?

Mr. GLADSON. Yes, there was.

Mr. ROMINES. Would you explain to the committee what happened?

Mr. GLADSON. That was on February 16, 1970, 7:13 p.m. in the evening. A group of 15 to 20, most of them colored male juveniles, swarmed into the store, Griger's Food Market, raking merchandise off the counters onto the floors. They subsequently took lighter fluid

¹ In light of several references to the operation of the Office of Economic Opportunity in the State of Iowa, Hon. Richardson Preyer, subcommittee chairman, directed a letter on Dec. 1, 1970, to Mr. Robert F. Tyson, director, Iowa State Office of Economic Opportunity. The letter was to afford Mr. Tyson the opportunity to voluntarily appear as a witness before the subcommittee to testify concerning the administration of OEO programs in Iowa. See appendix C, pp. 5113, 5114, for a copy of that letter and a copy of the letter dated Dec. 14 from Mr. Tyson declining the invitation.

for starting charcoal bricks, started fires in the rear of the store, doing approximately \$700 damage to the store.

Mr. ROMINES. What did they do after they started the fires?

Mr. GLADSON. They exited out of the store, and the majority of the individuals involved ran to the Gateway Opportunities Center.

Mr. SCHERLE. They ran out of the store to the OEO center?

Mr. GLADSON. Yes.

Mr. SCHERLE. For shelter?

Mr. GLADSON. There was a doings going on at the OEO center, the Gateway Opportunities Center, and they run into the midst of the crowd and subsequently we could not get identification on them.

Mr. SCHERLE. The taxpayers have provided quite a haven for them. haven't they?

Mr. GLADSON. Yes, sir.

Mr. ROMINES. Sergeant, has there been any dynamite stolen in the Des Moines area in 1970?

Mr. GLADSON. Yes, there has.

Mr. ROMINES. When was that dynamite stolen?

Mr. GLADSON. It was stolen on May 5, 1970.

Mr. ROMINES. From where was it stolen?

Mr. GLADSON. From Quick Supply; it is a dynamite supply warehouse on northwest 66th and Tonie Drive, Ankeny, Iowa.

Mr. ROMINES. How far is that from Des Moines?

Mr. GLADSON. Just outside the Des Moines city limits.

Mr. ROMINES. Were you called to investigate the theft of the dynamite?

Mr. GLADSON. The original investigation was handled by the Pope County sheriff's office.

Mr. ROMINES. Go ahead.

Mr. GLADSON. There was a thousand pounds of dynamite stolen, 20 cases, along with 12 cartons of electric dynamite caps with 50 caps per box.

Mr. ROMINES. Were you subsequently apprised of the results of the investigation?

Mr. GLADSON. Yes.

Mr. ROMINES. That would be by the Pope County sheriff's office; is that correct?

Mr. GLADSON. Yes.

Mr. ROMINES. Did they tell you anything about how the cases of dynamite could be identified?

Mr. GLADSON. It was by lot numbers on the boxes of the dynamite and the caps.

Mr. ROMINES. Would each case of dynamite, then, have an individualized lot number on it?

Mr. GLADSON. Yes.

Mr. ROMINES. How about if the dynamite is taken out of the case, is there any way it can be identified?

Mr. GLADSON. It is unidentifiable after it is removed from the case.

Mr. ROMINES. Did you ascertain the size of the sticks of dynamite contained in the case?

Mr. GLADSON. The sticks was 2½ inches in diameter by 16 inches in length.

Mr. ROMINES. Who manufactured the dynamite?

Mr. GLADSON. It was manufactured by du Pont Red Cross Dynamite Company.

Mr. ROMINES. What is the composition of that dynamite, Sergeant?

Mr. GLADSON. It is 50 percent nitroglycerine.

Mr. ROMINES. Sergeant, did you make any attempt to ascertain from du Pont whether this 16-inch by 2½-inch dynamite is a common size dynamite?

Mr. GLADSON. It is a very uncommon size of sticks and it was a special order placed by Quick Supply.

Mr. ROMINES. Is that a rather unusually large size?

Mr. GLADSON. Yes.

Mr. ROMINES. What basically would dynamite that large be used for?

Mr. GLADSON. That is quarry blasting dynamite.

Mr. ROMINES. Did you ascertain from the manufacturer of the dynamite whether anybody else had placed any orders for dynamite that size in 1970?

Mr. GLADSON. It was the only order of its size and type manufactured on a special order.

Mr. ROMINES. Have there ever been any arrests for the actual theft of the dynamite from Quick?

Mr. GLADSON. No.

Mr. ROMINES. I direct your attention to the date May 13, 1970, and ask you what if anything occurred on that date?

Mr. GLADSON. The Des Moines Police Department was bombed by the use of dynamite at 4:10 a.m. in the morning.

Mr. ROMINES. You say by the use of the dynamite. How were you able to ascertain it was in fact blown up by dynamite?

Mr. GLADSON. Through the experts on the laboratory analysis from the Federal Alcohol, Tobacco Tax.¹

Mr. ROMINES. How much damage was done to the Des Moines Police Department?

Mr. GLADSON. In excess of \$200,000.

Mr. ROMINES. Could you describe just briefly for the committee what happened, where the dynamite was placed, and what was damaged?

Mr. GLADSON. It was placed on the southwest corner of the police department directly beneath the police communications center. The blast subsequently went into the basement of the building knocking out complete communications service, electrical power, and phone lines. There were minor injuries to several occupants, one police officer, and one civilian employee of the police department.

Mr. ROMINES. Have there been any arrests, Sergeant, for the bombing of the police department?

Mr. GLADSON. No.

Mr. ROMINES. I direct your attention to the date May 15, 1970, and I ask you what if anything occurred on that date?

Mr. GLADSON. There was an arrest of four individuals in a car stopped by a uniformed officer.

Mr. ROMINES. For what reason were the four individuals stopped in the car?

¹ Reference is to Alcohol, Tobacco, and Firearms Division of Internal Revenue Service.

Mr. GLADSON. There had been an armed robbery and the police car was proceeding to the area. The description of the individuals was given out, he saw this car, and he stopped it for investigation purposes.

Mr. ROMINES. Was there ever any connection established between the armed robbery and these four individuals?

Mr. GLADSON. No, there was not.

Mr. ROMINES. What, if anything, was found when this car was stopped?

Mr. GLADSON. A box of electric dynamite caps containing 50 caps was found in the car.

Mr. ROMINES. Was there any attempt to ascertain whether these electric caps were the same electric caps that had been stolen from Quick Supply?

Mr. GLADSON. Yes, there was.

Mr. ROMINES. Were they the same caps?

Mr. GLADSON. They were from the same shipment to Quick Supply.

Mr. ROMINES. You say four individuals were in the car. What has happened as a result of finding the caps in their car? Were there any charges against those four?

Mr. GLADSON. Yes, there were charges placed against the four.

Mr. ROMINES. What was the result?

Mr. GLADSON. One Archie Simmons was charged with illegal possession of explosive devices.

Mr. ROMINES. Would this be under a State statute?

Mr. GLADSON. Yes. And receiving and concealing stolen property. He has had his trial; he was found guilty by jury and sentenced to 5 years in prison on the possession of explosive devices. The charge of receiving and stealing is still pending.

Mr. ROMINES. How about the other three individuals?

Mr. GLADSON. The second one, Michael Smith, is to be brought to trial. At the time of his trial he was 16. He has not since been seen. We have not been able to bring him to trial; we have a warrant for him.

Mr. ROMINES. He is a fugitive then?

Mr. GLADSON. Correct.

Mr. ROMINES. How about the other?

Mr. GLADSON. The third party is a Mary Rhem. She is awaiting trial at present, out on bond; and a David Colton awaiting trial, out on bond.

Mr. ROMINES. Following the arrest of these four individuals in the car, did you take any further steps to see if you could locate any of the dynamite?

Mr. GLADSON. We did. We, through our investigation, obtained a search warrant, went to the residence of 1240 12th, known to us as Archie Simmons', one of the individuals in the car, address. Subsequently we found three cases of dynamite stored in the closet of his one-room apartment containing 150 pounds of dynamite.

Mr. ROMINES. Were you able to ascertain whether these three cases of dynamite found in Archie Simmons' apartment were from the same shipment of dynamite that had been stolen from Quick Supply?

Mr. GLADSON. It was ascertained they were from the shipment stolen from Quick Supply.

Mr. ROMINES. How were you able to ascertain they were from the same source?

Mr. GLADSON. Through the allotment number and the manufacturer's number.

Mr. ROMINES. Was Archie Simmons a member of the Black Panther Party?

Mr. GLADSON. Yes.

Mr. ROMINES. Was Michael Smith a member of the Black Panther Party?

Mr. GLADSON. Yes.

Mr. ROMINES. Was Mary Rhem a member of the Black Panther Party?

Mr. GLADSON. Yes.

Mr. ROMINES. How about David Colton?

Mr. GLADSON. No, not a known member.

Mr. ROMINES. I direct your attention now, Sergeant, to the date May 22, 1970, and I ask you what if anything happened on that date.

Mr. GLADSON. The Ames Police Department—Ames, Iowa, which is located approximately 30 miles north of us—was blown up at 9:30 in the morning.

Mr. ROMINES. Can you describe to the committee the damage done to the Ames Police Department?

Mr. GLADSON. It was in excess of \$50,000. It is a small municipal police, court, and city hall building. There was several parties seriously injured and subsequently, through investigation, the blast was determined to have been caused through a dynamite explosion.

Mr. ROMINES. Who conducted that investigation, Sergeant?

Mr. GLADSON. The Ames Police Department. We assisted, along with the Federal Alcohol, Tobacco, and Firearms Division.

Mr. ROMINES. Have there been any arrests for the explosion at the Ames Police Department?

Mr. GLADSON. No, there have not.

Mr. ROMINES. I direct your attention to the date June 13, 1970, and ask you what, if anything, occurred on that date?

Mr. GLADSON. On June 13 there was another bombing in Des Moines, Iowa, of the Chamber of Commerce Building, located at 800 High Street.

Mr. ROMINES. Would you describe for the committee what happened there?

Mr. GLADSON. A dynamite charge—

Mr. ROMINES. You say dynamite charge. How were you able to ascertain it was a dynamite charge?

Mr. GLADSON. Through the experts.

Mr. ROMINES. Would this be the same experts you previously indicated as the Alcohol, Tobacco, and Firearms Division?

Mr. GLADSON. Yes. A dynamite charge was placed in the stairwell at the basement of the west side of the building, causing extensive damage to the building—in excess of \$80,000.

Mr. ROMINES. Have there been any arrests for the explosion at the Des Moines Chamber of Commerce?

Mr. GLADSON. No, there have not.

Mr. ROMINES. Did anything else occur on that date, Sergeant?

Mr. GLADSON. That same date we had a burglary of the Holm gun shop, located in the 1500 block of Clark in Des Moines, Iowa. Approximately 60 weapons, hand guns and rifles, and ammunition were stolen.

Mr. ROMINES. Do you know what time this happened?

Mr. GLADSON. Officers checked the building at approximately 3:30, and after the explosion they rechecked the building. It was found about 5:30.

Mr. ROMINES. You say 3:30. Is this a.m. or p.m.?

Mr. GLADSON. A.m.

Mr. ROMINES. And after the explosion it was about 5:30 a.m.?

Mr. GLADSON. Correct.

Mr. ROMINES. The burglary had occurred?

Mr. GLADSON. Yes.

Mr. ROMINES. I direct your attention now, Sergeant, to the date of June 21, 1970, and I ask you what if anything happened on that date?

Mr. GLADSON. On June 21 an explosive boobytrap device was found.

Mr. ROMINES. How was that boobytrap found?

Mr. GLADSON. It was—a call was received by the dispatcher of the police department stating that someone had seen a person go beneath a freeway bridge on Cottage Grove with a box or package and seen them exit without same. The uniform officers were sent.

Mr. ROMINES. Was this an anonymous phone call?

Mr. GLADSON. Yes, at 3:30 a.m. Uniformed officers were sent. They located a metal tool box, a Stylecraft with a drawer in the top of same, located up under the beam of the bridge.

Mr. ROMINES. Was this on the ground?

Mr. GLADSON. No. It was hidden up in the bridge structure.

Mr. ROMINES. So they had to reach up to get it?

Mr. GLADSON. Yes. Luckily no police officers died because of this. There was a string attached to a wood sliver on a connecting device, connected to a battery. Lifting of the tray would pull the sliver from the connection. There were two sticks of 2½- by 16-inch dynamite, along with nuts, bolts, nails, metal brushes.

Mr. ROMINES. Is this the same size dynamite stolen from Quick Supply?

Mr. GLADSON. It is the same size, yes.

Mr. ROMINES. Were you ever able to ascertain who put the boobytrap there?

Mr. GLADSON. No, we were not.

Mr. ROMINES. Have there ever been any arrests?

Mr. GLADSON. No.

Mr. ROMINES. I direct your attention to the date June 29, 1970, and I ask you what if anything occurred on that date?

Mr. GLADSON. We had an explosion at Drake University science hall, located at 2850 Forest in Des Moines, Iowa, at approximately 4 a.m. in the morning.

Mr. ROMINES. Were you able to ascertain what caused the explosion there?

Mr. GLADSON. It was ascertained that it was caused by a dynamite explosive device.

Mr. ROMINES. Who made the determination?

Mr. GLADSON. The Alcohol, Tobacco, and Firearms Division.

Mr. ROMINES. Approximately how much damage was done?

Mr. GLADSON. It was in excess of \$100,000 on that.

Mr. ROMINES. Have there ever been any arrests for the explosion at Drake University?

Mr. GLADSON. No.

Mr. SCHERLE. I know it is very difficult to apprehend these people. Is a pattern developing or anything as far as these explosions are concerned? What type of precautionary measures are being taken to not only prevent further damage but maybe capture these people?

Mr. GLADSON. As far as the prevention, sir, what we have tried to do on a local level is try to secure the supply houses, to have more security on the supply depots for this dynamite and explosives, which has been very lax as far as any security on them.

Mr. SCHERLE. Do we need additional legislation in Iowa?

Mr. GLADSON. I would say there should be some type of legislation passed for the sale and possession of dynamite relative to the purchaser and the storage of same, really.

Mr. SCHERLE. An excellent suggestion.

Mr. GLADSON. Also, while we were at this, I would like to make some comment with reference to some identifying marks that could be placed on the dynamite sticks as to a stamp or a lot number such as the box, because once it is removed from the box at present there is no way of identification.

Mr. SCHERLE. Counsel.

Mr. ROMINES. Sergeant, I now direct your attention to the date September 27, 1970, and I ask you what if anything occurred on that date?

Mr. GLADSON. There was an arrest of two individuals, one Peter Williams and Edward Charles Smith, for a robbery, armed robbery, of a McDonald drive-in at 32d and Forest in Des Moines, Iowa.

Mr. ROMINES. Were they actually apprehended during the course of the robbery?

Mr. GLADSON. They were apprehended a few minutes after the robbery had taken place.

Mr. ROMINES. Were they found with the money in their possession?

Mr. GLADSON. They were found with the money in their possession, along with two revolvers.

Mr. ROMINES. Was there any attempt, Sergeant, to ascertain where the revolvers came from?

Mr. GLADSON. One of the revolvers was in the possession of a Peter Williams, a known Panther. It was a .45 caliber pistol and it was traced back to the theft of Holm gun shop that happened on 6-13-70.

Mr. ROMINES. The same night the Des Moines Chamber of Commerce was bombed?

Mr. GLADSON. Correct.

Mr. ROMINES. Is Edward Charles Smith the same as Charles Smith? Are those two names used interchangeably?

Mr. GLADSON. Yes.

Mr. ROMINES. Where is Peter Williams from?

Mr. GLADSON. He is from Minneapolis, Minnesota.

Mr. ROMINES. Is he known by your police department as a member of the Black Panther Party from Minnesota?

Mr. GLADSON. Not from Minnesota; he is from our area. He lives at 1416 University with one Charles Knox.

Mr. ROMINES. Have any other individuals been apprehended who had weapons in their possession stolen from the Holm gun shop?

Mr. GLADSON. A Paul Walker was arrested on July 21 of 1970, and in his possession he had a pistol which was traced back to the theft of the guns at Holm gun shop. He does live at 1414 University in Des Moines, Iowa.

Mr. ROMINES. Was Paul Walker a member of the Black Panther Party while it was in existence in Des Moines?

Mr. GLADSON. He is an associate of Charles Knox, a close friend.

Mr. ROMINES. The name Charles Knox has been mentioned quite frequently this morning. Does he have any police record in Des Moines?

Mr. GLADSON. He has a record as follows: a charge of illegal possession of prescription drugs, which was dismissed, and the charge of arson, which was dismissed.

Mr. ROMINES. Could you speak up just a little bit, please.

Mr. GLADSON. The illegal possession of prescription drugs was dismissed; a charge of arson with reference to the Jewett fire was dismissed. He has been charged with unlawful assembly, resisting arrest, disturbing the peace and quiet by loud and profane language, assault and battery, and at present he is out on bond on the resisting arrest appeal.

Mr. SCHERLE. With that résumé of Charles Knox, to my chagrin I understand that he has just been recently appointed to a very responsible position in Des Moines.

Mr. GLADSON. His hiring has been announced at a \$7,000-a-year salary by the Iowa Children and Family Services to counsel, under the Model Cities program, to counsel juvenile delinquents.

Mr. SCHERLE. That depends on how he is going to counsel them.

Mr. GLADSON. This is why Des Moines, Iowa, is very concerned as to such a placing of a known person of his background, his militancy, and his beliefs. He is coming right out as a communist member. He is a known Black Panther organizer and he is being placed in a position of counseling youths.

Mr. SCHERLE. If I may continue, would the chief of police have recommended Charlie Knox for his latest position if he had been contacted?

Mr. GLADSON. If contacted—I will speak directly for the chief of police—he would not have recommended the hiring of Charles Knox.

Mr. SCHERLE. Would it be possible for this man's active background to be unnoticed in Des Moines by somebody who might have been unaware of his true identity?

Mr. GLADSON. There is no way that anyone around the area of Des Moines, Iowa, and the State of Iowa would not know Charlie Knox's beliefs and his background from the newspaper media.

Mr. SCHERLE. Who made this appointment?

Mr. GLADSON. It was made by the director of Iowa Children and Family Services; the director personally hired Charlie Knox. His name is Seales, I believe.

Mr. SCHERLE. Who?

Mr. GLADSON. Seales, I believe it is, just a moment.

Mr. SCHERLE. Scales?

Mr. GLADSON. Yes, sir.

Mr. SCHERLE. Sergeant, do you have any communications at all with the OEO as far as their hiring personnel without their checking their background with you first?

Mr. GLADSON. To my knowledge and also the chief's knowledge, we have not been asked for any background check with reference to the hiring of these individuals.

Mr. SCHERLE. Why?

Mr. GLADSON. Why, I can't answer that. It is available upon request; that is all you have to do.

Mr. ROMINES. Sergeant, on Thursday of last week the committee heard testimony from an individual named Clive De Patten. During the course of his testimony he made reference to the fact that he had been arrested, along with his brother and mother, by the Des Moines Police Department. Do you have any information on those arrests?

Mr. GLADSON. Yes, I do.

Mr. ROMINES. Could you relate them to the committee, please?

Mr. GLADSON. It was an involvement of a disturbance at a local Black Panther rally in Good Park and the arrest of several parties, including Charles Knox. They proceeded down several blocks to another area of 13th and University where Deputy Chief Teal, along with two uniform officers, was making a lawful arrest of several persons for intoxicated condition. Clive Lisbon De Patten came upon the scene, started giving the officers a verbal abuse. He was told to leave. There was an accumulation of other parties starting to congregate. He refused. At this point he was placed under arrest for unlawful assembly and after placed under arrest he resisted the officers, so the charges of resisting arrest and unlawful assembly were charged against him.

He subsequently has pleaded guilty, found guilty, paid on the unlawful assembly a \$50 fine or 10 days in jail, and on the resisting charge was a \$25 fine or 5 days in jail.

At the time of his arrest his mother, Evelyn De Patten, came upon the scene, getting involved with Deputy Chief Teal and the officers at the scene of their arrest. She engaged in very loud, verbal, profane abuse, and they charged her, arrested her for disorderly assembly. The brother came upon the scene, that is Edward. One of the officers made a quick record check and there was a wanted on him. There were traffic warrants, a warrant for his arrest on traffic charges. He was subsequently arrested and charged for the traffic warrants. He drove up to the scene, there was a "no driver's license" charge and a "no registration" on the vehicle and also "unlawful assembly." They were subsequently taken to trial and the dispositions as I told you.

Mr. ROMINES. I hand you what has been marked Committee Exhibit No. 11, which consists of several pictures. I would ask you to go through Exhibit 11 and identify each picture by page number, please.

Mr. GLADSON. Page No. 1 shows the three cases of dynamite that were recovered from Archie Simmons' apartment at 1240 12th.

Subsequently, page 2 shows the interior of the basement section of the Des Moines Police Department communications center equipment and the hole in the wall that was caused by the blast.

Mr. ROMINES. That would be the explosion—

Mr. GLADSON. At the Des Moines police station on May 13. That is shown on pages 2 and 3.

Mr. ROMINES. Is 3 the exterior or the interior of the building?

Mr. GLADSON. Page 3 is the interior, showing the damage, the hole, and the damage to the wall.

Mr. ROMINES. How thick is the wall that the explosion blew a hole through?

Mr. GLADSON. Roughly 3 feet. There is an inner wall and an outer wall and it is concrete outer construction and brick inner construction. Page 4 shows the exterior view of the damage at the blast site, causing a hole into the basement area of the police station. Page 5 shows some of the results from the damage; there were approximately 14 cars totally damaged by the blast. They were owned by individual police officers.

Mr. ROMINES. Would these have been cars outside the police station?

Mr. GLADSON. They were parked next to the building outside the police station. They were the personal cars. On page 6 is the interior of the basement of the chamber of commerce building showing some of the extent of damage.

Mr. ROMINES. That would be resulting from the explosion on June 13?

Mr. GLADSON. Correct. On page 7 is shown the basement stairwell where the explosive charge was set at the chamber of commerce building. On page 8 is a picture of the tool box with the dynamite and the structure of the box that was the explosive device found on June 21, 1970.

Mr. ROMINES. That would have been the attempted boobytrap?

Mr. GLADSON. The attempted boobytrap bomb, yes.

On page 9 is an exterior shot looking into the hole caused by the blast at Drake University. That was on June 29. Page 10 is the interior view looking out through the hole caused by the blast at Drake University, showing some of the extent of damage. Page 11 is an interior shot of the living room quarters of Charlie Knox at 1416 University.

Mr. ROMINES. When was that picture taken?

Mr. GLADSON. That was taken October 2 of 1970.

Mr. ROMINES. For what reason was the police department in the apartment of Charlie Knox?

Mr. GLADSON. There was a search warrant issued in search of automatic weapons and dynamite for the premises of 1414-16, which included Charlie Knox's upstairs apartment.

Mr. ROMINES. Were any automatic weapons or dynamite found in that apartment?

Mr. GLADSON. No automatic weapons or dynamite was found. There was confiscated two carbine rifles, one .270 rifle, two shotguns, and 600 rounds of ammunition.

Mr. ROMINES. To what page are you referring now?

Mr. GLADSON. Page 11.

Mr. ROMINES. What is contained in that picture?

Mr. GLADSON. It shows the mantel of Charlie Knox's living room.

Mr. ROMINES. Is there a weapon shown in that picture?

Mr. GLADSON. No. It shows the mantel on which the Mao "red book" and some pictures of Stalin and Mao and some of the Panther leaders.

Mr. ROMINES. What is the next picture?

Mr. GLADSON. Page 12 shows the bedroom—two beds and a weapon beside the bed, leaning against the chair.

Mr. ROMINES. What is the weapon?

Mr. GLADSON. That is the .270 rifle.

Mr. ROMINES. Was it loaded?

Mr. GLADSON. Yes. On page 13 is a shot of the interior into the dining room area, correction, that would be the living room area.

Mr. ROMINES. Were there any weapons shown in that picture?

Mr. GLADSON. Two weapons, a carbine and a shotgun, with a bandolier of shells wrapped around same.

Mr. ROMINES. Were those weapons loaded?

Mr. GLADSON. Yes, they were by the front window of the residence. On page 14 is the dining room area of the apartment, showing one shotgun along with a gas mask leaning against the wall.

Mr. ROMINES. Was that weapon loaded?

Mr. GLADSON. Yes. On page 15 is the dining room area, showing a shelf area where several clips of ammunition loaded in clips and some loose ammunition laying along with a rifle along the door casing.

Mr. ROMINES. Was that rifle loaded?

Mr. GLADSON. Yes.

Mr. SCHERLE. Counsel, if you will yield for a minute, you are probably undoubtedly aware of the brutal murder of the boobytrapped policeman in Omaha, Nebraska.

Mr. GLADSON. Yes, sir.

Mr. SCHERLE. By a suitcase which contained dynamite. He was, of course, killed and two of the others were very critically injured. Has any decision been made or any connection between the dynamite used in Omaha and that in Des Moines?

Mr. GLADSON. We have no absolute proof, sir. The Omaha Police Department did find some dynamite that had been removed from the cartons, and the size is 2½- by 16-inch sticks, but there is no identification marks of same to—

Mr. SCHERLE. Didn't you mention earlier that this is a very unusual size to begin with?

Mr. GLADSON. Yes.

Mr. SCHERLE. And it is the same type of dynamite, the same size as used in Omaha that was stolen in Des Moines?

Mr. GLADSON. The dynamite which they confiscated on the bomb itself I cannot say, but the dynamite which they recovered after the killing of the police officer on the boobytrap was of the same similar 2½-inch by 16-inch size. But it had been removed from the paper carton with the lot number. So there was no actual recourse by a court action with reference to evidence on this.

Mr. SCHERLE. The thing that interests me is that here once again those implicated have been OEO employees, in fact, two have been charged in Omaha, Nebraska, now for the murder of this policeman. There have also been other employees of OEO that are out on signature bonds; in fact one was suspended. He was not even terminated until I called attention to the fact that he was an employee of OEO. I have been very critical for a long time about the hiring practices, the leniency, and the lack of screening as far as OEO employees are concerned.

In fact, I have a confidential report here that I would like to read the last paragraph to you. It concerns the agenda for Social Dynamics, Incorporated, which is also another agency of the OEO, the poverty agencies.

On Friday night July 10, 1970, Mr. Willis gave his talk in his swimming trunks. He had a drink in his hand and put it on the table during this talk. There is no question that they are here to stir up trouble. People from the model cities area are paid \$2 per hour to come and listen to the talk. The next series is set for this next week at Soul Village, Des Moines, Iowa.

The registrar at the July 10 meeting was a James Thompson, ex-Des Moines policeman.

He is now with the OEO. Do you know this man?

Mr. GLADSON. James Thompson, yes. He was a detective for 22 years on the Des Moines Police Department.

Mr. SCHERLE. Why did he quit?

Mr. GLADSON. He resigned for personal reasons.

Mr. SCHERLE. What is his background?

Mr. GLADSON. As a police officer, you are talking about?

Mr. SCHERLE. Did he resign from the Des Moines Police Department—the reason I was asking this question is because in this confidential report it states here that he did resign, but it was under a cloud, and now, of course, he is employed by the OEO. So here a policeman, according to this confidential report, resigned under a cloud and is now employed by the OEO and associated with this group that was sent in, Roy Willis and William Boggs from Berkeley, California.

Mr. GLADSON. The latest I know on Jim, he is employed as a VISTA supervisor. As far as the reasons why he left the police department, I do not feel like I should be answering them at this time. You could contact the chief of police.

Mr. SCHERLE. I was not seeking information from you personally as to the derogatory nature which this confidential report states.

Let me ask you this: Do you know Mr. Tyson personally, the State director of the OEO?

Mr. GLADSON. I have met Mr. Tyson on a social level, yes.

Mr. SCHERLE. Have you ever discussed with Mr. Tyson the employment practices of OEO?

Mr. GLADSON. No, I have not.

Mr. SCHERLE. Since he won't come to you, do you think maybe you could go to him sometime and suggest that maybe he contact the police department, particularly where known questionable potential employees might be concerned, and give him the benefit of your knowledge?

Mr. GLADSON. We could offer our service and it would be up to Mr. Tyson to take benefit of it, sir.

Chairman ICHORD. To your knowledge have they ever contacted the police department for any rundown on an individual contemplated being hired by OEO?

Mr. GLADSON. No, sir, they have not.

Chairman ICHORD. Mr. Scherle, you speak of OEO employees and brought up specifically two of them being charged with the murder of a policeman. Are these OEO employees Federal employees as such or are they in OEO local poverty agencies?

Mr. SCHERLE. One was reported employed by the GOCA agency in Omaha and the other I think was by OIC, which also is another one of these multiple-funded agencies.

Chairman ICHORD. They are not Federal employees as such, but they are in programs being financed by Federal funds?

Mr. SCHERLE. Yes. And that is the reason why I have no patience at all as to why they can't be screened. Because the local police, the people on the local level, if they were sincere in their efforts—I am talking about the employers now, the various agencies—they would have no trouble at all going to the local agencies to find out if there is anything about this background that might be problematic or inevitable as time went on. In your opinion, would you say Mr. Tyson takes a soft line regarding the employment of radicals?

Mr. GLADSON. I don't feel like I would be in a position to answer that question, sir. I am not personally involved with the employment.

Mr. SCHERLE. If you don't, I will, because from what I have seen and heard, he does. I think this had better be changed and immediately. As a member of that committee, if he doesn't change it I will see that he is changed, believe me.

Mr. GLADSON. I might add, I know our local employers, such as Katz Drug and these other employers, run a record check through our system to qualify their employees. I would think that the Federal Government, on their level of employment, would do the same as a private enterprise.

Mr. SCHERLE. Apparently some of these guys are afraid of their job and would rather take unnecessary chances rather than make sure. This is one we are going to look into.

I appreciate your frankness.

Mr. ROMINES. Sergeant, I hand you what has been marked Committee Exhibit No. 12 and I ask you if you can identify that, please.

Mr. GLADSON. Yes, this is a handbill, a copy of a handbill which we gained through a source. It is being passed out by Charles Knox and Mary Rhem.

Mr. ROMINES. What is the date on that bill?

Mr. GLADSON. This is October 2, 1970.

Mr. ROMINES. Does it make any reference to the search warrant which was executed on, I believe, 1414 University last week?

Mr. GLADSON. Yes, it does.

Mr. ROMINES. I believe it indicates, does it not, that the FBI participated in the execution of that search warrant?

Mr. GLADSON. Yes, it does.

Mr. ROMINES. Did the FBI participate?

Mr. GLADSON. No, there were no Federal agencies involved.

Mr. ROMINES. Sergeant, there was one sentence marked on that first page. Would you read that into the record, please.

Mr. GLADSON [reads]:

We Communists are not afraid to express our political views and to wage struggle against fascism.

Mr. ROMINES. On the second page there are two paragraphs marked. I wish you would read those into the record, please.

Mr. GLADSON [reads]:

We further feel that the fascist attempts to intimidate us have failed for we intend to continue to disseminate Communist Literature (Mao Tse Tung Thought), support the Revolutionary Struggles of the World against Imperialism, and display our "Red Flag" supporting Red China and praising those whose "Blood" has been dripped for Freedom. Dare to Struggle—Dare To Win!! Advance Peoples Struggle!

It says:

For Obtaining More Revolutionary Literature Contact: Charles Knox or Mary Rhem [at] 1416 University, 2nd Floor.

Mr. ROMINES. Mr. Chairman, at this time I would ask Committee Exhibits Nos. 11 and 12 be admitted in the record.

Chairman ICHORD. There being no objection, they will be admitted.

(Documents marked Committee Exhibits Nos. 11 and 12, respectively. See appendix A, pages 5016-5032.)

Chairman ICHORD. First of all, Mr. Counsel, let me ask this question, Sergeant. This bears the date of October 2, 1970. Mr. Charles Knox, now he is the one recently employed by the OEO agency?

Mr. GLADSON. Yes, sir.

Chairman ICHORD. When was he employed?

Mr. GLADSON. It was announced last Thursday that he would be starting this Thursday, the 15th of October.

Chairman ICHORD. It was announced last Thursday?

Mr. GLADSON. Yes, the 8th of October.

Chairman ICHORD. When did this come into your possession?

Mr. GLADSON. That came into our possession the 6th of October.

Mr. ROMINES. By this, Mr. Chairman, are you referring to Committee Exhibit 12?

Chairman ICHORD. Yes, October 2, 1970, the document from which the sergeant just read.

Mr. GLADSON. It came into our possession the same day as the literature that was being passed out by the unknown female, with reference to the newly formed paper that is coming out.

Chairman ICHORD. You didn't know anything about his employment until October 8 when it was announced?

Mr. GLADSON. To this position, no. We have kept track of his past employment, but this is a new job.

Chairman ICHORD. I think, Mr. Counsel, you ought to read the entire document into the record.

Mr. ROMINES. Would you like the reporter to insert it in the record at this point?

Chairman ICHORD. Go ahead and read it in at this time.

Mr. ROMINES. You want me to read the entire document?

Chairman ICHORD. Yes.

Mr. ROMINES. The document is dated October 2, 1970:

DES MOINES; IOWA

WE WILL COMBAT THIS GROWING FASCISM!

ORGANIZE TO CHANGE THE WORLD! Organize To Change The World!

The More The REPRESSION—THE GREATER THE RESISTANCE!

IT IS RIGHT TO REBEL AGAINST ALL REACTIONARIES!

Again the Fascist authorities of Des Moines unjustifiably harassed the *Black Revolutionary Communist Youth* by ransacking our apartment while they were not at home (the brothers and sisters were serving the people by assisting with the Free Breakfast Program).

This fascist incident occurred on Friday, morning (October 2, 1970) about 8:30 A.M. Other apartments were raided in the process of the fascists looking for dynamite and blasting caps. Five apartments in total. These degenerates broke out windows, kicked in doors and held 3 sisters by gunpoint as hostages while they searched the apartments (including their children).

About 20 pigs pointing and waving shotguns on the apartment building (including the local (stupid) F.B.I. agents) and the masses trying to intimidate them—but their efforts were unsuccessful—the masses showed that they would not be intimidated. The masses of people that gathered around while these fascist attempted to intimidate the Black Communist Youth—Militantly opposed the fascist action of the Des Moines authorities. Brothers and Sisters begin to shout down the fascist and some exclaimed that "Blood debts to the People" must be paid with Blood".

The fascist also stole the "People's literature" consisting of "Red Books and our "Communist Newspaper—Mass Line", along with 2 Carbines (Rifles) and one 270 Rifle. This makes the 2nd time in 3 months that we have been raided in the dumb fascist's so-called search for dynamite and the same guns were taken before.

The fascist imperialists never cease to think that revolution is a conspiracy by a few people, and this is *ALWAYS THEIR DOOM*. Down with Fascism!

We Communists are not afraid to express our political views and to wage struggle against fascism. Our Politics Are The Politics Of Liberation, (Marxism-Leninism-Mao-Tse-Tung Thought). Our Struggle Is The People's Struggle.

As Chairman Mao Tse Tung has so Correctly said :

"I hold that it is bad as far as we are concerned if a person, a political party, an army or a school is not attacked by the enemy, for in that case it would definitely mean that we have sunk to the level of the enemy. It is good if we are attacked by the enemy, since it proves that we have drawn a clear line of demarcation between the enemy and ourselves. It is still better if the enemy attacks us wildly and paints us as utterly black and without a single virtue [sic]; it demonstrates that we have not only drawn a clear line of demarcation between the enemy and ourselves but achieved a great deal in our work."

"If they (the fascists) fight, we will wipe them out completely. This is way things are: if they attack and we wipe them out, they will have that satisfaction; wipe out some, some satisfaction; wipe out more, more satisfaction, wipe out the whole lot, complete satisfaction.

"If anyone attacks us and if the conditions are favorable for battle, we will certainly act in self-defense to wipe him out resolutely, thoroughly, wholly and completely (we do not strike rashly, but when we do strike, WE MUST WIN). We must never be cowed by the bluster of reactionaries."

"As far as our own desire is concerned, we don't want to fight even for a single day. But if circumstances force us to fight, we can fight to the finish".

"The oppressed peoples and nations must not pin their hopes for liberation on the "sensibleness" of imperialism and its lackeys. They will only triumph by strengthening their unity and persevering in their struggle."

We further feel that the fascist attempts to intimidate us have failed for we intend to continue to disseminate Communist Literature (Mao Tse Tung Thought), support the Revolutionary Struggles of the World against Imperialism, and display our "Red Flag" supporting Red China and praising those whose "Blood" has been dripped for Freedom. Dare to Struggle—Dare To Win!!

Advance Peoples Struggle!

For Obtaining More Revolutionary Literature Contact:

Charles Knox
or Mary Rhem
1416 University
2nd Floor

Also: We will be starting Marxist-Leninism-Mao Tse Tung-Study Groups [sic]
For Study Group Information: Contact The Above.

Revolution Is The Main Trend In The World Today.

Chairman ICHORD. What group, Sergeant, was this circulated among?

Mr. GLADSON. That was circulated around up in the black community by Charles Knox and his Black Revolutionary Communist Youth Party.

Chairman ICHORD. Mr. Scherle.

Mr. SCHERLE. And this man was hired to counsel juveniles?

Mr. GLADSON. Yes, sir.

Mr. SCHERLE. How stupid can you get? What effect, Sergeant, and you are a member of the Des Moines police force, what effect does the hiring of Charles Knox by Family Services have upon the morale of the Des Moines Police Department, in particular the contributions of policemen to this year's United Way Fund?

Mr. GLADSON. I believe that the United Way Fund, which is a big donor of this organization, is going to suffer greatly by members of the Des Moines Police Department, along with other citizens of the city of Des Moines. I for one, myself, will not donate to an organization which is sponsoring and hiring these individuals whom we have to combat in our everyday work.

Mr. SCHERLE. Would you say, since the Catholic Charities initially provided the headquarters to the Black Panthers and the Methodist Church has provided space for the breakfast programs where propaganda was distributed, that these people are naive in this regard as to what an outfit they are associated with?

Mr. ROMINES. I believe the testimony is that the breakfast program presently being maintained and operated at the Methodist Church is not being run by the Panthers or this black communist group, but rather Charles Knox is helping supply food. There is no education or propaganda at the Methodist Church; is that correct?

Mr. GLADSON. No, not at present. At the time the Catholic Charities made available this home or this house to be their headquarters, this was back in '68. I think the beliefs of this Black Panther Party, they were told it was to be a black union to benefit and help the black community. I think the people that supplied this house and who were giving donations to the cause were in earnest. I think at this time they thought—

Mr. SCHERLE. Would you say they were naive?

Mr. GLADSON. I would not want to use, really, the word "naive," I think that they were to the point—I talked to some of them—that they thought if there could be some good come out of it they would be willing to help. Since they found out the organization was not for the betterment of the community, they have withdrawn their support in funds.

Mr. SCHERLE. Sergeant, when Clive De Patten testified before this committee he initially said that they served no educational material. However, in the statement that we had and the question was pursued by one of the committee members, that they taught a great deal.

Mr. ROMINES. Mr. Scherle, we were talking about basically two different breakfast programs. In the breakfast program that was originally started and maintained by the Panthers at their headquarters they did distribute material and they did attempt to educate or indoctrinate the children. The breakfast program which is currently in effect, the one I just mentioned, the one sponsored by the Methodist Church, plus other affiliate organizations, is different in that the Pan-

thers or their successor group, the Black Revolutionary Youth Party, is not doing any teaching or indoctrination there.

Mr. SCHERLE. Are they still serving, are they responsible for the breakfast?

Mr. GLADSON. No, Charlie Knox is affiliated with them. But the program itself was taken by the Methodist Church on the merits that the children would have some type of a basic breakfast program before they started school.

Mr. SCHERLE. I can buy that.

Mr. GLADSON. There is no teaching involved in the program now. The teaching was started by the Black Panther Party back in late '68 and early '69. Financially they could not continue it because of withdrawal of the funds by their supporters. So this other organization has since taken it over.

Mr. SCHERLE. And you would consider it legitimate?

Mr. GLADSON. I would consider it legitimate with no basis of any political teachings or teaching of terrorist acts or anything to the youth. This basically now is what I would say is a good program.

Mr. SCHERLE. In other words, it is food for the stomach and not for the soul?

Mr. GLADSON. Correct.

Mr. SCHERLE. I have one other question. When De Patten was here he told the committee about giving political education in theaters where they showed movies. He said the movie was "Off the Pigs," and of course everybody knows what that means. He said they showed to packed houses until it was bombed.

Mr. ROMINES. He was referring to the Panther headquarters at that time.

Mr. GLADSON. The movie house consisted of the same house as the Black Panther program. They ate there, lived there, had their Black Panther classes there. They also had a movie projector and film and they showed these movies to participants who wanted to see it. That would be the movie house they are talking about, 1207 11th.

Mr. SCHERLE. Did they bomb it themselves?

Mr. GLADSON. This is from their own admissions by one Clive De Patten, which you had testimony from, along with Michael Smith, yes.

Mr. SCHERLE. I would like to add, to the surprise of practically no one, except those few diehard liberals in Des Moines' antipoverty programs who steadfastly refuse to recognize reality, Charles Knox, the Marxist militant, has once again shown his true colors.

Knox has had a long and shady history of involvement with the wrong side of the law, and an equally long and open career of association with revolutionary groups including the Black Panther and Communist Parties. Despite this—or possibly because of it—Knox has been wooed and courted by antipoverty officials. He has been variously employed by the Concentrated Employment Program and the Model Cities program, to name but two of the federally funded projects which have befriended him. Encouraged and coddled as he and his companions have been, it is not at all surprising that he despises his naive and misguided benefactors. Emboldened by their indulgence, he does not feel it necessary to treat his superiors even with elementary decency.

What is surprising, however, is the attitude of officials at the State and municipal level who should know better than to acquiesce in the employment of militant radicals. Some pleaded ignorance, thinking it more expedient to ignore such abuses than to acknowledge them. The mayor of Des Moines tried to sidetrack the issue by questioning the motives of anyone wishing to expose or eliminate the abuses. He dismissed the concern over the poverty programs as an election-eve move to discredit the OEO. "I hope," he said, "that they are as interested in these programs subsequent to the election." Confronted by such ostrich-like passivity and cynical indifference on the part of their elected officials, the people of Iowa will not let this issue lapse into oblivion. They have the right to expect their representatives in government to use their influence to root out destructive extremists from Iowa's antipoverty programs. This they have failed to do.

Mr. ROMINES. I would like to ask you a couple of other questions about this statement which I just read in the record. First of all, it indicates that the doors were kicked in; is that correct?

Mr. GLADSON. There were certain doors that were forcibly opened, as there was no occupants of the building and entry was gained through forcing locks on doors; yes.

Mr. ROMINES. Were there any windows broken?

Mr. GLADSON. One window.

Mr. ROMINES. How was that broken?

Mr. GLADSON. The jarring of the door when it was forced.

Mr. ROMINES. Was anybody held at gunpoint as a hostage?

Mr. GLADSON. No.

Mr. ROMINES. Also the release accuses the police department basically of stealing certain literature and certain weapons. Is that literature and are those weapons available for the Panthers to come back and pick up from the police department if they want?

Mr. GLADSON. They can put claim to their weapons through a legal process of claiming through the search warrant.

Mr. ROMINES. And they can be returned?

Mr. GLADSON. Through the courts, yes.

Mr. ROMINES. Sergeant, do you have any evidence of travel by Black Panther Party members, or members of organizations which have succeeded the Black Panther Party, between Des Moines, Iowa, Omaha, St. Paul, or Kansas City?

Mr. GLADSON. Yes, we do.

Mr. ROMINES. Would you relate that to the committee, please?

Mr. GLADSON. The day after the police department was bombed—

Mr. ROMINES. Is that in Des Moines?

Mr. GLADSON. In Des Moines, Iowa, which would have been May 13—it would have been May 14—Edward Charles Smith and a Gary Hogan and Peter Williams was stopped leaving what is known as the Sons of Malcolm headquarters in Kansas City, Missouri. They were in a car, a rental car rented by Charles Knox, and in their possession they had credit cards, on an oil company, in the name of Charles Knox.

Mr. ROMINES. Did you ascertain where they were going?

Mr. GLADSON. They arrived at the Sons of Malcolm headquarters in Kansas City and stayed there probably an hour. When they left they were stopped by the Kansas City Police Department.

Mr. ROMINES. You don't know where they came from or where they were going; is that correct?

Mr. GLADSON. No.

Mr. ROMINES. Who is Larry Hogan?

Mr. GLADSON. This is Gary Hogan. He is a 15-year-old from St. Paul, Minnesota.

Mr. ROMINES. Where is he now?

Mr. GLADSON. He is being held in St. Paul, Minnesota, on charges resulting from the explosion at a department store. Subsequent to the explosions around St. Paul and the Minneapolis area, three of them in one morning, subsequently he did not get away from the scene of the blasts soon enough and was injured.

Mr. ROMINES. Is he a member of the Black Panther Party?

Mr. GLADSON. He, I would say, is a member of the Black Panther Party or a very strong sympathizer, from the materials which was taken from his apartment with the list of all the known Black Panther headquarters and members of same.

Mr. ROMINES. Has he ever been in Des Moines? You indicate he is from St. Paul?

Mr. GLADSON. Yes, he was in Des Moines in the spring of 1970.

Mr. ROMINES. With whom did he stay while he was in Des Moines?

Mr. GLADSON. He, along with one James Lawson, stayed at 1416 University with Charles Knox.

Mr. ROMINES. Who is James Lawson?

Mr. GLADSON. And Peter Williams.

Mr. ROMINES. Excuse me; who is James Lawson?

Mr. GLADSON. James Lawson is the individual who was blown up in the explosion in Minneapolis, Minnesota, who was carrying a bomb down the street.

Mr. ROMINES. Where is he from?

Mr. GLADSON. Minneapolis, Minnesota.

Mr. ROMINES. Is he a member of the Black Panther Party?

Mr. GLADSON. I would say yes.

Mr. ROMINES. Has he ever been in Des Moines?

Mr. GLADSON. He was in Des Moines in the spring of 1970. He stayed at the address of 1416 University with Peter Williams and Charles Knox. He sought employment at a local railroad for a period of 8 days and left. We have traced him to Ames, Iowa. He gave a talk at the campus on the Black Panther Party. Subsequently they had their explosion of the police department in Ames. The police department was bombed. He dropped out of sight until the identification of him from Minneapolis as the person blown up in the bomb.

Mr. ROMINES. I have no further questions at this point, Mr. Chairman.

Mr. SCHERLE. Sergeant, from what we have heard this morning and from your investigation, do you see a pattern or a cooperation or maybe a conspiracy between Minneapolis, Des Moines, Omaha, Kansas City?

Mr. GLADSON. I would say there is a pattern of travel. As far as a conspiracy, I think the facts remain to be seen. As time goes by I think we can place these known to us as being in Des Moines around the times that we started having our explosions. We place them in Ames, Iowa, at the time of the explosion up there. They have been

in the Omaha area. They have been in Kansas City and since lately we are placing them back into their home grounds in Minneapolis and St. Paul where their explosions have just started.

Mr. SCHERLE. Just from what I have heard this morning and from what I have read, it seems to me that if the young militant had lived, the one that was bombed or blew up in Minneapolis, you might find he was present in Des Moines at the time of the bombings, in Ames, at Drake

As to the dynamite that was stolen in Des Moines, a very good case can be made that the same dynamite that was used to murder the policeman in Omaha came probably from the same lot number, the same stolen goods

Mr. GLADSON. Certainly I would say that you have a lot of circumstantial evidence based on association, time, place, and movement of these individuals along with your facts of explosions.

This is what we are running into as far as prosecution. We do not have enough to file a criminal charge on these individuals.

Mr. SCHERLE I realize the difficulty because it is a hit-and-run proposition all the time. Let me say this, in commendation: We have had many witnesses before us and I admire the amount of work, the interest, dedication, and the cooperation that we have seen by the Des Moines Police Department.

I am very proud of the work that they have done and hope that with the additional excellent legislation that you recommended this morning and maybe through the cooperation of the State and Federal local law enforcement people we can hold some of this bombing down.

Mr. GLADSON. Thank you, sir. On behalf of Chief Nichols of the Des Moines Police Department, we will continue our effort to proceed on the criminal nature of it and you help us with some laws and it might be beneficial for both of us.

Mr. SCHERLE. Thank you.

Chairman ICHORD. Thank you very much.

Mr. ROMINES. I have a few last questions, Mr. Chairman. First of all, I want to make sure the record is absolutely straight, Sergeant, on these last three names that you have mentioned. The individuals who were found in Kansas City that we have been discussing, who were the three?

Mr. GLADSON. Gary Hogan, Edward Charles Smith, and Peter Williams.

Mr. ROMINES. Is the name James W. Lawson, Jr., familiar to you?

Mr. GLADSON. James Lawson is the individual that came from Minneapolis area, that is deceased now through the explosion in Minneapolis last month.

Mr. ROMINES. Along the line Mr. Scherle raised, legislation that might be of help to local law enforcement agencies, on September 30, two bills were introduced in the House of Representatives, H.R. 18543 and H.R. 19544. The bills are identical, both introduced by the chairman of this committee, Mr. Ichord, cosponsored by a total of 41 Congressmen. The bills basically make it a Federal offense to use interstate commerce facilities to kill or feloniously assault any law enforcement officer or fireman engaged in the performance of his official duties or on account of his official duties. That is kind of a brief synopsis.

Have you had an opportunity to read either of these bills, Sergeant?

Mr. GLADSON. Yes, I have.

Mr. ROMINES. In your opinion, if enacted into legislation, would these bills be of benefit to your local police department?

Mr. GLADSON. I think they would be a benefit to any local police department because it seems like the policemen are becoming the main targets of these revolutionary type individuals and that they are crossing the State lines has become a proven fact. The communication and travel is so available they can be in Washington, D.C., Des Moines, Minneapolis, Kansas City. I think there is a definite need because of the jurisdictional lines that are being placed on the police department that the Federal Government can give us a helping hand with some legislation.

Mr. ROMINES. One of the features of these bills is that it provides for Federal assistance within 24 hours if the individuals who commit an offense are not apprehended by State or local authorities. Would the fact that you could obtain quick Federal investigatory assistance be beneficial?

Mr. GLADSON. I think it would be of a tremendous assistance to local police departments.

Chairman ICHORD. It does preserve prosecution in the State courts. I think that is a very desirable principal to preserve.

Mr. GLADSON. I think it is real good.

Chairman ICHORD. It is primarily the responsibility of local law enforcement officials and local forces to keep the peace.

Mr. GLADSON. The guidelines on the Federal laws or State laws usually run parallel to each other in the court system, and I think this would be a good benefit to bring it back into the State court system on the State level so you could have your jurisdiction.

Chairman ICHORD. I would make the announcement that tomorrow we will hear testimony from Mr. John J. Harrington, president of the Fraternal Order of Police. I have been in contact with the Fraternal Order of Police in the drafting of this legislation. As counsel points out, I am greatly concerned about the increasing attacks upon members of police departments. In the last 10 years we have had 561 enforcement officers feloniously murdered while performing their duty.

Last year there was a considerable increase. Eighty-six officers, I believe, were killed in the line of duty and 35,000 assaults, with 11,949 resulting in injury. I think it is time that the Federal Government take cognizance, not for the purpose of setting up a national police force, but to assist law enforcement agencies in the apprehension of such criminals, patterned along the lines of the Federal kidnaping act, which I think is very effective in combating kidnaping for ransom in the United States.

Mr. Scherle.

Mr. SCHERLE. Sergeant, are you familiar with the so-called King Alfred plan?

Mr. GLADSON. No, I am not, sir.

Mr. SCHERLE. That is all.

Chairman ICHORD. I have one more question, Sergeant. Did you testify as to the strength of the membership of the Black Panther Party in Des Moines at its peak period?

Mr. GLADSON. I would say at the peak period it was probably a hundred members, and it dwindled down to a point of when it was

dissolved, I would say, there was probably 6 to 10, at the most, of that active Black Panthers.

Chairman ICHORD. I haven't heard all of the testimony in regard to the various organizations that have been inquired into, but this seems to parallel what is happening all over the United States. There has definitely been a diminishing strength of Black Panther chapters.

Mr. GLADSON. To my knowledge, it has dwindled in quite a few of the cities in our immediate area through the Midwest.

Chairman ICHORD. Of course, there you say they don't have any organization. This seems to be because they failed to follow the guidelines of the national organization. But it does appear that you have the same group of people collecting together, working toward what might be described as similar objectives of the Black Panther Party.

Mr. GLADSON. I think we say it has been dissolved as far as the official record, but I think you are getting the Black Panthers moving in throughout the country into another line of organization which has the same thinking and policies behind it. It has the same, the main objective; they just call themselves different names, actually.

Chairman ICHORD. Do you have any further questions, Mr. Counsel?

Mr. ROMINES. No, sir.

Chairman ICHORD. If not, thank you very much, Sergeant, and thank you, Detective Martin, for your appearance here today. The committee will be in adjournment until 10 o'clock tomorrow morning, at which time we will hear Mr. Harrington.

(Whereupon, at 11:55 a.m., Tuesday, October 13, 1970, the subcommittee recessed, to reconvene at 10 a.m., Wednesday, October 14, 1970.)

BLACK PANTHER PARTY
Part 4
National Office Operations
and
Investigation of Activities in
Des Moines, Iowa, and Omaha, Nebr.

WEDNESDAY, OCTOBER 14, 1970

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C.
PUBLIC HEARINGS

The subcommittee of the Committee on Internal Security met, pursuant to recess, at 10:05 a.m., in Room 311, Cannon House Office Building, Washington, D.C., Hon. Richardson Preyer, chairman of the subcommittee, presiding.

(Subcommittee members: Representatives Richardson Preyer of North Carolina, chairman; Richard H. Ichord of Missouri, chairman of the full committee; and John M. Ashbrook of Ohio.)

Subcommittee members present: Representatives Preyer, Ashbrook, and Scherle.

Staff members present: Donald G. Sanders, chief counsel, and Stephen H. Romines, assistant counsel.

Mr. PREYER. We will resume our hearings on the Black Panthers. Mr. Counsel, you may call your first witness.

Mr. ROMINES. Mr. John Harrington.

Mr. PREYER. Will you raise your right hand, Mr. Harrington?

Do you solemnly swear the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HARRINGTON. I do.

TESTIMONY OF JOHN J. HARRINGTON, ON BEHALF OF
FRATERNAL ORDER OF POLICE

Mr. ROMINES. Mr. Harrington, I believe you have a prepared statement; is that correct?

Mr. HARRINGTON. Yes, I do.

Mr. ROMINES. Would you want to read that statement into the record at this time?

Mr. HARRINGTON. Yes, sir.

I am John J. Harrington, of Philadelphia, national president of the Fraternal Order of Police, the oldest and largest of national police

organizations. We have approximately 120,000 members, with more than 900 lodges in over 40 States. Our membership is composed of active police officers. Most of them are patrolmen, but our membership includes many high police officials.

Speaking for the Fraternal Order of Police, I wish to express my profound appreciation of the fact that Representative Ichord, chairman of the House Internal Security Committee, has introduced H.R. 19543 and H.R. 19544, which provide severe penalties for groups and persons who use interstate commerce for the purpose of slaying, wounding, or feloniously attacking police and firemen. We fully approve these measures and think that, if enacted, they will go far towards ending the guerrilla warfare which is being waged against police and society in this country every day. The police—the pigs, they are called by Black Panthers and other militants—are singled out because their function is to enforce the law and to protect the law-abiding citizens and their property. If they can demoralize the police and prevent them and the firemen from carrying out their duties, they will have gone a long way towards their ultimate objective of destroying our system.

Meanwhile, the Panthers and other militants, including some primarily white groups like the Weathermen and some factions of the Students for a Democratic Society, are carrying out vigorous propaganda campaigns which charge the police with brutality, fascism, and genocide aimed at the Panthers.

The Weathermen, incidentally, claim credit for recent bombings which have done a lot of damage. Amazingly enough, many prominent citizens, including moderate Negro leaders, have been taken in by these charges against police. After two Black Panthers were killed in a raid by police on Panther headquarters in Chicago last December, Panther spokesmen claimed that the police were engaged in a campaign of genocide against Panther members.

A party was given by Leonard Bernstein, famous as an orchestra director, at his home to raise money for the Panthers. This party was attended, and the cause approved, by Otto Preminger, noted motion picture director, and other celebrities. Arthur Goldberg, now running for the governorship of New York, said he would help with a committee to inquire into the circumstances of the shootout in Chicago. His statements indicated, in my judgment, the most tender solicitude for the civil rights of the Panthers. If he has any concern for the policemen who are being killed by militants almost every day, I have failed to read about it.

For Leonard Bernstein, I must say that he later repudiated the Panthers. If Goldberg did so, I haven't heard about it, nor have the moderate Negro leaders to my knowledge. I want to point out to them that the slaying of black policemen and black firemen is a part of the Panther objectives. All are "pigs" in the BPP version.

The Department of Justice got into the act in Chicago. It immediately empaneled a special Federal grand jury to inquire into the affair. This grand jury has since issued a report highly critical of police conduct in the shootout. Another grand jury was empaneled, and I would not be surprised if indictments against the officers involved in the raid follow.

I am not familiar with the details of the Chicago encounter. I do know that the Panthers systematically assemble weapons and muni-

tions to be used against the police. In Chicago, the police had a search warrant to look for weapons and munitions, and the papers reported that weapons and munitions were found.

What are the police of this country to do? Approximately 20 policemen have been killed without provocation this year. Not long ago, in my own city of Philadelphia, a gunman walked into a guardhouse and killed a long-time friend of mine, Sergeant Frank VonColln, who was sitting at his desk unarmed. He was a fine man and a fine officer. Six other policemen were wounded at about the same time. Since that time, a Cleveland policeman was murdered and another wounded. One also was shot down in cold blood not long ago by an assassin in Atlantic City. Everyday Black Panther spokesmen and other militants urge that policemen be murdered.

Let me read you what the national publication of the BPP, *The Black Panther*, had to say of the slaying of the Cleveland policeman in its issue of October 3d:

Joseph P. Tracz, Jr., 27, one of the Cleveland's Police Department Tactical Squad's pigs was known to have an outstanding record for getting lumpens (Panthers) felony charges. His pig partner, Frederick Fulton, 29, 18026, was known to have a contract on his head, put there by the lumpen in the area.

There follows a quote listing a point in the Black Panther platform, which says that all black people should arm themselves for self-defense to resist racist police oppression and brutality.

The article in *The Black Panther* continues:

At 2:00 AM Fulton and Tracz forced a gold Buick 225 over to the curb on E. 106th and Saint Claire Avenues. Fulton ran over to the driver's side and was greeted by a barrage of bullets. He was hit in the mouth, chest and the groin. (He is now in intensive care division of some hospital.)

Tracz jumped out with his gun in his hand and ran up on the passenger side where he was greeted by a second barrage of bullets, * * * the lumpen (in the correct manner) knocked the pig down, took his gun and fired into the pig, bang, bang, dead pig!

The lumpen escaped unharmed.

This and other revolutionary acts will continue to happen until community control of police is implemented throughout racist, fascist Babylon.

There is more to the article, but it parallels what I have already quoted. The Panthers murder one police officer in cold blood and shoot down another and boast about it openly.

J. Edgar Hoover has stated unequivocally that the Black Panthers are violating the law, and yet when I wrote the Attorney General about the matter, I got a mild reply from somebody down the line, saying that an investigation was being held. This is disgusting to myself and most other police officers. Here we have an administration, supposedly dedicated to the bringing about of law and order, but no recommendators to put a stop to the nationwide conspiracy aimed at the police by the Black Panthers and others like them have come from the White House and the Department of Justice. The Department, however, rushes out the minute that the Panthers raise the cry of violation of civil rights and genocide in Chicago. I thank God that we have men in Congress like Representative Ichord and others who see the implications and consequences if the Panthers are allowed to carry out their murderous and revolutionary program.

This committee has a hard task. It is the habit of liberal papers like *The Washington Post*, the *New York Times*, and the *St. Louis Post-Dispatch* to assail this body as useless and engaging in farcical activi-

ties. These papers, and others like them, and many of the great TV chains have always sneered at efforts to control, by law, such outfits as the Communist Party. The Supreme Court has agreed with them.

I am wondering, in the wake of the violence and disorders which have swept the college campuses and the streets, what these liberal newspapers and the TV chains, extremely prosperous most of them, are thinking now. Insofar as I can see, their views have not changed. The TV chains list to the left and so do many of our influential newspapers. *The Washington Post* and the *New York Times*, for example, call constantly for an end to the conditions which cause crime, poverty, ignorance, and discrimination. I oppose all these conditions but, in view of our actual situation today, this advice amounts to prattle. It is like calling for the immediate acceptance, the country over, of the Golden Rule. I wish some of the liberal spokesmen would explain to me why, during other times when the country was a good deal poorer than it is now and there was more discrimination, there was much less crime.

The reality is that efficient police forces and swift and objective court action against the criminal must be employed if the rise in crime is to be curbed. The court decisions which surround and protect the criminal with a veritable maze of technicalities must be reversed. They not only make it much harder to convict the accused, they encourage many to become lawbreakers in the belief that crime does pay.

There is a place and a most important one for the House Internal Security Committee. The Ichord bills provide life imprisonment or death for anyone who kills a policeman or fireman by traveling in interstate commerce or using the facilities of interstate commerce. They provide a term of imprisonment of up to 10 years for a felonious assault upon a policeman or fireman if interstate commerce is involved.

If such a law is enacted, it will, in my opinion, put the Black Panthers and other extremist groups out of business, and they should be put out of business. If the people who govern this country can't stop a guerrilla warfare aimed at overthrowing their society, we are lost. The alternative is a dictatorial government. The people aren't going to put up indefinitely with a situation where they are not safe in the streets, their homes, or in their places of business.

(At this point, Mr. Scherle entered the hearing room.)

Mr. HARRINGTON. Speaking for the Fraternal Order of Police and many other policemen, I feel I can say that the average law enforcement officer is fed up. His pay is poor, and the conditions under which he works become harder all the time. One comfort is that he feels he has the backing of the public; if only this backing could be organized and made more effective. I see, however, that many former liberal politicians who used to pat the indulgent students—verbally, of course—on the head and were always yelling about the Bill of Rights every time somebody talked about law and order have changed their tune. They are finding virtue in effective law enforcement and are shying away from student excesses and from sympathetic statements for such as the Panthers. I hope that, if they are elected, their conversion turns out to be genuine.

I worked as a partner with Commissioner Rizzo of Philadelphia when I was on active duty on the Philadelphia force for almost 30 years. I am proud to say that I am his personal friend and that I back, and the FOP backs, strongly his policy of strict but fair law enforcement. When he began this policy he was strongly criticized by liberal elements and some moderate black spokesmen, but with time his support has grown; he is one of the most popular men in our city. And crime in Philadelphia is less, I think, than in any big town in the country.

The FOP favors a fair and strict law enforcement policy, a Rizzo policy, and will press for it all over the country. Meanwhile, we feel that public support of the police is greater now than at any time in the recent past. Unfortunately, this support is not as well organized as it might be. But we believe that the legislation Mr. Ichord has introduced and similar legislation in the Senate and House are a recognition of the public attitude. We will strongly support the Ichord bills and other measures aimed at the Panthers and other revolutionary and extremist groups.

Again, I thank the Chairman and members of the committee.

Mr. PREYER. Thank you, Mr. Harrington, Mr. Ashbrook.

Mr. ASHBROOK. Mr. Harrington, I listened with interest and I would say approving interest. I feel like you have said what I have been saying for years and I am glad, as is often the case when somebody testifies and he basically agrees with some of the things that might be on your own mind. I agree with you a hundred percent. The thing that bothers me the most is about the news media. I have five or six examples of it. I remember the shootout in Los Angeles. I don't know why some of the newspapers feel it necessary to report it like a 4-to-3 baseball game between the Orioles and the Reds. You read the story and it almost makes it look like both sides have their point of view, it is a shootout and the police temporarily won. They rarely put it in the context that the people who are firing back at the police are conducting themselves illegally. They make a shootout sound like it is a baseball game or a football game, that there are opposing sides, both of whom are in the same position.

As a policeman speaking for policemen, what do you think we can do to get across to people that these are not shootouts, these are not games, these are not to be treated in the American tradition of a sport of two sides but, if these people have a grievance, that their redress ought to be through the courts and the legal system, not shooting out with the police?

I myself find this particularly reprehensible to, time and time again, read about a shootout and they put it in the nature of a football game like it is a great American sport. The police on good evidence go to the Panther headquarters in Los Angeles and are engaged in a 4-hour shootout, and the *New York Times* when you read the first two paragraphs of their story put it in the context of the great American sport, like it is a game.

They have a side and you have a side and you temporarily won after 4 hours, but so what else is new? This attitude, I think, probably is one of the things that bothers most Americans, and certainly people like myself, the most, that the news media tend to put this in the nature not of an illegal action on the part of these people. Where

do we get the idea when somebody makes an arrest you have a right to shoot back and have, in effect, a war game for 4 hours? And then they put it in the context like you have your side, they have their side, and I don't know there is that much difference. What does the average policeman think about this when you put it in this category?

Mr. HARRINGTON. Speaking as to what the average policeman is thinking about in matters such as you stated, I am not an attorney and I would leave it to the wisdom of Congress. But I do think that the news media are to blame for a lot of what is taking place today. People like Rap Brown had about 50 members and 450 newspapers following him around reporting.

I think what Congress can do in cases such as this is to investigate newspapers such as you mentioned to find out what is their purpose for this type of news reporting, what is behind it. I think that this would be one step the Congress could take. I think that loose reporting such as is being done in this country by some of the news media, I think they are just taking advantage of this old right of freedom of the press.

Mr. ASHBROOK. It has always been my thought that the American people have enough sports and enough things that they can have reported on that they don't have to have the battle between the policemen and the lawless elements in our country treated like it is a sport with both sides being given equal time and practically the same number of innings.

I find this particularly reprehensible, particularly in fact when you consider—and the record should show and it substantiates what you said—that during the 10-year period from 1960 to 1969 there were 561 law enforcement officers feloniously murdered in the line of duty. I say “feloniously” because they were killed in the line of action. We are not going to say once in awhile the policeman isn't wrong, but at least they have the color of law on their side. When they go to their headquarters with the proper search warrants, they have the color of the law on their side, and the person shooting back certainly would not be defending his own home when you have an arsenal of weapons and when it is known to be an area that is a buildup for future confrontations with police, when you go in there and find machine guns, dynamite, and so forth. You operate under the color of the law, and I think this is what many of the Panthers and militants should understand. In 1969 alone there were 35,202 assaults on police officers, 11,949 resulting in injury in these war games we are talking about; 86 police officers, a 34 percent increase over the previous year, 1968, were killed. Last year 86 police officers were killed in the line of duty. More than a hundred policemen have been wounded in unprovoked attacks during the first 8 months of this year already, more than a dozen of them fatally, as you have pointed out, and the incidence of bombing police cars, sniping at patrolmen, and luring them into traps has sharply increased.

I have pointed out for some time—most people don't want to listen—but we are headed towards guerrilla warfare in this Nation. The policeman is a focal point in this. Certainly we treat it as a war game. If we treat it as a political battle, which I think many of my liberal friends quite often want to call it, just like on campus—I am inclined to agree with what Al Capp said. A lot of them started treating the takeover

of Columbia University and Harvard like it was a political expression. Al Capp said taking over the university was political expression and robbing a gas station is a financial transaction and rape is a social contact.

If you put it in this context it is like a game, like a war game, the American people, in my opinion, are going to be misled. It is not a game, it is not in the nature of a great American sport, but it is an illegal activity. And the sooner we get people to recognize this the more well off we will be.

The Fraternal Order of Police is one of those groups which will probably get labeled and tarnished along the way, but I am glad you are pointing out these facts. I think that you are going to find more and more Americans ready to accept your point of view. The policemen, after all, do operate under the color of law. I think the quicker we get the American public to understand this is not a game, but deadly serious business, the better off we are going to be. Like you, I am time and again just absolutely amazed at the way the confrontations with police, the battles with the police, and the shootouts even are considered kind of like they are a great American sport. They are not a sport, and it is not fun being a policeman on the other end of the line who is getting shot at. There is so much more commiseration and sorrow for the ones who are the victims on the other side than there ever is for the policeman.

I certainly congratulate you for coming here. I thank you for your testimony. As one Member of Congress I certainly pledge every support I can give you.

Mr. HARRINGTON. Thank you.

Congressman. I have said in my written statement that I knew and was a friend of Sergeant Frank VonColln in Philadelphia. This is one fact that proves that these people are not out to kill policeman who may have done something that they dislike. Because Frank VonColln was a man that everybody loved, all colors, all religions. He was a very kind man to the children. He spent many, many of his off hours with the children. So there was no reason whatsoever to kill this man for something that he may have done.

Mr. ASHBROOK. He was a symbol.

Mr. HARRINGTON. He was just a symbol of law and order. The Congress of this country, the courts in this country, they had better wake up. Because we have a cancer growing in this country and, if we don't cut it out and stop it, it is going to eventually affect everybody in this country.

I think that the people who are conducting this genocide against policemen, I think the public, have to start to realize that there is only a thin line between civilization and the jungle, and that is the policeman. This cry of civil rights and all, the Bill of Rights and the Constitution are a piece of paper. The life and blood of the rights is the policeman who walks the street. He is the one by his very presence, he is the one by enforcing the laws that are on the books, he is the one that guarantees you your life, your freedom, and your pursuit of happiness. Do away with this life blood, nobody will have any rights whatsoever.

Mr. ASHBROOK. As you point out, this committee has tried over a period of years to bring this to the American people, but unfortunately the media and I think a basic American tendency, what I call

the numbers game, is to think in terms of 200 million Americans most of whom are law abiding and only a fraction of whom are called militants. Like we always hear about the communists, there are 42 million Democrats and 35 million Republicans and 15,000 communists, why worry about them.

Take a city of Philadelphia, for example, just to give some credence to the point, how many real militants would you say it would take to tie up the city of Philadelphia? It would not take a million. Fifty on dynamiting, sniping, destroying powerlines, and like the RAM group of putting poison in the water supply, if 50 militants were inclined to do it they could really play havoc with the city of Philadelphia. I think the greatest American mistake is to play the numbers game and to think because there is only a few of them it doesn't make much difference. It doesn't take very much to blow up the Washington Monument or to blow up the Statue of Liberty or to blow up a university building. It does not take very many snipers to paralyze the city. As a functioning policeman in the city of Philadelphia what would you estimate, how many real hard-core militants would it take to just terrorize the city of Philadelphia?

Mr. HARRINGTON. You could terrorize the city of Philadelphia and tie up the entire city with 50 men, just as you say. They could poison the water supply.

Mr. ASHBROOK. They are bent on bombings, kidnappings, assassinations.

Mr. HARRINGTON. They have intentions, and we have made arrests where they had potassium cyanide. They were going to start a riot and the water that would be fed to the policemen—the potassium cyanide was going to be put into this drinking water to kill 1,500 police officers at one time. Fifty men could cause this.

We just had one officer killed; we had another officer shot in the mouth; we had six officers within a period of 3 days shot and one officer killed. The reporting of these incidents was very unfair. The only thing that anybody ever read was when the police, who with a search and seizure warrant, went to the Panther headquarters—when they knocked on the door and were met by gunshot and returned the gunshot and made the arrests and on searching the Panthers the only thing that the world has heard about the incidents—in Philadelphia, very, very few, if anyone, ever know any of the six policemen who were just ambushed and shot. But the whole world knows that the big bad Panthers were caught with their pants down and searched.

Mr. ASHBROOK. Again I think this is something the American people should understand. I think, one, the numbers games, and, secondly, the tendency in America, particularly in the media and among many of my liberal friends, to not believe somebody who is going to do something they say they are going to do. Somebody like Rap Brown says we are going to burn this country down or tear it apart brick by brick. It is dismissed as inflammatory rhetoric. But it is not illogical that sometime, somewhere, somebody is going to act on this. If the Panthers now say they are going to have to kill a pig a week and start that as a program maybe that is rhetoric. But I think there are quite a few of us who believe if there is the intention to kill a policeman a week we might just see that in the future. We are seeing

assassinations, we are seeing kidnaping, we are seeing sniping. I am inclined to think when the Panthers and other militant groups say they are going to have to kill a policeman a week to show they mean business, I am inclined to think you can't dismiss this as rhetoric. A lot of what we have seen is a logical aftermath of the total buildup over a period of years of attacking the policeman. I think what we are seeing now is the culmination of the drive that started about 20 years ago, largely by the Communist Party, of making the policeman the focal point and stirring social unrest in this country.

Mr. HARRINGTON. Congressman, if anybody thinks this is only rhetoric they ought to have their head examined. Because there is information here, the correct handling of a revolution. It is in *The Black Panther*, volume 2, No. 2, May 4, 1968, page 6. It comes straight from the minister of defense, Huey P. Newton. The minister of defense of the Black Panther Party says that the way to gain popularity, the way to gain strength, and the way to gain support is to kill a policeman—three or four Panthers—and then trail off into the crowd. And when the crowd sees—they call us the Fascist pigs and the Gestapo pigs—when we are killed and the fear is put into the police ranks then the people will get on the side of the Panthers.

So this is a successful way, the Panther minister of defense says, in carrying it out. Here is a policeman, two policemen, one killed and one wounded, and in their own publication they are bragging about this. This is the Black Panther publication. They are bragging about it. Also in here they tell you that they are at war with this country; they are at war with this society here. They are praising nobody but the communists, Ho Chi Minh, and Mao Tse-tung. And it tells you in here that they have got training going on. They have got camps; they are training these people on how to carry out this revolution. The very fact that our buildings, Federal buildings, are being blown up—they call up and tell you they are going to blow the building up; they tell you on television a week ahead of time now that they are going to blow these places up.

Mr. ASHBROOK. In the context of all this the policeman is still the enemy.

Mr. HARRINGTON. We are supposed to be the bad fellows.

Mr. ASHBROOK. I am always amazed as I talk to some of my friends who should know better, when they see such things even as the Black Panther coloring book which shows killing of policemen, shooting in the back, stabbing, and so forth, they dismiss it and say, "Oh, well, that doesn't mean anything; there is some psychological meaning behind it," or "They are trying to tell you something." What does the policeman think when he sees the Black Panther coloring book served with the breakfast that they supposedly distribute in various places in the metropolitan areas in our country? What does the policeman think about the Black Panther coloring books? Does he think it is a joke or rhetoric?

Mr. HARRINGTON. Congressman, I talk to policemen all over the country because my job takes me to various police departments all over the country.

To back up what I am about to say, at noon today on the steps of the Capitol I have asked one or two policemen from every one of our

lodges to meet me there, and there are some 2,500 to 3,000 policemen in uniform going to meet me there to back up what I say. We policemen are getting fed up. We are fed up being a fish in the barrel, with the leniency of the courts when we do catch the people who shoot and kill another police officer in ambush.

Now the courts better do something about it, the people we work for better do something about it, or we may resort, as I said one time before in Louisiana, we may resort to a showdown with these people. When they want to start this shootout we might finish it and we won't have to go to court.

Mr. ASHBROOK. It is not just a baseball game and it should not be treated as the great American sport, which I happen to think is the context it is put in.

Mr. HARRINGTON. This is one of the most serious situations this country has been faced with. We are in a revolution. You can't tell a Panther from anybody else because they look alike; you can't tell a Weatherman from somebody who is not a Weatherman because we all look alike, we talk alike; you can't tell one American from another American. It is what is in his head.

I think when we policemen go out there and do an honest job and a good job and we bring the evidence before the courts I think that anybody that is big enough to commit a man-sized crime, the courts ought to realize he is big enough to get a man-sized penalty and they ought to give it to him.

The permissiveness in the courts of this country is what is ruining this country today. We have in Philadelphia, before I left I read in the paper we have a fellow who has been locked up 11 times since January selling dope to kids. They just locked him up again, and there is a big hullabaloo about him being held under \$50,000 bail. It is a good thing I am not on the bench because I think that anybody that sells dope to kids ought to be given the death penalty.

Mr. ASHBROOK. I thank you for your testimony, for your point of view. I thank you for your feelings, some, I am sure, are out of the concern you have for your fellow policemen and some out of strong concern about the future of your country, and a little bit obviously because you have been the butt of a lot of gibes and a lot of unfair treatment, both of them at the hands of the militants. I can understand all of your feelings. I certainly agree with you. I support most of what you have said. I thank you for appearing here today.

Mr. Chairman, I have already taken more than my share of time. Thank you very much.

Mr. PREYER. Mr. Scherle.

Mr. SCHERLE. Mr. Chairman, my colleague from Ohio has done an excellent job of expressing my sentiments and, Mr. Harrington, my compliments to you.

Mr. HARRINGTON. I will tell you Congressmen it turns your stomach when you read in the papers that there is a war going on in Israel. I have walked the streets in Ashkelon and Jerusalem at 2 or 3 o'clock in the morning. Even though they say there is a war going on you could feel perfectly safe walking these streets; you can walk the streets in Hebron. You read about bombing going on. But you can't walk the streets in Washington, D.C., the Capital of the greatest country in the world, at 2 o'clock in the morning unless you are tired

of living. You can't walk the streets in the big cities, Philadelphia, New York, Los Angeles, and this to me is a disgrace that this is taking place in this country.

I think that, as I said before, I leave it to the wisdom of Congress, but something has to be done to curb the crime situation that is taking place in this country because it is costing the American people almost as much as the war in Vietnam; it is costing them \$35 million. The decent hard working man is today's sucker. If we do lock up the people who are doing the murder, the robbing, the raping, it is the decent hard working man who is a prisoner of his own home who worries all day. Is his family safe, is his home burglarized when he gets home? If we are fortunate enough that we can get them in prison then he is the fellow who has to pay the taxes that feed and keep them nice and warm and clothe them. So he is today's sucker.

But I think that something has to be done. The committees study the crime situation and almost every committee that studies the crime situation comes back with almost the same answer, we have to educate the police. This is not true; this is just pulling the blinds over the people. If they want to do something about the crime situation in this country today, J. Edgar Hoover, whom I have the greatest respect for as being the greatest law enforcement officer this country has ever had, he points out that crime in this country is being committed by repeaters and when we arrest a person for an atrocious crime we find out he has been locked up 20 and 30 times. If they want to study the crime situation in this country, find out who lets him out because these fellows are getting humped back going in and out of the wagon.

Mr. SCHERLE. Thank you, Mr. Chairman.

Mr. PREYER. On page 6, you point out that the average law enforcement officer is fed up, his pay is poor, and the conditions under which he works become harder all the time. Certainly I think that is an area too we need to bring to the public's attention. The police officer is the man on the spot in all of these situations that arise in this country. He has to act and has to act right then at his peril, and the decision he makes, whether he acts wisely or unwisely, the whole peace of the community often depends on it, on what that one man does. He doesn't have time to read the editorial in the paper the next day to see what he should have done; he has to act right then. So many police officers, and I know of examples of this in my own community, put on that spot have acted very wisely and very well and have saved the peace of the community.

Yet in my area, and I am sure this is true in other States all over the country, his pay is so low that they simply cannot fill the spots for the police officers. He can get a better paying job almost any place.

So here we expect them to act in a situation where they have to be a Solomon in their wisdom; they have to be firm and they have to be wise; they have to be a psychologist; they have to be all of these things. And we are expecting them to do that sort of thing as a public service without paying them for the kind of risk they run.

Certainly in that area it is one thing we have got to do. You state that one comfort to him is that he feels he has the backing of the public. I think you are certainly right on that. Although you might get the impression, as you say, from some of the things that are said

about shootouts, and so forth, that he doesn't have, but I don't think there is any question that the public backs him. The whole question here is certainly the most serious challenge to free and open society that we have had for a long time. Guerrilla warfare in the society, as you say. You talk about the Panthers bragging about the shooting of policemen openly. We allow that to be done under freedom of speech. So our problem is, are we going to allow our freedoms to be used by those who would destroy the freedoms by using our freedoms in ways not intended.

Your final conclusion I would agree with, too. You say if we can't stop guerrilla warfare the alternative is a dictatorial government. If the American people are put to a choice between tyranny or dictatorial government and anarchy, they are going to take tyranny because anarchy is the worst tyranny of all. So those who are encouraging the Panthers, as you say, in good faith, need to give that one a little more thought.

Let me just ask you one final question. I know you need to get over to the Capitol steps. But why do you think in this country police are called Fascist pigs while in a country like England the English bobby is so highly respected by the population generally that he even goes unarmed, but yet no criminal over there dares attack the English bobby, while in this country they attack our police regularly?

Mr. HARRINGTON. It is the same, only a hundred miles from our shore, in Nassau. They go unarmed. The British people have a high respect for law and order. They have a high respect for those whose job it is to enforce law and order. You don't have to call on the people in England to come to a policeman's assistance. They will knock you over going to assist a police officer because they respect law and order. They respect it and they feel that anybody who would strike a policeman, it is just the same as if they struck the Queen of England.

But in this country the permissiveness that has been permitted in the sixties has destroyed this image of a police officer so much he has been, as you say, a lot of people don't realize what a policeman is. They think he is the fellow that just writes the tickets. They think he is the fellow that just directs the traffic. There are very few people that realize that the only person in this country who is ever called upon to take a person's life, called upon to give his own life, and called upon to save a life, is a policeman. There is nobody else in this country who has those three calls, but a policeman. It may be 2 or 3 o'clock in the morning, he is called on to make a decision in a split second when he can't find the chief; he can't have time to call the district attorney; he has to make a decision in a split second.

Many times these decisions that are made at a time of danger are challenged and brought as high as the Supreme Court of the United States. They sit for 6 months or maybe 7 months in the safety of their office or down at the seashore and they come to a decision. The same decision that man has to make in a fraction of a second they take 6 or 7 months to make it and come back with a 5-4 decision. Very few people realize that. Very few people realize when you pay a policeman \$4,000 a year for a salary that he has to go out and moonlight at some other job. This is morally wrong. No man should have to work two jobs to make one livelihood. A police officer like anybody else should have enough hours to spend with his wife and his kids; he

should have enough hours to spend the same as anybody else wants to spend his time. You must realize that being a policeman's wife you serve, also, because you stand the brunt and the repercussions, sometimes, of the people your husband has to arrest. And to get even with your husband they take it out sometimes on the wife and kids.

Mr. SCHERLE. Mr. Chairman, I think perhaps to answer your question, if I might break in at this point, I think two things, I think respect for law and order and speedy trials probably are the answer as far as our two countries and the differences.

Mr. HARRINGTON. Yes, I agree with the Congressman. We get so many laws, but the courts are not going to give the speedy trials. They are going to permit a decision to be appealed and appealed and appealed so that the person charged with the offense he dies of old age before he gets to the last appeal. Justice is not being served.

Mr. PREYER. Thank you, Mr. Harrington. I think you have pointed up some of the real problems our police face here. We have not discussed it, but I think the real thrust of your testimony is to support Mr. Ichord's bill, which you do strongly support without any reservation?

Mr. HARRINGTON. We definitely feel it is the best of the bills that has been introduced and we would like to see it passed.

Mr. PREYER. Thank you very much, Mr. Harrington, I hope we have gotten you out on time.

Mr. HARRINGTON. Thank you.

Mr. ROMINES. Captain Murdock Platner, please.

Mr. PREYER. Captain Platner, would you be sworn, please.

Do you solemnly swear the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PLATNER. I do.

Mr. PREYER. Thank you, sir, be seated.

TESTIMONY OF MURDOCK J. PLATNER

Mr. ROMINES. Captain, I believe you have a prepared statement; is that correct?

Mr. PLATNER. Yes, sir.

Mr. ROMINES. Would you like to read it into the record at this time?

Mr. PLATNER. Yes, sir.

(At this point Mr. Ashbrook left the hearing room.)

Mr. ROMINES. Proceed.

Mr. PLATNER. I have been on the Omaha Police Department 25 years. I am in charge of vice, narcotic, general assignment, and intelligence squads.

I will outline for you the development of the militant actions in Omaha that led up to the murder of a police officer.

In July of 1968 a local man, Eddie Bolden, went to San Francisco and met with the Black Panthers. When he returned to Omaha he made an announcement that he had been authorized to form a Black Panther Party in Omaha.

Approximately 10 people actually joined and there were about 20 more closely associated with them. They moved into a building in the heart of the Negro district at 3120 North 24th Street.

During this summer Eldridge Cleaver came to Omaha and spoke to about 400 people in a city park. Several Black Panthers from California were in Omaha at this time. One, Wilfred "Crutch" Holliday, stayed on in Omaha for some time. He attended Black Panther meetings and on one occasion, with 30 people in attendance, rushed out to his car, brought in a shotgun, and waving it over his head, shouted, "This is the way to handle the pigs; you should all get yourself a shotgun and shoot as many as you can." The phrase "off a pig" was brought to Omaha at this time.

Cleaver's speech that he made in the park was mainly about the revolution and violence against police officers.

On September 12, 1968, a bomb was placed against the outside wall of the city hall. It did not explode, as the clock timer had enamel paint on the hands and did not make a good contact. Holliday and Eddie Bolden were identified as having bought batteries similar to the ones used in the bomb. This was approximately a week before the bomb was set. Holliday left Omaha shortly afterwards and has been convicted of felonious assault on police officers in San Francisco and is in the pen in California now.

During the summer months there were frequent plans among the Panthers of attacks on police. This information came to us through informants. There were no attempts to shoot an officer that we know of. There was sporadic window smashing and looting in the Negro district.

In June of 1969 a call was received at police headquarters of juveniles breaking into an apartment in a Federal housing project which is predominantly Negro. A white officer chased a suspect he saw jump from a window of the apartment.

As the suspect was getting away, escaping into the dark, the officer fired one shot at the suspect, who was 139 feet away. The bullet struck the suspect in the back of the head. This suspect was found to be a 14-year-old Negro girl. She died instantly. The officer was arrested and charged with manslaughter. He was tried by a jury in district court and acquitted.

The next night after the girl was killed rioting and burning started. Several businesses were burned out in the Negro area. This lasted for 3 days. During the entire week militants from other cities came to Omaha. This was established through informants and surveillance of autos with out-of-State plates that were spotted in the area by officers. Cars from California, Wisconsin, Iowa, Indiana, Missouri, Kansas, and Colorado were in the area, and officers acquainted with the area had not seen these cars in this area before. During the rest of the summer there was sporadic window smashing.

The militants obtained radios to monitor police calls. They had several people in cars with monitors, and every time a call was received by a police car in the Negro area a group of militants would show up and start interfering. If there had been a fight and people were injured, they would start telling people in the crowd that the man had been injured by an officer. They even went so far as to try to keep ambulances from caring for the injured. And when one man had been shot in an argument with another party, they had the crowd believing he was shot by the officers. This type of action forced of-

fficers to let suspects walk away, or they were taken away from the officers in scuffles with crowds.

In some of these incidents the officers were literally fighting to save themselves and the police equipment. I have heard of this technique being used in other cities during disturbances, and it appears that this is a plan used nationwide.

In August of 1969 the name "Black Panthers" was dropped by the Omaha group, and they re-formed as the United Front Against Fascism. Eddie Bolden was demoted, and a man named Ed Poindexter took over. (In my prepared statement I said he was demoted, but he had been demoted prior to this and Ed Poindexter had taken over.) Most of the officers and members remained the same. This group still had connections with Kansas City, Des Moines, and San Francisco.

Ed Poindexter held a press conference and announced that the UFAF was a coalition with and under the Kansas City, Missouri, chapter of the Black Panther Party. This was in December of 1969.

During the year several attempts were made to organize splinter groups within the high schools. They had very little success, but did succeed in disrupting school on occasions.

A Negro principal was assigned to Horace Mann Junior High School as school started in '69. The militants tried to influence the operation and discipline of the school, but the principal made it plain that he would run the school. On November 2, 1969, an apparent warning to the school board, a bomb was exploded at the front door of the school.

In March of 1970 the United Front Against Fascism announced they were changing their name to National Committee to Combat Fascism. This is the name they go by at this time. They still travel back and forth to Des Moines, Kansas City, and San Francisco.

Incidents with police officers became more numerous as they attempted to force a confrontation. We received more reports of Panthers buying guns and ammunition.

An Air Force sergeant was arrested for stealing a pickup truck load of machine guns, and it was learned the Panthers had been trying to buy them, but could not get enough money.

On June 11, 1970, a bomb was exploded against an outside wall of the North Assembly police station, which is a building that housed the training section, sergeant's office, roll call area, and car storage. This occurred at 11:30 p.m. as about 20 officers were in the building for shift change. No officer was seriously injured, but if this bomb had been strategically placed it could have caused a disaster as the building could have collapsed. The bomb was of sufficient force.

On 2 July of 1970 a similar bomb was exploded in Components Concept Corporation, a Negro-operated business that made small items on Government contracts.

The Negro operator had just completed arrangements to move to a new larger building. He had borrowed money from a local bank, and the city council had rezoned an area so he could move. He had been on television publicly thanking the council and the bank. It is thought that he was considered to be an "Uncle Tom." The building was destroyed and the equipment was damaged.

Around the first of August Des Moines officers received a call of a toolbox abandoned. I believe this was prior to that, before the first of August. An officer was dispatched and found the box. He naturally opened the box and found a tray in top filled with old bolts and nuts. He lifted the tray out and found a bomb made of blasting cap, battery, and dynamite in the bottom. This bomb had a clothespin type triggering device. It did not explode because a small piece of wood broke from the wedge that was in the end of the clothespin and no contact was made by the wires to the battery. This bomb is easily made and simple. Two wires are attached to the end of a clothespin. It is then compressed, and a wooden wedge holds the wires apart. A cord is then tied to the wedge and then, in this case, to the tray. When the tray was raised the trigger was activated.

During this time, two of the Omaha militants were traveling back and forth to Kansas City, Missouri, and Des Moines, Iowa.

Several bombings occurred in these cities during this time. The same clock type timer devices were used. A clock type timer had been used in the attempt on city hall in 1968, and the bombing of police facilities and Components Concept in Omaha.

On August 17, 1970, at 2:30 a.m., Omaha officers received a call of a woman screaming at 2867 Ohio Street. During the summer months the cruiser division had made a practice of sending backup cars on calls in this area. This usually consisted of two to four officers to handle the call and two to four officers to check around the house, alley, and street to be sure that no one sniped at the officers as has occurred in other cities.

2867 Ohio Street was a vacant house. Four officers entered through the front door using flashlights to look around. As they entered the door they had to step over a new looking suitcase. As they were intent in finding the victim who was reportedly screaming and possibly the assailant, they ignored the suitcase and made a search of this house.

They found nothing, and one of the officers, thinking the suitcase was possibly property of the victim, returned to the front room and apparently moved the suitcase. There was a tremendous explosion, and one officer, Larry Minard, was killed instantly. Seven other officers received injuries, one seriously.

Investigation revealed this bomb consisted of three 16-inch by 2½-inch sticks of dynamite, a battery, blasting cap, and was triggered by the clothespin type switch. The string attached to the wedge was passed through a hole in the suitcase and was thumbtacked to the floor. When the officer moved the suitcase the bomb was detonated.

A 16-year-old Black Panther was arrested for the murder and implicated the deputy chairman, Edward Poindexter, and deputy minister of information, David Rice, of the NCCF party, who were arrested and have been ordered to stand trial in district court for murder. Dynamite similar to that stolen from the Quick Supply in Des Moines was found in the home of one of the above. It is believed it is part of the supply from which the bombs were made.

On July 28, 1970, three young Negroes, one who is an ex-Panther, were arrested with 41 2½-inch by 16-inch sticks of dynamite in the car. This is also similar to the dynamite taken in burglary in Des Moines of Quick Supply.

The suspect arrested stated he had found the dynamite hidden in a room of the building rented by the Opportunities Industrial Center and that he took it to sell. He stated that one case of 10 sticks had been removed from the storage area just before he took the 41 sticks.

Mr. SCHERLE. Mr. Chairman, will the witness yield at that point? Captain Platner, you state here that the suspect arrested stated that he found the dynamite hidden in the room of the building of the Opportunities Industrial Center. Isn't that a poverty organization located in Omaha, OIC?

Mr. PLATNER. Yes, sir.

Mr. SCHERLE. Continue.

Mr. PLATNER. Investigating officers found the outline of the boxes in a storage space in the building where the suspect stated it had been.

The officers of the NCCF as the police know them as of September 1 are listed as:

Deputy chairman—Edward Allen Poindexter, Negro male, DOB 1 November 1944.

Deputy minister of information—David Lewis Rice, Negro male, DOB 21 May 1947.

Deputy minister of education—Edward Scorpio Brightman, Negro male, DOB 10 October 1944.

Deputy minister of defense—Frank "Toots" Peak, Jr., Negro male, DOB 17 July 1943.

Deputy minister of finance—Rawleigh Bryant House, Negro male, DOB 27 April 1947.

There were approximately 20 members and about 20 more people closely associated. They are completely disorganized at this time as David Rice and Edward Poindexter are in jail on murder charges.

Edward Brightman was convicted of an assault on a police officer and did not appear for sentencing and has left Omaha. I believe he was originally charged with a felony. This was reduced to a misdemeanor, and he did not show up for sentence. At least he had not at the time I came to Washington.

Several members have been arrested on varying charges, CCW,¹ possession of sawed off shotgun, et cetera, and are awaiting trial.

The party finances itself through contributions from merchants. They ask for money, food, et cetera, which they claim they will use to operate a school and feed breakfast for needy children.

Mr. SCHERLE. Mr. Chairman, Captain Platner, can you tell me, when they went out soliciting for funds, money and food, was this granted on a volunteer basis or did they intimidate the merchants to obtain this resource?

Mr. PLATNER. I have no proof that it was anything other than voluntary. I imagine if three or four of these people showed up in uniform and came to your store and asked for something that you would not want any trouble with them and you probably would give it to them.

Mr. SCHERLE. You say they showed up in uniform?

Mr. PLATNER. Yes, sir; with their tams and the Black Panther jacket and buttons and this sort of thing.

Mr. SCHERLE. In other words, they were completely outfitted?

¹ Carrying concealed weapon.

Mr. PLATNER. Yes, sir.

Mr. SCHERLE. Proceed.

Mr. PLATNER. They have been able to operate this school for only very short periods, and I don't believe at any time in 1970.

Each member is expected to contribute. Some of them do work at packinghouses or on construction jobs.

David Rice was employed as a neighborhood worker until recently fired by Greater Omaha Community Action.

Eddie Bolden was employed as a math instructor by Opportunities Industrial Center until he resigned in September.

Mr. SCHERLE. On top of page 6 you make a statement that David Rice has now been jailed on murder charges.

Mr. PLATNER. Yes, sir, that is true.

Mr. SCHERLE. This is the same David Rice employed as a neighborhood worker in a poverty agency in Omaha entitled the Greater Omaha Community Action; is that true?

Mr. PLATNER. He was employed there, yes, sir.

Mr. SCHERLE. Thank you.

Mr. PLATNER. They also sell Black Panther papers which are sent to them from California. Informants state that one of the reasons the NCCF was kicked out of the Black Panthers organization was their failure to return any of the money they obtained for selling papers. They also obtained donations from other Panther organizations in other cities.

Mr. PREYER. Thank you very much, Captain Platner. Mr. Scherle.

Mr. SCHERLE. Thank you, Mr. Chairman. Captain Platner, can you tell me when David Rice was employed by the poverty agency GOCA and Eddie Bolden was employed by another poverty agency, OIC? Considering the known background of both of these men, were their background available to you, did you have knowledge of these men and their affiliations?

Mr. PLATNER. Yes, sir; the police department did have, yes, sir.

Mr. SCHERLE. Was it possible that the general public also knew what their backgrounds were through the news media and various other methods?

Mr. PLATNER. Yes, sir; they had frequent announcements printed in the paper and that were carried on local television stations, local radio stations, and so, from a period of about 1968, I believe, up until now.

Mr. SCHERLE. Then did the poverty agencies either GOCA, the Greater Omaha Community Action, or the OIC agency under the direction of Emmett Dennis, did either of these poverty agencies ever contact you for any background information concerning the backgrounds of these two individuals?

Mr. PLATNER. No, sir; I don't think they have ever contacted us regarding anybody that works for them.

Mr. SCHERLE. Would you have recommended them if they had contacted you?

Mr. PLATNER. No, sir, I would not have.

Mr. SCHERLE. Would the chief have recommended them?

Mr. PLATNER. I doubt it very seriously.

Mr. SCHERLE. I tried to warn the poverty agency; first of all perhaps maybe I will tell you my location. I represent the southwest

corner of Iowa which includes Council Bluffs. As you know, Council Bluffs is directly across the river from Omaha. A great many of my people that I represent are employed in Omaha. I have been very familiar, being on the Committee on Education and Labor and also Internal Security as far as the responsibility of our committee is concerned. And I have made numerous visits to Omaha concerning the poverty agencies, the Job Corps, and other areas that fell under the jurisdiction of our committee. I sent a letter to the OEO asking them about the hiring practices concerning these people a year in advance. They just didn't do a thing about it. I think this is typical from what we have heard throughout the other witnesses and their testimony that there is really no agenda for hiring practices throughout the United States, nobody checks with anybody.

I think the thing that concerns me so much is the great association of militancy with our poverty agencies. I am sure that if they were much more responsible in the people they hire I am sure there would be less damage, a better image as far as agencies are concerned. In reference to the application of Eddie Bolden, we have some names here he gave as references when he sought employment, such as Rawleigh House. Are you familiar with him?

Mr. PLATNER. Yes, sir; he is the treasurer, the original treasurer of the Black Panther Party and he is the minister of finance in this National Committee to Combat Fascism at this time.

Mr. SCHERLE. I wonder why the agency that hired him would not go back and check these references to find out who the people were that we have referred the employer to? That would have been sufficient if they had done anything at all or cared at all, wouldn't you imagine?

Mr. PLATNER. I would not know, sir, it seems that they should have, yes, sir.

Mr. SCHERLE. How about Robert Griffin?

Mr. PLATNER. Is that Griffio, G-r-i-f-f-o?

Mr. SCHERLE. Yes.

Mr. PLATNER. During March of 1969 and June of 1969 the Black Panthers tried to organize an organization called the Black Association for Nationalism Through Unity, they call it BANTU. The attempt to organize this was in Technical High School in Omaha. Robert Griffio is listed as a minister of student affairs in our records. He is a Black Panther, I believe, at this time.

Mr. SCHERLE. How about Marie Archibald?

Mr. PLATNER. I know a Marcia Archibald. She was very active in the Black Panthers when they first originated in 1968 and was fairly close to Eddie Bolden. I believe that in 1969 we interviewed her, and she said she was disenchanted with their ideas; that she wasn't going to help them any more, but she would not help us either.

Mr. SCHERLE. How about Robert Arnold?

Mr. PLATNER. That is her father.

Mr. SCHERLE. The references given by Eddie Bolden, who was the original director of the Black Panthers in Omaha, would have been reason enough for them not to hire this particular person. And yet not one single one was apparently checked out. We also sent a letter to the OIC regarding his employment, and once again there was nothing done about that. This man has just made a monkey out of the program and also legitimate and responsible hiring practices.

I have a letter here concerning David Rice, who had written for underground newspapers, whose history was well known, and he also was employed by GOCA, Greater Omaha Community Action. This had been called to their attention numerous times; nothing had been done. I had sent a letter to the OEO once again concerning this person, and finally Reverend Rudolph McNair, who is the head of the GOCA board, fired him for incompetence and being absent on the job and numerous other reasons, I think this past August.

I would like to read this letter in the record written to me by a United States attorney, District of Nebraska.

Dear Congressman Scherle:

I bless you for your activities in turning the cold light of dawn upon those who would destroy our Country's development. I am particularly distressed that some of these people are beneficiaries from a government that they would destroy.

Such a man is David L. Rice, who can be most easily identified by the enclosed clipping out of the Sun newspapers of Omaha, Nebraska, where this bum operates. As you notice, he sneers at the Constitution and its provisions, but saw fit to take the Fifth Amendment when called before a Federal Grand Jury inquiring into the installation of a school designed to train young Blacks to bomb, kill and take over the Country, thus using the Government he would destroy.

The most tragic thing is, this man is an employee of the Greater Omaha Community Action group, financed by O.E.O. money. It causes me to lose sleep to think that I am paying a portion of the salary of this American rat.

This was 5 months before the boobytrap murder of Larry Minard in Omaha. The other people who took the fifth amendment, plus that of David Rice, were Poindexter, who is now in jail for the murder of a policeman, Eddie Bolden, Rawleigh House, Edward S. Brightman, and I think that concludes this group on that particular rap.

Do we have any record of what happened to the loads of machine guns that were stolen by the Air Force sergeant?

Mr. PLATNER. Yes, sir. In the last hour or so I called Omaha and asked for the person's name. The man's name was Master Sergeant Lynn Kilerese, K-i-l-c-r-e-s-e. He had in his possession at the time of his arrest two AK-47 machineguns that came from Vietnam, one .9 millimeter French machinegun, one single shot pistol, a U.S. survival rifle with two barrels; he had also a .22 caliber Colt pistol and a Smith and Wesson .38 pistol. It was my understanding that these guns were in boxes at the time and that is why he needed a pickup to haul them; they were too big to get in the car. I have not seen them and when I say a pickup load possibly I am exaggerating a little bit; I don't know.

Mr. SCHERLE. He did make an attempt to sell them to the Black Panthers?

Mr. PLATNER. Our information was he was trying to sell the weapons to them and they were trying to get enough money to buy them. I don't recall now what kind of money he was asking for, but it seems to me like it was up in the thousands of dollars. He has been charged with five counts of unlawful possession of firearms; he was indicted on May 16, 1970, was found guilty on June 23, 1970. I don't know what his sentence was. He also had 350 rounds of ammunition for these weapons.

Mr. SCHERLE. Captain, on page 4 of your testimony you state here that the triggering device was one which was very simple. You heard the testimony yesterday of Sergeant Gladson and Detective Martin.

Would you say that the triggering device that was used, they explained, in Des Moines was very similar to the one used in Omaha to kill the policeman?

Mr. PLATNER. Yes, sir; the triggering itself was made the same way. The way they fixed it to cause the bomb to detonate was different. They tied it on to the tray in the toolbox, and when the officer lifted the tray he pulled the wedge out of the end of the clothespin. In our case the string was run through a hole in the suitcase and then it was thumb-tacked to the floor underneath the suitcase so any kind of a movement of the suitcase would set this off.

Mr. SCHERLE. You also mention in your statement during this time two of the Omaha militants were traveling back and forth to Kansas City, Missouri, and Des Moines. To whom do you have reference?

Mr. PLATNER. David Rice and Edward Poindexter.

Mr. SCHERLE. They were the ones traveling back and forth between these two States?

Mr. PLATNER. Yes, sir.

Mr. SCHERLE. How about the dynamite, was the dynamite that was used to kill Larry Minard the same size that was used in the bombings in Des Moines, as explained yesterday by the detective and sergeant?

Mr. PLATNER. I could not tell you what type of dynamite it was that exploded. I can tell you this, that one of the suspects in this, Duane Peak, a 16-year-old boy who was arrested, testified in a preliminary hearing. It is from this preliminary hearing you are bound over to the district court to stand trial. In the preliminary hearing he testified that David Rice brought a suitcase filled with dynamite to his house or to somebody's house, I am not for sure just which place; that they removed all the dynamite from the suitcase except three sticks; made the bomb, the triggering device, and so on, and put it together; and then packed the suitcase with newspapers and that he left with this suitcase.

Now I am a little bit hesitant to go into the rest of this because there is a trial yet to be held. I don't know what I should say.

Mr. SCHERLE. We appreciate that. Now the other thing that intrigues me very much is the fact that under the poverty agency of the Omaha Industrial Center, which is operated for the Opportunities Industrial Center, OIC, under the direction of Emmett Dennis, that this building housed this dynamite.

Mr. PLATNER. It is my understanding, sir, this was a building that they had rented that they planned to use in the future or pretty soon. I am not sure just how long. This dynamite was in a small room or a closet off the main part of the building that had a padlock on it, and the padlock had been pried off. The suspect in this said that he had sawed the padlock right off of the door and he looked to see what was in the room and he saw these boxes of dynamite.

Mr. SCHERLE. Apparently they considered this a pretty safe place for storage purposes, then; didn't they?

Mr. PLATNER. Yes, sir, I believe they did. There is one thing there would be, you could say that nobody owned it, and I think that is possibly why.

Mr. SCHERLE. If it were rented by the poverty agency, I am sure that, with a padlock on the door, nobody they had felt that they had a prize possession here for their purposes. They certainly wouldn't

place it anywhere they didn't feel it was relatively safe. Apparently they considered that location about as safe as any location in Omaha.

Mr. PLATNER. Yes, sir, that is true. We tried to find out who put the padlocks on the doors. Nobody would ever admit that they locked one of the doors; nobody had keys to them.

Mr. SCHERLE. This is another part of the pattern that has been set throughout the entire Nation, and I guess Des Moines and Omaha are just as guilty as the rest of the country, that because we have not taken the time to screen and properly hire these people to make sure that we are hiring responsible people who will work toward the benefits for which these poverty programs were designed, we end up with a group of questionable characters, murderers in this instance, hired by tax dollars.

I can't help but feel in my own mind that the OEO and the anti-poverty agencies played a very important part in the boobytrap murder of Larry Minard. What is it going to take for the OEO or the rest of the poverty agencies to get smart? I don't know what it is going to take to force them to screen their employees more properly. We have had example after example after example, but we can't make those people in charge of hiring practices do their job more responsibly. Because it was not done in Omaha we have a widow and two or three children. I can't help but say because of the irresponsibility. And I am sure the fact that the dynamite was stored where it was someone had to know that it was relatively safe where it was. It just is terrible to even think about.

Mr. PLATNER. Congressman, I for one, I would like to express my appreciation to you for having brought this out and I will say to put the heat on the people responsible and try to get something done about it. I appreciate it.

Mr. SCHERLE. Congress might be a little responsible, too, in this light. When people bring problems to Washington we are under the impression that everything can be cured by money. When these programs are designed and the funding is made nobody takes any oversight; there is no control; there is no monitoring of any of these programs; they were just allowed to exist.

As I mentioned yesterday particularly with this OIC program in Omaha, this agency is funded by three separate agencies. I think by HEW, by Labor, and OEO. Nobody can work for three masters. When you are working for three different agencies nobody is going to take responsibility for fear of stepping on somebody else's toes. So now we have an agency, and I use this expression time and time again, you have a rich stepchild with no parental guidance; nobody is going to take any interest for fear they might be stepping into somebody else's jurisdiction.

This system has to be eliminated and just as soon as we possibly can. Congress must also take an active part, when we fund the money, that we follow through all the way down to make sure this money is spent on the people for which the program was designed and not to help out a few up on top in an administrative capacity and maybe have a crumb fall down to the poor people.

The Internal Security Committee has now brought this out. Hopefully we can make some immediate corrections along this line by merely exposing it.

Mr. Chairman, I would like to yield to counsel at this point and interrupt whenever I feel the need to do so.

Mr. PREYER. All right.

Mr. ROMINES. Do you have any questions, Mr. Chairman, before I begin?

Mr. PREYER. I didn't realize you had questions. You go ahead, and I will ask mine later.

Mr. ROMINES. Captain, I would like to ask you a series of questions about your statement. It has raised certain questions in my mind. First of all, I would like to hand you what has been marked Committee Exhibit No. 13 and ask if you can identify that, please.

Mr. PLATNER. Yes; this is a list of the militant organizations of the Black Panthers and the names they call themselves by and also the organization that they tried to start in Technical High School.

Mr. ROMINES. Correct me if I am wrong, under Roman numeral I are listed the officers of the Black Panther Party; is that correct?

Mr. PLATNER. Yes.

Mr. ROMINES. I believe you indicated in your statement they changed from Black Panther Party to United Front Against Fascism; is that correct?

Mr. PLATNER. Yes.

Mr. ROMINES. Roman numeral II would be a listing of the officers thereof.

Mr. PLATNER. Yes, that is true.

Mr. ROMINES. Roman numeral III is a list of the officers as they made the change from United Front Against Fascism to National Committee to Combat Fascism?

Mr. PLATNER. Yes.

Mr. ROMINES. Roman numeral IV would be the officers of the BANTU you touched on in your testimony.

Mr. PLATNER. Yes, sir.

Mr. ROMINES. Mr. Chairman, I would ask that Committee Exhibit No. 13 be admitted in the record.

Mr. PREYER. It is so admitted.

(Document marked Committee Exhibit No. 13. See appendix A, page 5033.)

Mr. ROMINES. You indicated earlier in your statement, Captain, that when the Black Panther Party formed they moved into a building in the heart of the Negro district; is that correct?

Mr. PLATNER. Yes, sir.

Mr. ROMINES. Would you have the address of that building?

Mr. PLATNER. 3120 North 24th Street, Omaha.

Mr. ROMINES. Do you know whether any other building was utilized by the Black Panther Party as a headquarters?

Mr. PLATNER. Yes; they used 2616 Parker Street, also.

Mr. ROMINES. You indicated that Eldridge Cleaver came to Omaha and spoke to about 400 people in City Park. Can you relate to the committee the substance of what he said?

Mr. PLATNER. This was one of the first speeches that they had in Omaha by any known militants or especially by any Black Panther. He mostly used a lot of four-letter words, cussing the Establishment and cussing the police department. And especially the police department. There were officers in the crowd with cameras taking pictures.

He tried to ridicule them from the stage where he was speaking, advocating a revolution and violence against the police officers.

Mr. ROMINES. He did definitely advocate violence against the police officers?

Mr. PLATNER. Yes, sir.

Mr. ROMINES. You indicated that Wilfred "Crutch" Holliday stayed on in Omaha for some time thereafter; is that correct?

Mr. PLATNER. Yes.

Mr. ROMINES. Did any of the other Black Panthers who came from California stay in Omaha?

Mr. PLATNER. I don't know if they did or not.

Mr. ROMINES. Holliday is the only one you know of that stayed?

Mr. PLATNER. Yes.

Mr. ROMINES. Do you know the names of any of the others who came from California?

Mr. PLATNER. No, I don't.

Mr. ROMINES. Your statement contains reference to a bomb placed against the outside wall of the city hall on September 12, 1968, which did not explode; is that correct?

Mr. PLATNER. Yes.

Mr. ROMINES. You say Holliday and Eddie Bolden were identified as having bought batteries similar to the ones used in the bomb. What type of battery are you talking about?

Mr. PLATNER. A 9 volt battery that would be used for some type of a radio. We took pictures of a group of Panthers that we had of the Panthers to the place where this battery was bought, a place called the Radio Shack, which is near 30th and Dodge in Omaha, and we handed the clerks in there a group of pictures. From them they picked out Eddie Bolden and Holliday as being two people who had come in to buy the battery. The clerk particularly remembered that Bolden came in first with two women; that they got into some argument about what type of battery they needed; and that they went back out. Holliday came back in the place with them and looked at the batteries and said this is the one that they want. We could not identify the other three people. The man remembered one of the women was a Negro woman and very short. Eddie Bolden's wife at the time was about 4 foot 11 and we thought it was possibly her, but we were not able to prove this.

Mr. ROMINES. Is that a common type battery?

Mr. PLATNER. No, it is not if you are talking about a flashlight battery or something like that; it would be a little uncommon.

Mr. ROMINES. You indicated that during your riots that lasted for 3 days in Omaha that the militants had obtained radios to monitor police calls?

Mr. PLATNER. Yes.

Mr. ROMINES. How do you know that they obtained radios to monitor police calls?

Mr. PLATNER. When officers would go on a call and the cruiser would arrive there shortly afterwards, these cars would come up and they could hear the radios in the cars when the calls were being put out. This is a relatively cheap type of receiver: it only takes, I think, like \$15 or \$16—at that time you could buy a little attachment to put on a car radio that would pick up police calls.

Mr. ROMINES. You also indicated that several people came in from out of State; is that correct?

Mr. PLATNER. Yes.

Mr. ROMINES. Were you able to identify any of the individuals who came from out of State?

Mr. PLATNER. No, I don't know who they were.

Mr. ROMINES. Were you able to ascertain whether any of the individuals who came in from out of State were members of the Black Panther Party from other localities?

Mr. PLATNER. No, I don't know.

Mr. ROMINES. Captain, during the time that the Black Panther Party was in existence as an officially recognized chapter being called the Black Panther Party, what would you estimate its peak membership to have been?

Mr. PLATNER. Actual members, I don't believe they ever had any more than 20 people, and they probably had another 20 or 30 people closely associated with them.

Mr. ROMINES. Did the Black Panther Party itself ever operate and maintain a breakfast program?

Mr. PLATNER. I am not sure whether they did under the Black Panthers, but this organization possibly the UFAF, when they were calling themselves this, operated what they called a Black Liberation School at 2616 Parker for a short time.

Mr. ROMINES. When you say, "short," how long?

Mr. PLATNER. I believe like a week. I saw reports where there were 8 students one time and 12 another time when they were visited by some reporter.

Mr. ROMINES. So, in other words, they never got off the ground?

Mr. PLATNER. No, it never did.

Mr. ROMINES. Do you know whether the Black Panther Party or any of its successor groups ever conducted any political education classes?

Mr. PLATNER. This school was—the announcement was made when this school started that they were going to follow the teachings of Eldridge Cleaver, Huey P. Newton, and all the rest of the people who advocated revolution and overthrow of the Government. In their public announcement to the press this is what they said they were going to have.

Mr. ROMINES. What period of time are we talking about now?

Is this the same time the breakfast program was being operated?

Mr. PLATNER. Yes.

Mr. ROMINES. You indicated in August of '69 the name "Black Panther Party" was dropped and they re-formed as the United Front Against Fascism. Do you know why the change in names?

Mr. PLATNER. No, I don't know why they changed.

Mr. ROMINES. Do you know the address of the headquarters used by the United Front Against Fascism?

Mr. PLATNER. I believe that was the same, 2616 Parker Street.

Mr. ROMINES. You also indicated that this group, meaning the United Front Against Fascism, still had connections with Kansas City, Des Moines, and San Francisco. What type of connections are you referring to?

Mr. PLATNER. I believe that Rice came on and publicly announced that they were going to be affiliated with the Kansas City Chapter of the Black Panthers.

Mr. ROMINES. Any other evidence of connections between the three?

Mr. PLATNER. At one time or another we have had inquiries from the other police departments wanting to know who William Peak was or who David Rice was; that these people had been seen in Des Moines and Kansas City. We were told by informants on several occasions that Poindexter had gone to San Francisco to talk to people in the Black Panther Party.

Mr. ROMINES. You indicate that in March of '70 the United Front Against Fascism changed its name to National Committee to Combat Fascism. Do you know for what reason this change came about?

Mr. PLATNER. No, I don't know.

Mr. ROMINES. Do you know the address of the headquarters of the National Committee to Combat Fascism?

Mr. PLATNER. 3508 North 24th Street at least as of September 1. I think they were evicted at that time.

Mr. ROMINES. You have indicated they, meaning the members of the National Committee to Combat Fascism, still travel back and forth between Des Moines, KC [Kansas City], San Francisco, to what individuals are you referring?

Mr. PLATNER. Prior to the time they were arrested, we know that Rice and Poindexter both went to KC and they both went to Des Moines. I also believe we had inquiries on a William Peak, some others, I don't recall the names right offhand, that were just members, not officers.

Mr. ROMINES. So as part of your police information network you obtained information that they were seen in these various cities?

Mr. PLATNER. Yes, that is true.

Mr. ROMINES. Do you know for what purpose they traveled to these various cities?

Mr. PLATNER. To confer with the members of the other organizations, similar organizations.

Mr. ROMINES. You indicated on June 11, 1970, a bomb was exploded outside the North Assembly police station. Were there ever any arrests for that bombing?

Mr. PLATNER. No, there have not been.

Mr. ROMINES. Was there ever any attempt made to ascertain what type of explosive caused the explosions?

Mr. PLATNER. Yes, in each bombing the officers pick up residue, some pieces of dirt and mud and pieces of rock and so on and any kind of metal pieces they can find, and this material is sent to the FBI lab. We received a report that they had found parts of a clock, which we assumed was a timer, and we did know it was dynamite used.

Mr. ROMINES. I believe subsequent to that on 2 July a bomb was exploded in Components Concept Corporation. Were there ever any arrests made for that explosion?

Mr. PLATNER. No, there has not been.

Mr. ROMINES. Did you make any attempt to ascertain what type of explosive device was used to trigger that explosion?

Mr. PLATNER. Yes; the department went through that same procedure here. Pieces and parts of anything that were to be found in the area were run through screens. This was sent to the lab, and they came

back with the same thing, that this was a clock timing device and that dynamite was used.

Mr. ROMINES. I believe on July 28, if I am correct, three young Negroes were arrested with 41 sticks of 2½- by 16-inch dynamite in their possession; is that correct?

Mr. PLATNER. Yes.

Mr. ROMINES. I will ask you, first of all, under what circumstances were they arrested, how was it known that they had this dynamite in their possession.

Mr. PLATNER. We received information from a party that had been approached to buy dynamite. We had him buy it and he bought 19 sticks. This was this 2½- by 16-inch sticks. He came back later and said that he could buy more of this dynamite. So we set up for him to buy and then we were going to move in before it was delivered. We did move in and arrested three young men in a car. In their possession they had 41 sticks of this same type of dynamite.

Mr. ROMINES. Now then did one of those young men thereafter take you or tell you that he had obtained the dynamite from the building rented by the OIC?

Mr. PLATNER. Yes, he did.

Mr. ROMINES. Did he take you over to that building?

Mr. PLATNER. No; he gave us the address of it and where it was. I sent officers to this place to look at the building to make sure he was correctly informing us. They checked the storeroom in this building and found the outlines of the boxes. This dynamite had been removed from the original box that dynamite is usually shipped in and it was in boxes that came from a grocery store in Omaha. So there were three or four different outlines of these boxes in the dirt on the floor. They matched the boxes that we had.

Mr. ROMINES. Did this suspect indicate to you where he had found the dynamite in this particular building?

Mr. PLATNER. Yes, he did.

Mr. ROMINES. He directed you to this specific location, and in the specific location you found imprints in the dust which corresponded to the boxes which you picked up when you arrested these three individuals; is that correct?

Mr. PLATNER. Yes.

Mr. ROMINES. Your statement contains the account of the boobytrap killing of officer Minard on August 17, 1970. You and Mr. Scherle discussed briefly the circumstances surrounding that explosion. Your statement indicates that the bomb consisted of three 16- by 2½-inch sticks of dynamite. My question is, During the preliminary hearing was it brought out that three 16- by 2½-inch sticks of dynamite were used to make that bomb?

Mr. PLATNER. Yes, Duane Peak, who was charged with murder, testified for the prosecution. He explained how this bomb was made, and this is what he said in his sworn testimony.

Mr. ROMINES. He did say in his sworn testimony that it was composed of 16- by 2½-inch sticks of dynamite?

Mr. PLATNER. I am not positive he did; he said it was three sticks of dynamite. Afterwards a search was made of David Rice's house with a search warrant and dynamite of this sort was found, and we are assuming that this—

Mr. ROMINES. When you say "of this sort"——

Mr. PLATNER. Two-and-a-half- by 16-inch. This is Red Cross du Pont 50 percent strength dynamite.

Mr. ROMINES. You say 50 percent strength, 50 percent——

Mr. PLATNER. Nitroglycerine.

Mr. ROMINES. Were you in the hearing room yesterday when Sergeant Al Gladson testified?

Mr. PLATNER. Yes, I was.

Mr. ROMINES. Did you hear the part of his testimony pertaining to the theft of 1,000 pounds of dynamite from Quick Supply in Des Moines?

Mr. PLATNER. Yes.

Mr. ROMINES. Did you yourself make any attempt to, in effect, back-track from Omaha to Des Moines to ascertain, if you could, whether the dynamite found in and around Omaha came from Quick Supply?

Mr. PLATNER. Yes; when these three individuals were arrested in July, I called back and talked to the owner and the manager of Quick Supply and described the dynamite. I told him it was being held in Council Bluffs at a storage place. He said that if this was 2½- by 16-inch sticks, he was almost positive it had to be their dynamite.

Mr. ROMINES. Did you hear Sergeant Gladson testify yesterday that the dynamite stolen from Quick Supply was part of a special order?

Mr. PLATNER. Yes; that is the first time I knew that.

Mr. PREYER. Mr. Counsel, how do you mean "special order," special size?

Mr. ROMINES. I can paraphrase it for you, Mr. Chairman. Quick Supply ordered a thousand pounds of dynamite on a special order from the du Pont Company specifying 16 inches long and 2½ inches in diameter. This, as I understand it, is an unusually large size of dynamite to be used in quarries for blasting purposes. Sergeant Gladson checked back with the manufacturer of the dynamite, and they told him that was the only shipment of that size dynamite in the year 1970.

I have no further questions of this witness at this time, Mr. Chairman.

Mr. PREYER. Mr. Scherle.

Mr. SCHERLE. Thank you, Mr. Chairman.

Mr. Chairman, to give you some idea of what took place during the hiring of David L. Rice, David L. Rice was hired on February 24, 1969, and in the Omaha *World-Herald* it says:

David L. Rice, a civil rights activist who has written for "underground" and neighborhood newspapers, has been hired by Greater Omaha Community Action.

Rice began work as a neighborhood worker Monday at the anti-poverty agency's neighborhood office at 2218 North Twenty-fourth Street.

GOCA [that is Greater Omaha Community Action] Executive Director Kenneth E. Shearer said Friday that Rice will work in community organization and will advise poor people of where they can get needed services. . . .

To continue about this background:

Rice has written for the "Asterisk," "Buffalo Chip" and "Lake-Charles Action." He has served as advertising manager for "Asterisk" and "Buffalo Chip," both underground newspapers.

His articles have frequently been critical of Omaha police, schools and city officials.

Now Reverend Rudolph McNair, who is the area director, on the 10th of August 1970 wrote this letter and memorandum to David Rice.

and I quote: "I have noted a continuous recalcitrance on your part to comply with these directives." He states what is expected of him—

and in addition, the excessive time I have observed you spending in the headquarters of another organization, and the time wasted in conversations in this office with N.Y.C. workers and the tardiness without explanation are unacceptable.

Therefore, when I return the Evaluation Report to the GOCA headquarters on 11 August 1970, I will attach to it the information that your employment is to be terminated immediately.

He was terminated on August 11, 1970, and the officer, Larry Minard, was killed 6 days later, murdered. Now to continue along that line, Dennis, who is the director of Opportunities Industrial Center, and I read from the Omaha *World-Herald* [July 2, 1969]:

Eddie Bolden, defense captain of the Omaha Black Panthers, has been hired as a teacher's aide at the federally financed Opportunities Industrialization Center (OTC) [sic].

* * * * *

"As long as he's not a card-carrying Communist, his political views are his own," Dennis said.

Bolden was suspended from the OIC, and because of the action we took why he later resigned.

This is a short résumé, once again, of some of the things that have taken place in the obnoxious hiring practices of the poverty agencies and a few of the reasons why I think we should make some changes. Now in light of Mr. Harrington's testimony this morning regarding the soft attitude of certain personalities of the national news media concerning the revolutionary activities of militants, I wish to relate to the committee what I consider an obnoxious attempt at humor by Mr. David Brinkley of NBC News.

A few days after the tragic suitcase boobytrap murder of an Omaha policeman Mr. Brinkley, in his vain attempt at comedy, made fun of the story of how a school janitor was commended by the Omaha Police Department for calling them in regard to a satchel in front of the school and what the janitor considered to be of suspicious nature.

Mr. Brinkley related how the Omaha police shot into the satchel at a safe distance in case it contained a bomb. It was discovered that the satchel contained a young boy's sporting equipment.

Brinkley sarcastically related this story as one of humor, and he implied that the police had overreacted. This attitude by Mr. Brinkley and shared by certain other national news media personalities to show the police in a bad light is just what Mr. Harrington was talking about here this morning.

The testimony heard before this committee yesterday and today by Sergeant Gladson of the Des Moines Police Department and Captain Platner of the Omaha Police Department, I feel, shows an inadequacy and lack of supervision concerning the ultimate use of Federal funds, once a Federal grant has been made.

While the last 2 days of testimony has revealed some varied misuses of OEO funds in particular, I have a very strong suspicion that an in-depth investigation of the Federal social funding program would reveal similar situations throughout the country involving other Government agencies as well.

We have heard enough to justifiably arouse our suspicions, and I think it is a crime to find even a hint of our taxpayers' money being used either directly or indirectly to tear down our institutions and fundamental beliefs. Something must be lacking in the Government when such glaring examples are brought to our attention as we have heard concerning Des Moines and Omaha, and, in prior testimony as well, of the misuse of food stamps in Seattle, Washington, by the Panthers.

I think it is time, Mr. Chairman, that our committee take a serious look into the procedures employed by our Federal granting agencies as to how they supervise those organizations throughout the country who apparently arbitrarily dispense these funds, some of which obviously benefit certain militants and subversive groups and individuals. I would, therefore, Mr. Chairman, strongly urge you to consider an in-depth investigation by this committee into the matter of funding in that it is a necessary logical approach for possible remedial legislation.

In regard to OIC, I may say that last year one of my aides and myself made a trip over to a neighborhood youth center. It was an unannounced visit. Of course, as I walked through the building I noticed various people supposedly working, but they were not. There were typewriters there, but nobody was really doing anything at all.

As I went into the first office I noticed in a director's office. I never thought too much about it at the time, but on the wall was a map of the Omaha Police Department, all the streets and everything else, where you are at specific times, where your patrol cars are, and everything else. I thought that was rather strange for a neighborhood youth agency or OIC to have in detail where the policemen were in Omaha, where the patrol cars were, and everything else.

Now I am not necessarily making any connotations about this, but I still haven't figured out, and I am not naive, but I do have suspicions now as to why that map was on that wall. It might still be there for all I know. But I think additional supervision is definitely needed in that area.

Mr. Chairman, I want to say this about the Omaha police. I live right across the river. I think the police in Council Bluffs and Omaha, Nebraska, do a tremendous job. I know what you are faced with; I know what you have to live with. Because of this my sympathies also go out to you.

But what you have done, with the handicaps the courts and other people have provided you, is a commendable job. I am glad to know I can walk on the streets of Council Bluffs; that I can walk down the streets in Omaha and know that the police of both of those two cities have done a remarkable job in keeping some semblance of sanity alive in the Midwest.

I don't do it here. But I sure feel safe back there. I can assure you that we will do whatever is possible to keep it a safe and sane Midwest. For other parts of the country I think it is too late. But there we still retain it. My compliments to you, to the chief, and all your associates; we are grateful Captain Platner, very much.

Mr. Chairman.

Mr. PREYER. Mr. Scherle, I want to thank you on behalf of the committee for your contribution to these hearings. I know the full com-

mittee wants to take up and discuss the suggestions you have made here on that further inquiry into these matters we have been discussing.

Captain Platner, I want to join Mr. Scherle in congratulating you. You have provided some of the most shocking and outrageous things here and yet you have done it in a perfectly calm manner and have not let your indignation carry you away and fly off the handle. Like good police officers you have stuck very close to the evidence and not jumped way beyond it. Most of the evidence you have recited here is circumstantial evidence, but as you know through experience in the courtroom there is nothing wrong with circumstantial evidence; it can be stronger than direct evidence.

The classic example is if you wake up in the morning and it snowed during the night and you see footsteps in the snow you know somebody has been there.

So this circumstantial evidence here that you have received comes on pretty strong, the only shipment of this dynamite this year, and that sort of thing, it shows you certainly have prepared your case carefully and calmly and efficiently. So I say you are an example of the kind of police officer we need in this country. You are doing a good job.

Tomorrow the hearings will continue with four more witnesses. I will be unable to be here, but Mr. Pepper will chair the committee tomorrow so we will resume at 10 o'clock in the morning.

Mr. ROMINES. Mr. Chairman, before you adjourn I would like to introduce one last exhibit, please.

Captain, I hand you what has been marked Exhibit 14, which consists of a series of pictures with a page number for each picture. Could you please identify each of the pictures for the record.

Mr. PLATNER. Page 1 is the house on Ohio Street where Minard was killed.

Mr. ROMINES. Is that after the explosion?

Mr. PLATNER. Yes, after the explosion. Page 2 is another picture of the same house. Page 3 is a picture of part of the house with the body of the officer lying in the foreground. Page 4 is the inside of the room where the bomb exploded at the North Assembly police station. Page 5 is the interior of the Horace Mann Junior High School where a bomb was exploded. Page 6 is an outside view of the Components Concept Corporation as it looked after the bomb was exploded. Page 7 is a picture of the bomb that was placed against the wall of the city hall.

Mr. ROMINES. Mr. Chairman, I ask that Committee Exhibit 14 be introduced in the record.

Mr. PREYER. Without objection it is admitted into evidence.

(Photographs marked Committee Exhibit No. 14. See appendix A, pages 5034-5040.)

Mr. SCHERLE. Mr. Chairman, before we conclude I have here a report submitted by Don Rumsfeld in the OEO that I did ask permission to submit for the record. I notice some dates on here are wrong, and that is typical of the sloppiness of the OEO. I have made the necessary changes and I ask that it be entered into the record with the other material.

Mr. PREYER. Without objection that is admitted into evidence.

(Document marked Committee Exhibit No. 15. See Appendix A, page 5041.)

Mr. PREYER. Before we recess I will say I have had a chance since we opened these hearings to read the lengthy reports prepared by the staff members, Mr. Wetterman, Mr. Pott, Mr. Shaw, and Mr. Horner, and I want to congratulate them on an excellent job. What I said about Captain Platner is true of these reports. They stick to the facts. They obviously have put in a whole lot of hard work, and I think they have made a real contribution. The staff has had to do a lot of work on these particular hearings, but I think you have done a good job on it.

I appreciate it.

Mr. PREYER. Let me throw my thanks in on that, too.

Mr. PREYER. We will recess until 10 o'clock tomorrow morning.

(Whereupon, at 12:05 p.m., Wednesday, October 14, 1970, the subcommittee recessed to reconvene at 10 a.m., Thursday, October 15, 1970.)

BLACK PANTHER PARTY

Part 4

National Office Operations and Investigation of Activities in Des Moines, Iowa, and Omaha, Nebr.

THURSDAY, OCTOBER 15, 1970

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C.

PUBLIC HEARINGS

A subcommittee of the Committee on Internal Security met, pursuant to recess, at 10:10 a.m., in Room 311, Cannon House Office Building, Washington, D.C., Hon. Claude Pepper, chairman of the subcommittee, presiding.

(Subcommittee members: Representatives Claude Pepper of Florida, chairman; Richard H. Ichord of Missouri, chairman of the full committee; and William J. Scherle of Iowa.)

Subcommittee members present: Representatives Pepper and Scherle.

Staff members present: Donald G. Sanders, chief counsel, and Stephen H. Romines, assistant counsel.

Mr. PEPPER. The committee will come to order, please.

On April 15, 1970, Chairman Ichord appointed a subcommittee consisting of Richardson Preyer, as chairman, John Ashbrook, and himself to hear testimony in connection with the investigation of the Black Panther Party. A series of hearings have been held, culminating with 6 days this month. Today is the last day for which hearings are currently scheduled.

In view of the House recess which commenced yesterday, some of the members were not available to attend today's hearings. Mr. Ichord therefore reconstituted the subcommittee to consist of myself as chairman, William J. Scherle, and Mr. Ichord to conduct today's hearing. The subcommittee is authorized to perform any and all acts in connection with the investigation and hearings which the committee as a whole would be authorized to perform.

Mr. Counsel, I direct that the memorandum from Mr. Ichord to the members of the committee, dated October 13, 1970, reconstituting the subcommittee for today's hearings be included in the hearing record at this point.

(The memorandum follows:)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C., October 13, 1970.

To: Honorable Claude Pepper; Honorable John M. Ashbrook; Honorable Edwin W. Edwards; Honorable Richard L. Roudebush; Honorable Richardson Preyer; Honorable Albert W. Watson; Honorable Louis Stokes; Honorable William J. Scherle.

From: Richard H. Ichord, Chairman.

Re: COMMITTEE HEARINGS, BLACK PANTHER PARTY.

On April 15, 1970, I appointed a subcommittee consisting of Richardson Preyer as chairman, John Ashbrook and me to hear testimony in connection with the investigation of the Black Panther Party. An authorizing resolution in regard to the investigation and hearings is attached for information.

A series of hearings has been held, culminating with six days scheduled for this month. The subcommittee heard witnesses on October 6, 7 and 8. Additional witnesses are scheduled for October 13, 14, and 15. In view of the House recess due to commence on October 14, it now appears that some Members will not be available to attend the October 15 hearing.

Therefore, for the purpose of hearing witnesses on October 15 in connection with the resolution attached, I am reconstituting the subcommittee and do hereby appoint for this purpose a subcommittee to consist of Claude Pepper as chairman, William J. Scherle and me. The subcommittee will be authorized to perform any and all acts in connection with the investigation and hearing which the Committee as a whole would be authorized to perform.

Mr. PEPPER. Our first witness this morning is Dr. Nelson A. Watson from Washington, D.C., a representative of the International Association of Chiefs of Police, who will testify about the problems caused by the Black Panther Party which affect police chiefs and discuss the need for remedial legislation in this area.

Dr. Watson, I met you in the elevator a while ago and you told me I would see you here. We are pleased to have you here and you may proceed.

STATEMENT OF NELSON A. WATSON ON BEHALF OF THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

Mr. WATSON. Thank you. Mr. Chairman, it is a pleasure for me to be here this morning to have this opportunity to represent the entire International Association of Chiefs of Police and to present to you a statement which would have been presented by our executive director, Mr. Quinn Tamm, but for an important appointment which he had this morning which he could not break.

With your permission, sir, I will read Mr. Tamm's statement:

I appreciate this opportunity to testify on behalf of the more than 7,800 State and municipal police executives who comprise the majority of our membership regarding the sniper attacks, ambushings, terrorist bombings, and other vicious assaults on the police officers of our Nation.

Mr. PEPPER. Dr. Watson, the entire International Chiefs of Police Association represents how many countries?

Mr. WATSON. Approximately 60 countries of the free world, sir. [continues reading:]

I am convinced that recent assaults on police officers and the trend they show are a grave threat to the very foundation of our system of government.

It was not too long ago that an attack on a police officer during a raid or an attempted arrest was front page news.

Today, these so-called "open attacks"—as distinguished from snipings, ambushings, and bombings—are so overshadowed that they receive hardly any public notice, even when they result in the death of an officer.

A new dimension is added to lawlessness when attacks are made on the police officer simply because he is a police officer. Such attacks are almost daily reported in our Nation's newspapers and are consequently well known, but let me illustrate what I am talking about.

During August of this year, the police department in Omaha, Nebraska, received a telephone report of a woman screaming in a vacant residence. Police officers who responded found only a suitcase inside the door of the residence. When one of the officers moved it, it exploded, killing him and injuring seven others.

The person who committed this murder did not know who his victims would be. All he knew, and all that he intended, was that one or more police officers would be blown to death when they responded to the call for help. The person, or persons, who planned and carried out the crime had one sure factor they could rely on. They could be sure the police would respond to a call for assistance.

In Minneapolis a few months ago, two patrolmen responded to a telephone plea from a woman who reported that her sister was having a baby and needed help. When the officers were unable to get a response at the address given, one walked to the rear of the building. He heard a shot and returned to the front to find his partner dead from a high-powered rifle bullet fired from across the street. Subsequent investigations showed that although the woman at the address given was expecting a child, the time was several months later. It was clearly an ambush.

In Toledo in recent weeks, an officer was sitting in his patrol car. A man approached the car and cried, "Hey, baby, here's something for you." At the same time he shot the officer, at point-blank range, in the head, causing his death.

In Chicago, a wounded officer lay in an alley. His assailant placed a gun to the officer's head and pulled the trigger.

In New York, in Detroit, in Philadelphia, in Baltimore, in Seattle, in Berkeley, and in many other cities, officers are being killed solely because they are policemen.

In recent years, the training of police officers has reached the point where competent, finely trained men are graduating from police academies qualified to handle the great variety of problems with which law enforcement must deal.

What a commentary it is that we must now concentrate on teaching officers how to avoid sniper attacks, how to spot an ambush, how to react to the danger of a booby trap. What a loss to society it is that the officer must spend an increased part of his time in activities directed toward self-defense rather than toward service.

Should the terrorist tactics being practiced against police today be allowed to continue, we will begin to determine the success of a tour of duty by whether the officer was able to work his beat for 8 hours without being assaulted or, if assaulted, whether he managed to survive.

I think I did not overstate the problem when I said these tactics are threatening the very foundation of our society.

Think for a moment what would happen to the freedom of all peoples should the terrorists succeed in removing the police from our streets.

This we cannot and will not allow to happen, but how much longer can we ask the officer to submit himself as the target of blind and undirected attack?

Obviously, the social conditions which have produced ambushings of police officers are complex. They were not created by any single act, and the solution is not to be found in any single act. The problem, if it is to be solved, calls for the best efforts of law enforcement, the legislature, and the judiciary.

After discussing this crisis with some of the best minds in law enforcement, I offer some observations and suggestions which I feel should do much to stop these attacks.

Some actions to improve the officer's safety can and are being undertaken by our police departments. Because they are within our power to accomplish, I will not dwell on them.

Other necessary activities, however, are outside the area of authority of the policeman and must be accomplished by the legislature and the courts.

Perhaps the first and foremost necessity is swift and severe punishment for those charged with, and convicted of, these offenses. Persons who kill police

officers deserve the severest penalty the law allows. And if the law as it is now written doesn't provide a stiff enough penalty, then legislation should be enacted which does.

So far as we in law enforcement are concerned, there is too much delay between arrest and trial.

It has long been said that "justice delayed is justice denied." This was originally meant to imply that it was the accused to whom justice was being denied by a long delay in the resolution of his case.

I submit that it is the public to whom justice is denied. Protracted delays make conviction much more difficult because witnesses forget or they grow weary of postponement and therefore make themselves no longer available. The injustice to the public is doubled when the accused is permitted to freely roam the streets while waiting for his case to be called.

While we recognize that there are many factors a judge must take into consideration before passing sentence on a person found guilty, we can hardly rationalize some of the lenient treatment which those who assault the police receive.

We cannot forget a Chicago case, a few years ago, involving three young hoodlums who savagely attacked a uniformed police officer who had stopped them for questioning. The assailants overpowered the young officer, seized his gun, and would likely have killed him except for the sudden appearance of two fellow officers in a cruising squad car.

These attackers were tried and convicted. Although they had long police records, the three—ages 23, 19, and 19—were granted probation. Incredibly, the trial judge called the officer who was assaulted a "cry baby."

How can we avoid the conclusion that such judicial inaction causes those who would assault the police officer to conclude that they can do so without fear of meaningful and deterrent punishment?

Much has been said and written in the last few years about police reaction to provocation.

Time after time we have seen officers subjected to vilification and verbal abuse. We have seen them spat upon and struck with rocks and bottles. And, yet, we have seen them subdue the natural human reaction to strike back.

When it comes to attempts upon the lives of those officers, however, we cannot stand idly by and find some excuse for overlooking the assaults. We must, by supportive legislation and reasoned judicial decisions, make it unmistakably clear that the police officers of the United States are not being put upon the streets of our cities to be the targets of assassins.

Guerrilla warfare will not drive us from those streets. We will not permit it and our country would not survive it.

Mr. WATSON. That completes the formal statement which Mr. Tamm wanted to make to you. However, he has asked me to speak to the issues expressing the profound concern of police administrators and executives relative to the dangers to our society and, in particular, the serious threat to their very lives being experienced by police officers throughout the Nation.

I submit, gentlemen, that dissent and social protest are not the issues. These are and always have been important and useful elements in the progress of our people. The true issues of concern are vicious, unprincipled, and alien terrorism and the ultimate destruction of democracy commencing with dastardly assassination of its protectors, the police.

I used the word "alien" and I used it advisedly. The acts of terror and destruction being perpetrated today are alien to the principles of American democracy. No intelligent person can remain oblivious to the unrest so evident throughout the world today. And I can report to you that the leading law enforcement executives of our country, who constitute the membership of the International Association of Chiefs of Police, feel that the unrest and violence outside our borders and that being experienced domestically are definitely not unrelated.

We also believe that the ambush slaying of a police officer in Toledo and the boobytrap murder of an officer in Omaha are not two separate, isolated, and unconnected events.

You may wonder whether in saying that I am charging the existence of a conspiracy. Permit me to say that any and all of these acts of violence—arson, bombing, or murder—may well be the result of legally actionable conspiracies. What is more, the conspiracy may well have far-reaching ramifications. But even more importantly, in my opinion, is the existence of a pervasive psychological conspiracy. In today's climate of violence, it is not necessary for these criminals to personally meet and hatch up their plots. A suggestion in a speech by one accepted as a leader can trigger the murder of a policeman a thousand miles away. Can anyone be so naive as to fail to connect acts of violence with incitement to violence by one who claims protection of the first amendment? Can we not understand that the kidnaping of diplomats in South America and in Canada are psychologically related incidents? Surely it is apparent that the bombing on the campus of the University of Wisconsin and the burning of a bank in Santa Barbara grow out of the same twisted psychology afflicting so many in our country today? The nature of the violence is not fortuitous and not opportunistic. It is not spontaneous. Those inclined to violence learn what to do and how to do it from the actions of others—frequently from press and television reports. We believe that among the instigators of violence there are many who are both openly and covertly dedicated to the destruction of our social and political order. It is from these that the less imaginative absorb their lessons.

Whether there is a legal conspiracy or a psychological conspiracy is of secondary importance. It is the results that count. And results are being had. No doubt the Commission has looked into the instructions for making bombs published in this disgraceful sheet. I refer to the *Quicksilver Times* which contains detailed instructions on how to construct bombs and other explosives.

Mr. PEPPER. What is the name of that?

Mr. WATSON. This is the *Quicksilver Times*. This paper is published in Washington, D.C., and sold openly on the streets.

Mr. PEPPER. Is it one of the so-called underground newspapers?

Mr. WATSON. It is, sir.

Mr. PEPPER. Does the identity of the publisher appear on the paper?

Mr. WATSON. There is a statement in here which says:

The QUICKSILVER TIMES is published with permission of Quicksilver Times, Inc. and the Washington Independent Publishing Co. The Quicksilver staff collective can be contacted at 1736 R Street, NW, Washington, D.C. 20009. Phone: 483-8000.

It gives some names of the staff collective; all of them are first names only. This publication claims to be a member of Liberation News Service, an underground press syndicate.

Conspiracy? People do not study how to make bombs just as a matter of idle interest. In how many such publications across the country does this material on construction of bombs appear?

Mr. PEPPER. Is there any law now that prohibits the dissemination of that sort of information?

Mr. WATSON. No, sir; not to my knowledge.

Mr. PEPPER. I don't recall that would come under the kind of recent bombing act that the Congress passed, that there was anything

in there that prohibited the distribution of information about how to make one. The counsel does not recall anything, and I don't recall anything about it.

Mr. WATSON. My point is it would be illuminating to learn how widespread the printing of these instructions is and even more useful to ascertain its source and how the publishers came by it.

To conclude, with this as a background, Mr. Tamm has asked me to inform you about a resolution adopted by the IACP at our 77th Annual Conference just concluded in Atlantic City, New Jersey. With your permission, I would like to make this resolution part of the record.

Mr. PEPPER. Without objection, it will be received.

Mr. WATSON. The resolution reads:

Whereas, the IACP recognizes the increasing frequency of personal attacks upon police officers and upon law enforcement and other public facilities, and

Whereas, these assaults have occurred against officers because of the official nature of their duties, and

Whereas, an attack upon a police officer or a public facility is an attack upon the entire social order, and

Whereas, such assaults violate the federally protected rights of specific group or groups of United States citizens, and

Whereas, there is a good and valid reason to believe and the members of this Conference actually do believe that a number of these attacks are planned and executed by those travelling in interstate commerce or by those using a facility of interstate commerce, and

Whereas, the investigation of such incidents is often difficult and sometimes impossible for local authorities to perform because of the interstate activity of the perpetrators,

Therefore, be it resolved by the IACP that the Congress of the United States be urged to enact legislation making it a federal crime to injure or kill a police officer of any jurisdiction because of his official character by one acting in interstate commerce or one using a facility of interstate commerce, and

Be it further resolved, that the Congress be advised that the IACP urges the enactment of legislation such as that embodied in Senate Bill 4359 and related bills—S. 4325 and S. 4359; and

Be it further resolved, that the IACP recommends that such legislation be appropriately amended to provide that every assassination of a police officer which occurs because of his official character falls within the purview of these statutes and, in the absence of evidence establishing the local character of the offense the crime should be investigated jointly by local and federal authorities, that the chief administrative officer of the law enforcement agency with which the officer was affiliated may call upon the federal government for investigative assistance, and if so requested, the federal government must respond to this call.

I might conclude with just a word about House bill 19544 which was not available to the members of the committee at the time that this resolution was drafted. I have read this bill and I believe that I may say on behalf of the members of IACP that this bill contains the kind of language which we feel would be helpful and we feel that we are in position to support the passage of this bill.

Mr. PEPPER. I have before me here H.R. 19543. I am informed that it is identical with 19544 to which you just referred. Chairman Ichord with many of the rest of us, including myself, are cosponsors of this bill 19543.

Have you finished?

Mr. WATSON. I have, sir.

Mr. PEPPER. I have just two or three questions before counsel inquires. On this matter of court delay, it has been a little surprising to me that so many people talk about law and order, about fighting crime, and yet how difficult it is to get anything done about court delay. The House Crime Committee, of which I am chairman, has given a great deal of consideration to that. We have had several conferences with former Chief Supreme Court Justice Tom Clark, who has been making it one of his chief concerns for some time. There has been some progress made in the Federal system but even LEAA, so far as I am aware, is not doing anything to speed up the trial of the criminal cases in the State courts of the country, where of course many of the cases are. We are hoping that in the next year something may be done to provide greater Federal assistance in speeding up the trial of criminal cases in the State courts; of course, in the Federal courts as well.

I feel that a person charged with a crime, first in his own right and second on the part of the rights of society, should be tried in not to exceed 90 days and preferably within 60 days unless exceptional circumstances arise to make a longer time necessary.

It involves, however, we have found out, and Mr. Justice Clark has indicated, more than just adding on more police. Justice Clark compared the system of administration of justice to a waterworks system for a city. It makes no difference how much water you put in the reservoir, it is the amount of water which goes through the pipes which determines how much the inhabitants of the area derive from the water system. So we could have all the police officers we want, arresting people and running them through the process of getting bail or even taking them to jails which are already overcrowded, but if we don't move them through the court system, why the police officer is to a large degree frustrated in risking his own life to just have the fellow meet him on the street by the time he gets the reports made out.

So I certainly agree with what you say about the concern you express about the contribution of court delay. I think most people who have studied the subject believe that the swiftness of punishment is a greater deterrent than the degree of punishment. The ordinary person who commits a crime probably surmises he will get away with it and, of course, most of them do.

Now the other thing: What do you think about whether the Federal legislation should provide that the FBI at the invitation of the local police authority may be called into any case where a peace officer or law enforcement officer has been killed or assaulted?

Mr. WATSON. I feel sure that in most instances, Mr. Chairman, that the local authorities would certainly welcome such assistance. In fact, in those instances in which it appears that, because of the unavailability of the suspects, there may have been interstate travel involved, that is the thing we are referring to here. It goes beyond the capacity, as a rule, of the local police department to handle it adequately and Federal assistance, particularly by the FBI, which with its vast network of intelligence and agents would be in a position to offer very material assistance. I feel certain that it would be most welcome by the local authorities.

Mr. PEPPER. Do you see any greater need for the FBI to intervene in cases where there have been bombings on a college campus which receives Federal assistance than for the FBI to assist in catching and prosecuting somebody who has killed or assaulted a police officer?

Mr. WATSON. Any greater need do you say, sir?

Mr. PEPPER. Do you find any greater need for the FBI to go on a campus where there has been a bombing than for the FBI to find out who assaulted or killed a police officer?

The Department of Justice has recommended that the FBI go on campuses where there has been a bombing and investigate. Do you see any greater public need for the FBI to go on a campus where there has been a bombing than for the FBI to go help find out who it was that killed or assaulted a police officer?

Mr. WATSON. I think pretty much the same principles apply, Mr. Chairman. There is at least a feeling, if not direct evidence, to support the local police in their contention that much of what is happening, say on the campus at Wisconsin or the campus at Berkeley or anywhere else, involves people who have moved from one State to another. To the extent that the local authorities are limited in their ability to investigate beyond their own jurisdiction, the assistance of Federal agencies in this matter also would be most helpful.

Mr. PEPPER. After all, aren't the police forces of this country essentially an integrated force? People move to and from town to town, city to city, State to State. It would seem to me that the law enforcement officers of this country are essentially an entity, and I have been giving some consideration to whether we could not constitutionally, without regard to interstate commerce, or affecting interstate commerce or the mails or any of those things or the telephone lines or anything like that, simply on the simple principle that law enforcement in this country is relatively a single problem and the people engaged in law enforcement are essentially an integrated force, all interdependent.

You might be chief of police of Washington, but if you could not work with the chief of police and a police authority in Baltimore you could not do an effective job here and so on.

The whole system is so interrelated by an intercommunications system and the like and today the criminal moves so rapidly from one area to another that, as a lawyer, I would have some confidence in the Supreme Court upholding the validity of a statute that just said this, that the problem of law enforcement is relatively a single problem in the country and therefore anybody who kills or assaults a law enforcement officer anywhere within the United States commits a Federal crime as well as a crime against the sovereignty in which the episode occurred.

Then there is one other reason, after all under the Constitution of the United States all of us have a dual citizenship, the citizenship of a State and the citizenship of the Federal Government. The constitution provides that all persons born or naturalized in the United States are citizens of the several States and of the United States. So they are all interrelated, it seems to me. I know we have now associated this with some aspects of interstate commerce, but it may not be necessary to limit it to that basis.

Mr. WATSON. I think your point is well taken, Mr. Chairman. I might mention that through the agency a close association has grown up among the members of the International Association of Chiefs of Police, for example, that there is a great deal of cooperative work being done in cases such as these, bombings and the like. There is a rather extensive information network, several of them as a matter of fact, and I think these may constitute the beginnings of the type of thing upon which we can build, the type of thing which you mentioned.

Mr. PEPPER. Under the LEAA the Federal Government has been trying to set up more communications facilities, regional systems for obtaining of information. I am hoping we can put in more computers and tie together the network of law enforcement officers far more intimately than exists at the present time. Because that is the only way you can really do an effective job in apprehending criminals who move so rapidly today from one part of the country to another.

The Chief Counsel, Mr. Sanders. Do you have a question?

Mr. SANDERS. Yes, sir. Dr. Watson, we have seen in the last few years a spreading pervasiveness of subversive organizations and extremists organizations throughout the United States and, as Mr. Pepper just mentioned, the individuals that associate with these organizations have great ease of transportation from one community to another and great ease of communication across the United States. We have a situation in our country where we have a vast number of independent police agencies. The vast majority of them are very, very small and do not have extensive facilities at their disposal. The case of Pennsylvania versus Nelson a number of years ago has had a very multifying effect upon local departmental investigation of subversion and State prosecution for such crimes as anarchy and subversion. We have witnessed in the last few years suits against police departments for maintaining subversive files and conducting subversive investigations. I wonder if you might have some observation on the propriety of State and local investigations in this regard and also on the possible use of funds under the Law Enforcement Assistance Act to specifically benefit local departments in this regard.

Mr. WATSON. I would like to say in response to your question that the problem involved in keeping track of the activities of people who are engaged in subversive activities or people who travel from one end of the country to the other, in fact, from one end of the world to the other, you might say, is a problem that severely taxes the resources of almost any local police department.

When I say "local," I am referring to police departments of the size of New York City and police departments of the size of Lehigh, Pennsylvania, where they have five men. It would appear to me that the best, most productive plan for obtaining or storing for analyzing and using information concerning the activities of people like this for the protection of the citizens of the United States and the protection of our Government is something that almost has to be handled in a centralized manner.

This does not mean that the local departments have no part to play, because it is quite clear, also at the same time as a matter of personal experience to me, that no Federal agency is really able to handle this problem without the assistance of the local police. So that, in line with Chairman Pepper's statement, I would have to agree that what we really need is a closely integrated law enforcement system that involves close cooperation between the various Federal agencies and the local agencies, whether they be State police or municipal police or sheriffs' offices or whatever. It seems to me that is about the only way that the problem can really effectively be handled.

I might say one last thing in connection with this. I heard someone say on television, I believe it was yesterday, make some charge to the effect that the former chief of police in Los Angeles had a dossier on everybody in southern California.

Well, in the first place as a law enforcement officer I know this is a ridiculous kind of statement. It is impossible for the chief of police in Los Angeles or Chicago or New York or anywhere else to have a complete dossier on everybody who lives in the area. I think this is a kind of an emotional scare tactic that somebody is using for whatever purpose he has. But at the same time I think I would have to say that where there are people who are engaged in activities that lead them from one part of the country to the other, leaving in their wake bombed-out buildings and dead police officers and other kinds of destruction, it seems to me that we are justified in maintaining dossiers of information on such people.

What are we supposed to do, sit back and let them do whatever they wish without attempting to protect ourselves? I just don't see that this is the kind of bogeyman that some people try to make of it.

Mr. ROMNES. Dr. Watson, you have mentioned during your testimony numerous terrorist attacks on police officers. What, if anything, has been the effect on policemen of these various terrorist attacks?

Mr. WATSON. Well, policemen are human beings and they have families and responsibilities, a desire to advance themselves, to live a nice full life, just as anyone else. When a man knows that he is going to have to go out on the street and expose himself to the kind of thing that is going on today, it is quite natural that we would get from him a reaction that causes him to perhaps change his mode of operation in some respects over what it may have been under other circumstances.

What I am getting at is that the policeman is going to perhaps approach with exceptional caution a situation in which the arrest of an offender of some sort should be effected, but because of the policeman's hesitancy and his reluctance to get into the situation without first taking every precautionary step that he can think of, the offender may get away. Let's face the fact, also, that we have a great variety of men in our law enforcement agencies throughout the country, and it is reasonable to assume, although I know of no such cases, but it is reasonable to assume that we may have some men who will turn the other way rather than to run even the faintest risk of injury or death when the situation clearly calls for aggressive law enforcement action.

I think if this kind of thing happens that then you and I as citizens of the country are the worse for the man's decision. I can't blame him: I think I, too, would be inclined to take every precaution that I could when I run into a situation where I think I am going to be in danger.

Mr. ROMINES. Do you know whether there has been a higher rate of police officers leaving the area of police work since these terrorist acts?

Mr. WATSON. I have no evidence to show that there has been a higher rate of turnover than was the case say 4 or 5 years ago. I just don't have any evidence to prove that. I have heard it said, but I can't point to any facts or figures that would prove it.

Mr. ROMINES. Do you know, Dr. Watson, whether the families of police officers who have been killed in the line of duty are adequately taken care of out of public funds?

Mr. WATSON. I think it is safe to say, sir, that in most instances some provision is made. Now the question as to whether or not it is adequate is something that depends upon one's point of view. For my part, I think that a case in which what is done for the family can be described as adequate is not adequate for me. I would not, in most instances, say that they are receiving adequate assistance.

Mr. ROMINES. Doctor, you specifically mentioned Omaha, Nebraska. The committee has received testimony in the last week on Omaha, Nebraska, and what happened out there from Captain Murdock Platner from the Omaha Police Department.

There have been three individuals arrested in Omaha for the killing of a policeman there and two of those individuals are ex-members of the Black Panther Party. Do you have any information on how many of these terrorist attacks on police officers across the United States have been perpetrated by members of the Black Panther Party?

Mr. WATSON. No, sir, I have no figures on that one. I am sorry I cannot respond to your question.

Mr. ROMINES. I am sure you are familiar with the party and its many statements either verbally in speeches or written in the Black Panther Party paper. How does the IACP view the Black Panther Party?

Mr. WATSON. The IACP has not formulated any policy statement with respect to this. Consequently we have no official position. Obviously in our conversations with representatives of law enforcement agencies throughout the United States at our conference that we just concluded, as I mentioned, in Atlantic City, there was a good deal of talk about this. But there was talk about other kinds of organizations and groups, also. I think we might be deluding ourselves if we concentrate all of our attention on the Black Panther Party and didn't, at the same time, realize or at least acknowledge that similar activities are being carried out by other people.

We have not adopted any policy statement on the Black Panther Party, but our members, many of them, feel that this party and others of similar political orientation represent a great threat to them and a great threat to the security and safety and well-being of our Nation as a whole.

Mr. ROMINES. Doctor, do you have any information on civil actions which have been initiated against police departments around the United States, in particular as it would tend to affect a policeman's conduct?

Mr. WATSON. There have been a number of indications called to our attention in which police officers have been sued for false arrest or in which police officers have been sued for injuries that a person may have received during the course of an arrest when there was resistance

to that arrest. This is a problem that is a rather serious one for many police officers because in a lot of cases the police officer does not, the community has no way of defending the officer and the community is not a party to the suit, it becomes an individual matter. Now many police officers carry insurance to cover them in this matter, but insurance is expensive and it doesn't always cover the circumstances that would be involved in any individual case. So the policeman lots of times is left pretty much on his own without a defense to these civil actions. I think that in every instance the people of the community should also bear a part of the responsibility in cases where such suits are entered.

Mr. ROMINES. I have no further questions at this time.

Mr. PEPPER. Thank you very much, Dr. Watson, we appreciate your being here today.

Mr. Counsel, you may call your next witness.

Mr. ROMINES. I call Sheriff Frank Madigan.

Mr. PEPPER. Sheriff, we are very much pleased to have you. My father was a sheriff, and I have great respect for them. He was also a chief of police, and I have great respect for them. So we are pleased to have you here today.

STATEMENT OF FRANK I. MADIGAN ON BEHALF OF THE NATIONAL SHERIFFS ASSOCIATION

Mr. MADIGAN. I am Frank I. Madigan, sheriff of Alameda County across the bay from San Francisco, which includes the great city of Berkeley and the University of California campus.

I consider it a privilege to be here this morning since we in our department feel that we have not had the Federal cooperation we should have had since the inception of demonstrations on the university campus in 1964. There were numerous occasions when we felt that there were Federal violations, such as stopping troop trains, interfering with the draft board, interfering with the operation of the Army base, where we could not get Federal participation.

I in no sense mean this to reflect on the Federal Bureau of Investigation because I understand their position and their position in taking directions from the Attorney General's Office.

Mr. PEPPER. Do you mean the FBI declines to participate in investigation?

Mr. MADIGAN. The United States attorney who directs them, I sat in numerous conferences with the local man and could get no cooperation. However, after the demonstrations had subsided and after People's Park and after the matter had been looked into by the Alameda grand jury and the State attorney general's office, the civil rights division for the Department of Justice indicted 12 of my officers. One of them is presently on trial in the Federal court in San Francisco. This has had a detrimental effect on local law enforcement and its relationship with the Federal Government.

Aside from that we have seen a distinct change in the hard-core former subversive since 1964, and this started with the Berkeley scene. We find it much more difficult to get accurate intelligence. At one time if they belonged to an organization such as the old-line party, there

were definite things that you had to conform to. But the new generation is entirely different; today there are a large number of dissident organizations, and any revolutionary seems to think that he is still a revolutionary if he has no goals. It is all right as long as he can do his thing. This has led to internal strife, for instance, the Students for a Democratic Society and their offshoot, the Weathermen, who are the real dissidents.

And going back to last spring on the University of California campus during the Third World Liberation demonstration, this was an attempt to close the university by a coalition of blacks and Chicanos or Mexicans. There were as many as 30 different dissident committees meeting. It is very difficult to evaluate the intelligence or predict what will happen. The revolutionary wants nothing to do with taking orders. He feels this concept of doing his own thing and his dope culture, as far as Berkeley is concerned, is the way to cause the downfall of this country.

There are several exceptions to this, and one of them is the Black Panthers. This is a disciplined and very cohesive organization that has had its internal problems in our jurisdiction. They have expelled a large number of their members for failing to conform to discipline or because they suspected them of being police informants. The other, of course, is the Communist Party and the Young Socialist Alliance, who still have strong discipline leaders and who generally conform to their rules and regulations.

Mr. PEPPER. What has been the role of the Black Panther Party in your area?

Mr. MADIGAN. As you know the Black Panther Party had its inception on the University of California campus in October of 1966 at a meeting sponsored by the Students for a Democratic Society.¹

The term, "Black Panther," originally came from Mississippi. But the dissident militant, the blacks, adopted this and set up this organization in the city of Oakland. We are seeing people in this; for instance, Eldridge Cleaver when he was confined to the State penitentiary was a reported Black Muslim leader; now he has gone to the other concept.

Mr. PEPPER. What do they do, what do the Black Panthers do there? Are they organized there?

Mr. MADIGAN. Yes, sir; very highly organized.

Mr. PEPPER. What do they do, what is their function, what is their mission?

Mr. MADIGAN. If you read their literature one of their objectives is the assassination of policemen, and we have had several attempts in the city of Oakland, the first in April of 1968, and Eldridge Cleaver participated in this attempt and there are still five of those eight Panthers who have not been tried due to various court delays. This is in April 1968 until now. We are still having them on the court calendar, attempting to get the case tried. But we feel now that the Panthers have recognized the fact that with all their preachings of revolution and the tendency towards strict Marx overthrow of our Government that they realize that they too must have the participa-

¹ Sheriff Madigan subsequently explained that this was a reference to the occasion when the Black Panther Party first displayed the Black Panther emblem at a public gathering. This took place on the University of California campus at a meeting sponsored by the Students for a Democratic Society.

tion of the white militants and, for the first time, the brown or Mexican.

We are seeing attempts to get these groups together. This has not been possible except during the Third World Liberation movement at the university which was an out-and-out attempt to close the university. There were blacks and Mexicans involved in that.

However, the first attempt was in 1968 when Eldridge Cleaver was still on the street, when he got involved in the Peace and Freedom Party who sponsored candidates for local offices and for State offices. We know, too, that before the People's Park incident, which was a confrontation with law enforcement designed to take over private property, that every effort was made by the white militants at that time to get the militant blacks, who we know are armed, involved in opposing us, but they were unsuccessful. But since that time we have seen support from outside the country; Cleaver is a fugitive, has gone to various parts of the world and participated in liberation fronts' philosophies that support the blacks' contention that they are an oppressed people in this country. This is the change in philosophy that we are seeing now, this present ambush of police.

I don't think it is a national conspiracy, but they have been preaching this violence for several years. And going back to the trial of Huey Newton in 1968, at the courthouse I was picketed for weeks on end by the Black Panthers and the white militants and on numerous occasions I could see an otherwise normal-appearing white carrying a big poster, "Kill a cop today."

So this is what they have been preaching and publicizing, and we are now bearing the fruits of it by the dissidents and the narcotics addicts; for instance in the Bay area there have been four out-and-out assassinations of, not a policeman, but just the badge and the uniform—some of them didn't even know who he was—in the last few months.

Mr. PEPPER. Do you find any correlation between these militant groups and the use or trafficking of drugs?

Mr. MADIGAN. Yes; we have seen the Berkeley scene change from the hippie or flower child to now the dropouts and it is the Mecca or the Athens for every dissident in the country. For example, we have people who were tried and convicted for rioting in Chicago, and these were Federal trials, now moved to Berkeley and established residence there while they are still out on bail, Tom Hayden, Jerry Rubin, and some more of the people we have seen for the last 5 years engaged in various types of activity at this level.

This philosophy of assassination, I think, grows out of the preachments that the legal advisers are giving. This must be an antifascism cause against police; this is the old communist cliché we have heard for years and probably will continue to hear.

(At this point, Mr. Scherle entered the hearing room.)

Mr. MADIGAN. Too, and it is interesting to note that when Huey Newton made bail a few months ago a demonstration was held blocking the street and attempting to infiltrate the courthouse. Demonstrators were being hauled to the scene by a bus with a U.S. Federal Government license on it and the initials OEDCI. This was used to bring people to the scene to confront law enforcement. It is difficult to rationalize with a law enforcement officer what the Government is doing hauling demonstrators to this type of an operation.

In just the last spring attempts to chase ROTC off the University of California campus we got involved out there where we are defending Callaghan Hall, Government property, and some of the people I have defending it are under indictment by the Federal Government for what I feel was performing their duties on a prior occasion. This gets very confusing for the rank and file of law enforcement. He sometimes wonders whose side he is on. Too, since September when the Panthers met in Philadelphia—this was not strictly a Panther meeting, there were various white dissident groups involved who participated in that meeting—and out of that grew a new organization of whites who followed the basic Panther principles, and they call themselves the Revolutionary Union.

It seems we create everything in California, but there is now a drive on to make this a national organization, more or less affiliated, with the same principles as the Panther Party.

We have seen something else in Berkeley that is a real phenomenon. This same group which originally grew out of the Panther organization of October '69, the white committee, National Committee to Combat Fascism, has sponsored an initiative petition. They have obtained sufficient signatures to put on the ballot in the April election a division of the police department into three communities, a black, a hippie, and a white, with control of each department by that individual community. If this happens, and if it is legal, you will probably see the Black Panthers running their own police department in the black community of Berkeley.

As to the use of Federal funds, we have been concerned about that. For instance, in the past 2 years various levels of county government have been sued some 50 times by the local Legal Aid Society, who get, according to local press, some \$700,000 of Federal money.

Mr. SCHERLE. Will the witness yield? Will you tell us some of the examples that the Legal Aid Society are participating in, some of the suits?

Mr. MADIGAN. Well, representing the Welfare Rights Committee. This was an organization that since 1964 at that time its leadership was related to local national committeemen of the Communist Party, attempting to obtain more legal rights for the individuals. They are presently enjoining me, and I have to answer in Federal court on the 10th of next month from doing a lot of things that in a sense I am not doing. But most of the affidavits used in that case are also people who are attempting to establish grounds for civil damage suits against me. So we are getting it from both ends.

This morning I showed counsel as a result of attempting to assist and enforce the law I have presently pending in the various courts \$7,800,000 worth of action against me. This, of course, is not as high as it was a year ago. But these are all forms of harassment that are pointed directly at local law enforcement and done specifically to discredit us.

Mr. SCHERLE. To continue, what relationship do you see between the Black Panthers and other revolutionists that are associated with the various poverty programs funded by the Federal Government or State government?

Mr. MADIGAN. You came in a little late, sir; we went over part of that. We are seeing now a drift, and the Panthers recognize it as the

minority group, this talk of taking up the guns isn't the way to do it. We are seeing white panther type organizations being formed and who in a sense are getting some Federal money because of the Office of Economic Opportunity and some of these grants. Presently in our jurisdiction I think the Federal Government is conducting an audit on the use of funds, and several of the people involved in it are charged in local courts with theft.

Mr. SCHERLE. Who is handling those audits that you mentioned?

Mr. MADIGAN. I assumed it was the General Accounting Office. I am not sure whether it is an internal thing within grant structure or whether it is separate.

Mr. SCHERLE. If it is within the grant structure don't expect any surprise because you are not going to get them because you are not going to untie a family unit and find any skeleton in each other's closets.

Mr. MADIGAN. I am aware of that and, too, we are looking at Safe Streets money which is appropriated for law enforcement. It went through our California Criminal Justice Committee, and a grant was given to the Legal Aid Society of San Francisco to form a new subsection, Youth Legal Aid Advisory Committee. Their first action was to file a suit in Federal court to prevent the Berkeley police from enforcing the California State juvenile laws and sending these kids home.

Mr. SCHERLE. How do you handle the fox in the chicken coop?

Mr. MADIGAN. Shoot him, you can always raise more chickens.

Mr. SCHERLE. I can assure you of this, I will read your testimony because I know it will be very interesting and very helpful.

Thank you.

Mr. PEPPER. Is that all?

Mr. MADIGAN. Unless there are some questions from the committee.

Mr. PEPPER. Sheriff, do you find something like a guerrilla warfare going on? Is it simply dissatisfaction with the so-called Establishment and the police or a good sample of the Establishment and therefore they attack the police? What is the motivation?

Mr. MADIGAN. The history of any revolutionary is he must destroy constituted authority, and we represent the constituted authority out there in the streets where the battle has to start. This is why we are getting sniped at and picked on. We have gone through the process, and it is very expensive, of going back to two-man patrol cars, additional communications equipment, changing our level of response to certain types of calls. We are doing everything we can we feel in this area to protect our officers. But it is a recruitment problem. I have the highest turnover since the Federal indictment in my department that I have had in any year since I have been in the business and I have been there 37 years.

Mr. PEPPER. What was the indictment, what was it for, what were your men indicted for?

Mr. MADIGAN. Violation of civil rights.

Mr. PEPPER. What sort of rights?

Mr. MADIGAN. Because of the restrictions in the trials coming up in Federal courts my comments will be limited. But after 7 weeks on the campus, from January until March of 1969, with the Third World Liberation attempts to close the campus after the first week I went to

the Governor of California, Ronald Reagan, and did get California Highway Patrol assistance and a state of emergency declared. As soon as this group ran out of bail money, and we had one individual who was arrested five times during that demonstration and put up \$5,000 bail each time, as soon as the bail funds ran out that scene went down.

Immediately there was the new confrontation. A lot in Berkeley that belonged to the university was taken over and made into a so-called People's Park. The university actually went through the process of fencing that part. We had a full-scale riot in which all kinds of weapons were used and we cannot afford to lose a war on the streets and we have no intention of doing it. I ordered riot guns used and this resulted in some of the indictments.

Mr. PEPPER. Mr. Counsel.

Mr. SANDERS. Sheriff Madigan, do you have a recollection of how many convictions resulted from that People's Park incident?

Mr. MADIGAN. In which area now?

Mr. SANDERS. This is the one where you said you used the riot guns?

Mr. MADIGAN. The trials are presently pending. There has been one acquittal in the first trial, but there are still 12 to go.

Mr. SANDERS. There have yet been no convictions?

Mr. MADIGAN. No; and the financing of the defense, although the county indicated its willingness to do so, we were aware, too, that as soon as this happened that American Civil Liberties would file a taxpayers' suit and a restraining order and we would be trying the criminal case and defending ourselves in the civil action. So rather than that, so far money for the defense has been raised by public subscription without any real campaign to do so.

Mr. SANDERS. There is no means by which your officers acting in the line of duty and under due authority and orders are indemnified for suits which may be brought against them or to assist them in the defense of their suit?

Mr. MADIGAN. No; but we are aware of this, too, the facts being brought out in the criminal action in Federal court probably will be the basis of eventual civil suits and are already.

Mr. SCHERLE. If I may pursue the line, Counsel, it is my understanding that OEO provides counsel and legal aid for its employees, but the policeman has to furnish this out of his own pocket?

Mr. MADIGAN. So far. There is a provision in the government code that the board of supervisors can do it, and they indicated they would. Because of the intelligence concerning the civil action and the restraining order we felt that we would go it alone first.

Mr. SCHERLE. Is there any limit to what the taxpayer will be asked to do? I am not talking about the supervisors because I am for law and order, I am talking about the defense provided by the OEO for some of its radical militants that are employees of that poverty agency?

Mr. MADIGAN. We have two of the leaders presently charged with theft in the local court. The district attorney issued complaints on these two. But on the details of that audit, I am not quite sure who is conducting it. But we do see, oh, forms of intimidation. And this is what the Panthers have lived off of, attempting to shake an automobile dealer down for an automobile or this children's breakfast

fund, not food, but cash. They are intimidating their own people in many areas, I am sure, where we will never receive a complaint.

Mr. SCHERLE. You could almost classify that as results through fear and intimidation rather than voluntarily assisting those programs.

Mr. MADIGAN. That is right.

Mr. SANDERS. From that incident out of which arose the presently still pending 12 indictments against your men, do you recall how many convictions of participants in the foray resulted?

Mr. MADIGAN. I do not have those statistics. During the Third World just prior I think we had 178 convictions for assaults on students or on officers and we have a startling statistic in Alameda County. Last year there was a 40 percent increase in felony arrests. So you can understand what a burden this has put on the courts and people who are in charge of custody. Incidentally, in connection with those indictments I disciplined 10 of the people involved or at least charged before the civil service commission. I feel they were guilty of un-officer-like conduct, maybe, but not a Federal felony or a conspiracy to commit a felony.

Mr. SANDERS. Do you feel the prosecution and conviction rate has kept pace of the 40 percent increase in arrest rate?

Mr. MADIGAN. No, because we have a terrific backlog still awaiting trial. The average homicide in my county in the last 5 years has been 9 to 10 months in jail before the case is adjudicated. This is more than double the other felonies. We see less pleas of guilty, the bargaining bit, since *Miranda* decision. Where no one gives a statement the cases are carried. We are taking people to court twice as many times before the case is adjudicated as we did prior to the *Miranda* decision.

Mr. SANDERS. You mentioned in your testimony an incident in which you said buses federally marked were used to transport individuals to a demonstration. Would you go into more detail on that?

Mr. MADIGAN. This was the bail hearing; the appellate court set bail of \$50,000 on Huey Newton on his appeal.

Mr. SANDERS. Was this just very recently?

Mr. MADIGAN. Yes, within the last several months. Berkeley was circularized, which always happens; someone has a mimeograph, and the vast majority of demonstrators who appeared at the scene were not Black Panthers, they were the white militants. But during this process and while the crowd built up this federally marked bus made five or six trips unloading people at the scene.

Mr. SANDERS. Do you know its origin; where it was picking the people up?

Mr. MADIGAN. Not at the present time. I did know the address, but I don't have it with me and I don't recall it.

Mr. SANDERS. Do you recall in any more detail the markings on the bus?

Mr. MADIGAN. It was OEO, Office of Economic Opportunity Development, Inc.,¹ is what the initials are.

¹ Sheriff Madigan subsequently informed the committee that the initials on the bus were "OEDCI," the abbreviation for the Oakland Economic Development Council, Inc. He also provided photographs of an Opportunities Industrialization Center bus transporting persons to the Huey Newton bond appeal demonstration. Sheriff Madigan said he had furnished these photographs to the local inspector of the Office of Economic Opportunity and had been informed by the OEO regional director that this use of the bus had not previously been known to OEO. Madigan indicated that the OEDCI bus bore Federal license plates and both agencies received some funding from Federal sources.

Mr. SANDERS. What is that organization, to your knowledge?

Mr. MADIGAN. It is set up under OEO to train people, supposedly.

Mr. SANDERS. It would be the recipient of Federal funds.

Mr. MADIGAN. Obviously.

Mr. SANDERS. In addition to your appearance here as a representative of the National Sheriffs Association I want to make clear you are the sheriff of Alameda County?

Mr. MADIGAN. Yes, I have been; I was elected the sheriff in 1962, but I have been a member of the department for 37 years with the exception of the years I spent with the Naval Intelligence in World War II.

Mr. SANDERS. Would you state the size of your force and your jurisdiction?

Mr. MADIGAN. Four hundred plus one hundred and thirty plainclothes, but under California law the government code states that I must put down any continuing violation throughout the county and, unfortunately, the University of California campus is in my county. I must respond for request for assistance from any of the jurisdictions in the county that ask for it.

In addition to that, in California we have the mutual aid concept, the California Disaster Act of 1954, where the entire State is divided into mutual aid districts and each department in each district is committed to furnish so many men to whoever requests them in an emergency. As sheriff that is my problem in Alameda County and we are in region 2, which is the whole Bay area or nine counties. In addition to that if the scene goes down I am the guy who has to call the Governor for the troops.

Mr. SANDERS. How many local agencies are within your total jurisdiction?

Mr. MADIGAN. Thirteen municipal governments in Alameda County; in other words 13 police departments in addition to, well 14 counting the University campus police, in addition to the sheriff's office.

Mr. SANDERS. Do you feel, Sheriff, that at the present time you have sufficient wherewithal to keep abreast of the extremists, subversives, who are coming in and out of your jurisdiction, do you have the means to keep abreast of their identities and be knowledgeable of what their purposes are?

Mr. MADIGAN. We attempt to, but we certainly need help from the Federal level because of the migratory nature of these people. The leader of the Chicago demonstration has now established residence in Berkeley pending his appeal. Many of the other people who were involved in that originated in Berkeley. But we are seeing a change in all of these organizations to getting back to almost strictly Marxist orientation and control.

Mr. SCHERLE. Do any antipoverty agencies in the jurisdiction that you represent as a police official ever come to you for recommendations as to the people that they should hire or that they are primarily interested in hiring? Do they clear anything with you at all even if that individual has a known reputation?

Mr. MADIGAN. I am in this position, sir, that they would go to the local police department. The rural area where I have prime responsibility for the total police function is almost devoid of any minority groups, it is the urban bedroom type. So most of these contacts would be made with the local police departments, Berkeley and Oakland.

Mr. SCHERLE. To your knowledge has an OEO official ever gone to the enforcement authorities to clear an individual that might be suspect?

Mr. MADIGAN. I would not know, but I know local law enforcement chiefs in Oakland and these people have had numerous conferences with various members of these groups. Whether they sought their advice in this field or not I am not aware.

Mr. PEPPER. Mr. Counsel, do you have any questions?

Mr. ROMINES. Yes, sir, I have. You indicated you are testifying today as a representative of the National Sheriffs Association?

Mr. MADIGAN. I am California State representative of the National Sheriffs Association.

Mr. ROMINES. Can you tell the committee just a little bit about the National Sheriffs Association?

Mr. MADIGAN. It was formed approximately 25 years ago. My predecessor was one of the first presidents and instrumental in it being formed. It was formed with the idea that in addition to the National Chiefs of Police, which I happen to belong to, too, that the sheriffs had many separate problems such as custody in the civil process throughout the United States that were not common to law enforcement, per se, and this was the basic reason it was formed.

Mr. ROMINES. How large an association is it?

Mr. MADIGAN. Well, there are representatives from all of the States, and it varies in different States on how many of these sheriffs actually belong to the association. Some of the smaller counties do not.

Mr. ROMINES. Sheriff, you mentioned earlier in your testimony a Welfare Rights Organization, is that correct?

Mr. MADIGAN. Yes.

Mr. ROMINES. Do you know who the local leader of that Welfare Rights Organization is?

Mr. MADIGAN. We first became aware of that in 1964 when they moved into the welfare building and sat down and took it over. But at that time members of the family of Roscoe Proctor, who was national committeeman for the Communist Party, were in the foreground and part of the leadership.

Mr. ROMINES. You mentioned, I believe, what you would call a new organization called a Revolutionary Union?

Mr. MADIGAN. Yes.

Mr. ROMINES. Would you know the names of any of the leaders of that organization?

Mr. MADIGAN. I do not have them with me, sir, I am sorry. This is a brandnew organization formed since the meeting in Philadelphia in September with the Panthers.

Mr. SCHERLE. Counsel, will the witness provide them for the record?

Mr. MADIGAN. I will provide anything I can get for you, sir; I will get you a picture of that bus, too.¹

Mr. SCHERLE. Better send it to Rumsfeld.

Mr. ROMINES. You mentioned the Panther program of community control of the police, Sheriff. Would you have any comments on it?

¹ Sheriff Madigan subsequently informed the committee that the Revolutionary Union was formed in September 1968 in Alameda County as a Chinese communist-oriented organization with the objective of engaging in acts of physical revolution. Its leaders were listed as Leibel Bergman of San Francisco; Bruce Franklin, a Stanford University professor; Robert Avaklan of Berkeley, Calif.; Robert Fitch of Richmond, Calif.; and one Vern Baun.

Mr. MADIGAN. Apparently, once sufficient signatures are on an initiative petition its legality cannot be tested in California courts until an actual vote is held on it. This will be held in April when there are five seats on the city council up for reelection. The concept is to take the city and divide it into three communities and if you are going to be a policeman you have to live in the community where you are going to work. What they are saying is, there will be the white hill community, the black community, and the hippie and drug community on Telegraph Avenue just south of the campus. So it is of deep concern to everyone and we are sure, we feel, that if it goes through that the Panthers would take over the black community and the drug culture would probably be running the other Telegraph Avenue community.

Mr. SCHERLE. Counsel, maybe they deserve one another. Certainly the regular community does not deserve them.

Mr. MADIGAN. Yes; but when it gets out of hand they will have to whistle for me. This is the other \$64 question, How much misconduct and violation of law could you tolerate without moving in and taking over?

Mr. SCHERLE. As far as I am personally concerned we have reached the saturation point of tolerance. But I see nothing in the impending future that is going to make it any better until somebody decides to say halt, no, and exercise that four-letter word which is almost obsolete any more, spelled G-u-t-s; it is that simple.

Mr. MADIGAN. We are using that, sir. Since we had the epithet of "pigs" tagged on us by the Black Panthers we have changed that to "Perseverance, Integrity, and Guts." At the end of the Huey Newton trial an attempt was made to bomb a courthouse in Oakland, and the big bomb that didn't go off was a Panther production. We did convict the Caucasian for possession of explosives, with the cooperation of the FBI, and we brought the other man back from Canada, Tankersley, recently, who admitted dynamiting the power supply to the Lawrence Radiation Lab in Berkeley.

But we feel a little bit fortunate, at the time when those arrests were made, word leaked out to the commune, and there was a commune running a school teaching people how to make bombs in Berkeley. Most of those people disappeared from Berkeley now and have probably scattered throughout the country.

Mr. ROMINES. What, Sheriff, is the feeling of the Negro community in Alameda County toward the Black Panther Party? Do they support it?

Mr. MADIGAN. No. We have an old and very established Negro community going back since it was a terminal in the railroads. We have a lot of professionals, probably more than most communities, professional Negroes who oppose any portion of this, the militant group. I have some very competent Negro officers who feel that this organization is putting the cause of equality back at least a hundred years by their conduct. The other factor that gets involved now, recruiting a Negro officer is a real difficult problem. Like one time I had the highest percentage of Negro officers of any department in the State of California, but they are reluctant to get into this business now. As my Negro lieutenant said, "I belong to two minorities, I wear a uniform and I am black."

Mr. ROMINES. Black Panther propaganda alleges the existence of police brutality, do you have any comments you would like to make as to the truth or falsity of their claims?

Mr. MADIGAN. That is a classic defense and has been for years, not only among the black community, but against the white, obtaining confessions used to be by force and all of this sort of thing. As far as I am concerned the first act of real violence was the attempted Panther shootout in April of '68 against two police officers, which resulted in the death of one Panther and the wounding of two police officers. And the last one was just recently, where a paddy wagon was ambushed, both officers injured. But every one involved in the shootout was apprehended or identified.

Where do we go from here? We know that they are armed and that they are now practicing on a public range with the white dissidents and some very competent instructors. They continue to acquire arms, and now the whites for the first time are acquiring arms. However, in the Berkeley scene and demonstrations the first fire arms used there were by a white dissident who shot a Berkeley police sergeant, and that was 2 years ago.

Mr. ROMINES. I have no further questions at this time.

Mr. PEPPER. Sheriff, I have two or three more questions. Do you think it would be desirable for Congress to enact a law permitting the FBI, upon the request of the local police authority, to join local police in investigating any assault upon a police officer?

Mr. MADIGAN. Yes; because we are seeing, we know that any assault where the suspect escapes he is apt to cross a State line. On this supposition the FBI have always given us the utmost cooperation in participating in a case, shall we say, on an informal basis until something was established. I think a law that would bring them into the scene as soon as possible would give us an assist.

Mr. PEPPER. I am somewhat at a loss to understand what is behind all of this violence on the part of some of the groups that you mentioned. In the first place you say now the whites are coming to be comparable in numbers to the blacks. Are they exceeding the blacks in these organizations?

Mr. MADIGAN. They are forming their own white militant organizations, but with basically the same concept of overthrowing the Government, taking us on in the street, the talk of the use of firearms. A manifesto was published in Berkeley of 13 points which advocated the use of firearms. This was strictly white, and that is over a year old. In other words, here is a group of people sitting down planning to overthrow the community, but they are not offering anything to take its place.

Mr. PEPPER. In general, what age group do these people fall into?

Mr. MADIGAN. The rank and file are being recruited from the young adult, over 18, but the true leadership is the 35 and 40. The real militant, the leaders in the People's Park, the average age of that hard-core group who really ran that show ran from 46 to 32.

Mr. PEPPER. So from 30 to 42 is the age range of the leadership?

Mr. MADIGAN. This is what we think the age range is.

Mr. PEPPER. In both the white and black organizations?

Mr. MADIGAN. Yes.

Mr. PEPPER. And the rank and file is above 18? Is that generally true?

Mr. MADIGAN. Yes.

Mr. PEPPER. Now can you tell us what kind of people are these? Are they out of a job? Let's take the leadership, are they people with a criminal record, are they people who have ever had a job, made a comfortable living, lived in an ordinary community, a normal life, have they been long-time revolutionaries? Just tell us what you know about these leaders?

Mr. MADIGAN. Prior to World War II, I worked in the field as an investigator of subversives and now I am seeing the children back in the scene, what we call the Red-diaper babies getting into the act. Since Berkeley has become a Mecca we are getting dissidents from all over the country. We ran an interesting statistic recently on the narcotics arrests for the first 6 months of this year, and 37 percent of those people were drawing some kind of welfare in Alameda County. That is the first thing they do when they get there, see how far they can get on the welfare and get food stamps.

Mr. PEPPER. Were the people addicts?

Mr. MADIGAN. They were arrested for some narcotic offense. We have a computer system, we now have access, thanks to court action, to welfare records and we took the total arrested and ran them through welfare and found 37 percent of them are drawing some welfare assistance.

Mr. PEPPER. These were people who were arrested for some narcotic offense?

Mr. MADIGAN. That is right.

Mr. PEPPER. And 37 percent of them were on welfare?

Mr. MADIGAN. Yes, drawing some form of assistance, food stamps or indigent aid or something of that type.

Mr. PEPPER. Is there anything else you can tell us about the leadership?

Mr. MADIGAN. What would you like to hear, Mr. Chairman.

Mr. PEPPER. Really I am seeking information as a citizen, as a Member of Congress, I am trying to find out who these people are. Are they people out of jobs? I guess what you said about relief about 37 percent of them on relief—

Mr. MADIGAN. Let me point out something to you. I had a candidate against me in the June primary, a revolutionary who has been in jail 10 times, ran an underground newspaper in Berkeley, and he got more votes in Berkeley than I did for sheriff. He is back in New York running a little newspaper called *RAT* now. These are the type of migrants and movements we are seeing.

Since Berkeley has been the original scene of action it is still the Mecca for innovation in the field of revolution or anything else.

Mr. PEPPER. You say they are advocating revolution; they are not satisfied with programs which would be appealing in the political arena to do more for the people, to provide jobs and better education and medical care and greater opportunities in our economy: they are not talking about that. They just cut right through to say we want to destroy what we have; is that it?

Mr. MADIGAN. This is true. The other thing that concerns us, in the Berkeley scene originally we had the flower children and the hippie and the love child and this bit. That has turned to the narcotics scene

now. The narcotics arrests in Berkeley have quadrupled in the last 4 or 5 years.

Mr. PEPPER. The crime committee of the House, of which I am chairman, has been very much concerned with the relationship between narcotics and crime. What relationship do you find in Alameda County?

Mr. MADIGAN. It is very difficult to put together any statistics on it because of the types of narcotics that are being used now, LSD and various synthetic drugs that were not on the scene before. We do know that importation of heavy drugs is probably heavier now than it ever was and occasionally—one weekend in Berkeley we had five deaths from overdose. Somebody got some nice heroin from Japan and didn't recognize what it was and that was the end of the line.

Mr. PEPPER. Dr. du Pont, who is a narcotics man, testified that at least 47 percent of the people in jail were found to be narcotics addicts. Have you made any inquiry as to the relations between the number of people arrested and whether they are addicted to narcotics or not?

Mr. MADIGAN. I don't think our ratio is quite that high. Of course, you are basing this many times on an interview and you are not talking to the most honest person on earth, he is looking for an out as to why he got involved in a crime and he may tell you he was using something, and it just isn't true. At one time here 2 or 3 years ago when you took cases you could prove, the hard drugs, the needle marks, we were estimating about 22 percent.

Mr. PEPPER. Are these followers, the rank and file to whom you referred, the group above 18, are they school dropouts?

Mr. MADIGAN. They are school dropouts and hangers-on who come to the Berkeley scene just to be where the action is. For instance, during the Third World you could hold a noon rally in Sproul Hall on the campus and you may have 500 people attending it. Just across the street is the Telegraph area. At 2 o'clock in the afternoon they could run a serpentine down there and come back with 3,000 more people who had no idea what the cause was, but just came to where the action was.

Mr. PEPPER. Do you find on the campus at Berkeley any greater inclination on the part of the masses of student body, the others in the student body, to support these hard-core militants or not?

Mr. MADIGAN. You can see what happens. This is the campus of some 28,000 students. In the last student election 3,000 voted. So it is the dissident, the organized, that have control in the sense of student government and have controlled the campus newspaper. The average kid who is studying engineering hasn't time for this extracurricular activity. But the graduate student who is taking four units and comes from somewhere else is our big problem. That and, as you say, the dropouts and hangers-on on the campus. For instance the leader of the Sproul Hall sit-in in '64 was just readmitted to the university last week.

Mr. PEPPER. He is in graduate school?

Mr. MADIGAN. I think this is the fourth university he has attended. He still came up with what I feel was a classic remark. When we were going around 2 o'clock in the morning telling the thousand people in the building, "Unless you leave you will be arrested," with

a bullhorn he charged up to me and shook his finger under my nose and said, "You can't do it; the system can't handle us; you haven't any jail to put us in and you can't try us." I think the general philosophy is still the same, they are trying the system in every area they possibly can.

Mr. PEPPER. Have you found any evidence that the student body at large is turning against violence on the campus and to try to do what it can do to suppress it?

Mr. MADIGAN. We were hopeful. They elected in the spring semester a student body president who has run the whole gamut. We have arrested him for demonstrations at the courthouse. He says he is now matured, but he was just prohibited from holding office because he cheated in an examination so he didn't have the highest ideals. He didn't cheat; he had someone else go in and take the test.

Mr. PEPPER. Thank you very much, Sheriff, we appreciate your coming.

Mr. ROMINES. Let me ask just two quick questions, Mr. Chairman. Back to the point you made just a moment ago about the individual who has just been readmitted who led the sit-in?

Mr. MADIGAN. Yes.

Mr. ROMINES. Who is that?

Mr. MADIGAN. Mario Savio.

Mr. ROMINES. You mentioned also earlier a few minutes ago in your testimony a paddy wagon which had been shot up?

Mr. MADIGAN. Yes.

Mr. ROMINES. Could you furnish to the committee pictures of that paddy wagon?

Mr. MADIGAN. Yes.

Mr. ROMINES. Could you also furnish to the committee copies of the 13-point manifesto that you testified about?¹

Mr. MADIGAN. Yes.

Mr. ROMINES. I have no further questions.

Mr. PEPPER. Thank you so much, Sheriff.

Mr. Counsel, will you call the next witness.

Mr. ROMINES. I call Lloyd Smith and Richard Sydnes.

STATEMENT OF LLOYD R. SMITH, ACCOMPANIED BY RICHARD SYDNES²

Mr. PEPPER. Mr. Scherle.

Mr. SCHERLE. Thank you, Mr. Chairman.

Mr. Chairman, I have had the pleasure of knowing our witness, Mr. Lloyd Smith, for a number of years through serving in the Iowa Legislature. Mr. Lloyd Smith has had national recognition as the finest State auditor in the entire United States. He has been commended by the U.S. Comptroller General's Office; he has received letters of commendation from Ohio State and from congressional staffs.

I have watched Mr. Lloyd Smith in his work and his fine assistant Mr. Dick Sydnes. They are the most respected, the finest, most accom-

¹ Sheriff Madigan furnished a copy of the 13-point program which appeared in the May 30-June 5, 1970, issue of the *Berkeley Barb*. See Appendix D, pp. 5116, 5117.

² Mr. Smith is State auditor of Iowa and Mr. Sydnes is assistant auditor.

plished auditors anywhere in the United States. I am very proud that Mr. Smith and Mr. Sydnes could be with us this afternoon. The testimony that they have will be invaluable as far as our committee is concerned.

Mr. Chairman.

Mr. PEPPER. You may proceed, gentlemen.

Mr. SMITH. Thank you, gentlemen. It is a great honor for me to be invited to testify before this committee.

During my 4 years as auditor of state in the great State of Iowa I have become concerned about the accountability for the many Federal grants which come into our State. My office regularly receives letters from concerned citizens who ask me to investigate alleged abuses in the use of these grants.

As you are aware, not all of the allegations are well founded when the facts are put into proper perspective. However, we have learned that about 20 percent of the complaints will lead to a finding where there has been a misuse of public funds

Our efforts to investigate complaints of Federal funds have frequently been thwarted. Program directors who operate exclusively on Federal funds question our authority to examine their records. In the absence of express statutory authority to examine the expenditure of Federal funds, we have restricted our examinations of Federal programs to those where there is a comingling of State and local tax funds with Federal funds.

Our efforts in this direction have yielded some interesting results which will be described in greater detail later in our testimony. We are confident that if we were permitted to expand our examination into other areas that we would find many instances where the grantee was not complying with the provisions of the grant or that the program was supplanting existing effort rather than supplementing proven programs.

The provisions of many grants include a requirement for financial audit. Where an audit is required and funded an audit is performed, usually by an independent auditor located in the community. These audits are professionally performed by qualified accountants who certify that the statement of receipts, disbursements, and balances is fair. Rarely if ever is there an independent certification that the expenditures have been in compliance with the terms of the grant. Such certificate of compliance is required of audits performed in accordance with the Code of Iowa.

11.4 Report of audits. The auditor of state shall make or cause to be made and filed and kept in his office written reports of all audits and examinations, which reports shall set out in detail the following:

1. The actual condition of such department found to exist on every examination.
2. Whether, in his opinion,
 - a. All funds have been expended for the purpose for which appropriated.
 - b. The department so audited and examined is efficiently conducted, and if the maximum results for the money expended are obtained.
 - c. The work of the departments so audited or examined needlessly conflicts with or duplicates the work done by any other department.
3. All illegal or unbusinesslike practices.

4. Any recommendations for greater simplicity, accuracy, efficiency, or economy in the operation of the business of the several departments and institutions.
5. Comparisons of prices paid and terms obtained by the various departments for goods and services of like character and reasons for differences therein, if any.
6. Any other information which, in his judgment, may be of value to him.

All such reports shall be filed and kept in his office.

The absence of a certificate of compliance is not the result of limited ability but rather because of the limited scope of the engagement and the substantial research necessary to give an independent opinion on program compliance. In the absence of specialists who are thoroughly familiar with Federal programs, the cost of employing private firms to engage in the research necessary for a single program would be prohibitive.

My staff has developed some expertise in the performance of Federal audits. We are currently incorporating in some of our audit programs guidelines prepared by the Department of Health, Education, and Welfare. To assure that our work meets the high standards of DHEW, their auditors periodically review our work papers and our findings. To date our relationship has been excellent, and we have no reason to believe that it will not continue to be so.

We believe that we could make a major contribution to the success of Federal programs in the State of Iowa if we were able to make not only a financial audit, but a compliance or management type audit. We believe that these audits could be completed at minimal cost since our auditors are in every community in Iowa at some time during the year. Many of the grants could be audited concurrently with our audits of the political subdivision.

In order to participate in the auditing of Federal grants we need only three things:

1. We need the authority to examine the records.
2. We need some funding—either State or Federal.
3. We need a few months' time to hire and train some additional staff.

During the balance of our testimony we would like to have you consider the following recommendations in the accounting for Federal grants:

1. That all grants be channeled through central State agencies. This would provide a uniform source of information to trace all Federal grants coming into the State.
2. That all grants have a uniform reporting date. This would make it possible to audit all grants to a single grantee at the same time.
3. That all grants contain the requirement that Federal grants shall be audited under the supervision of the auditor of state.

Mr. Sydnes of our office has compiled data on some of the problems that we have uncovered in the course of completing our statutory audit requirements. Some of the information is still being investigated so we cannot in every instance publicly disclose names of persons or programs. All the information which is being presented is documented and is available to Federal audit agencies.

We do not seek to discredit any worthwhile Federal program. We do believe that an independent compliance audit program performed at the State level will strengthen those programs which show tangible results, will weed out programs where there is obvious misuse or abuse

of Federal funds, and will exonerate well-managed programs from unnecessary criticism.

I am going to give a couple of examples, not along the line perhaps that Mr. Sydnes will later, but these have started now. We have been engaged in this kind of auditing ever since I have been the auditor of state. The first one I am going to speak about today is ancient history in that this practice was stopped.

But the first few months when I was auditor of state we audited at that time the Iowa Comprehensive Alcoholism Project. And we found that they gave a State employee seemingly a blank check, so-called, and he went out up and down the street of Sixth Avenue in Des Moines, he and his group, and whenever they would meet anyone that looked like they were too intoxicated they would say, go down to a certain hotel, check in, charge it to the government; check in at this hospital, charge it to the government. This was going on until we put a stop to it.

I am not here today to say there was any so-called radical groups in this, but this was a radical misuse of State and Federal funds.

Mr. SCHERLE. Mr. Chairman, if I may question the witness on that particular item, what was the amount of the money involved in that?

Mr. SMITH. I suppose you would call it chickenfeed compared to some audits.

Mr. SCHERLE. What was the proper name of that particular project?

Mr. SMITH. Iowa Comprehensive Alcoholism Project.

Mr. SCHERLE. What was the amount of money given for that particular project?

Mr. SMITH. \$678,000 in the State of Iowa.

Mr. SCHERLE. Now \$678,000 over what period of time, how long did it take to spend that?

Mr. SMITH. Generally 2 years.

Mr. SCHERLE. And who was in charge of the program at that time?

Mr. SMITH. The former Governor, who is now a United States Senator.

Mr. SCHERLE. That would be Harold Hughes.

Was there any audit made at all as far as this program was concerned? You mean this person was given, you mean he was given a checkbook and just sent out on the street?

Mr. SMITH. It was all charge accounts; these bills we found had not been paid. This is why we started auditing. We began to get complaints from John Doe businessmen, the restaurant people. They had all of these charges, but no one had come around to pay them.

Mr. SCHERLE. They went out and sought these people rather than have them come in?

Mr. SMITH. Yes. They even had a project where they had two men go out and two women and carry a bottle of liquor with them, purchased and paid for by the taxpayers, and if they met a man who appeared to be intoxicated they would say to him, "When was the last time you had a drink?" They would say, "We will stay with you and give you one in 4 hours, and then we will stay with you and give you one in 5 hours and sober you up."

Mr. SCHERLE. Why was this program allowed to exist for this amount of time with that amount of money without some review or surveillance?

Mr. SMITH. I can't answer because we audited the first few months I was auditor of State. I can't speak for those ahead of me.

Mr. SCHERLE. Is this project still in effect?

Mr. SMITH. No; they kind of stopped this one. I don't know how they got the drunks of Sixth Avenue of Des Moines up in Milwaukee, but they claim to owe the YMCA in Milwaukee money on this deal.

Then we have another illustration here for you gentlemen, and that is along the line of objectivity. We have here a letter dated March 17, 1969, signed by the executive director of the Southern Iowa Economic Development Association.

Mr. SCHERLE. What type of a project is that?

Mr. SMITH. It is what they call a CAP agency.

Mr. SCHERLE. OEO?

Mr. SMITH. Yes. We will quote one paragraph.

The Southern Iowa Economic Development Association is on the threshold of important achievements. Our conclusion after more than two years of study is that poverty can be and is being eliminated in our area.

This is what he says.

Mr. SCHERLE. If I may interrupt, where was that project located?

Mr. SMITH. Headquarters at Ottumwa, southern Iowa. But the record shows when we made the social service audit we noticed that in one of the counties, next to this where he said this, that the State was giving in the previous year \$282,490 in social services to one of the very smallest counties in the State and it increased then to \$528,831 the following year or an increase of 85.43 percent. Then the county to the east, where he says poverty has been eliminated the year before, the State paid \$371,488. Now this is in direct benefits to people of that county under social services; it does not include the cost of administration.

The following year it jumped to \$570,731, an increase of 53 percent. So this is the sample of where the predictions don't seem to pan out.

Mr. SCHERLE. May I continue. Who is director of that CAP agency?

Mr. SMITH. The man that signed the letter at the time was Joseph Mondonaro of Ottumwa.

Mr. SCHERLE. Did they eliminate poverty?

Mr. SMITH. Not according to the records; someone else is paying the bills. The State of Iowa spent \$241,341 in little Davis County and \$199,243 in Jefferson County.

Mr. SCHERLE. Is money still coming into those same two counties?

Mr. SMITH. Oh, yes; we have made the audits ever since, and yes it has gone up tremendously.

Mr. SCHERLE. In other words, that was a fine statement but far from reality?

Mr. SMITH. It has not panned out accurately.

Mr. SCHERLE. Has this director cooperated with you?

Mr. SMITH. No; he refused to let us make an audit. He said he was not under our jurisdiction. He said he hired a CPA. We went to the CPA, and they would not even give us an audit report.

Mr. SCHERLE. This is one of the things that bothers me, Mr. Chairman. These agencies are allowed to run; they don't have to succumb to any type of inquiry or audit; they are just allowed to exist. I have come to the conclusion that this Office of Economic Opportunity is not that, as such, at all. I think it is an "Office of Eager Opportunists."

Why wouldn't this man allow you to audit those books? Is it prohibited, or did he just decide that you were not going to do it?

Mr. SMITH. He assumes or states that the State auditors should only audit State funds and, since this is supposedly Federal funds, we have no jurisdiction over it even though he was located in a building paid for by the city.

Mr. SCHERLE. Let's pursue this a little further. How many agencies are there in the State of Iowa?

Mr. SYDNES. There are 18.

Mr. SCHERLE. As State auditor, have you ever audited any of the 18 CAP agencies in Iowa?

Mr. SYDNES. None whatsoever.

Mr. SCHERLE. Why?

Mr. SYDNES. I think there are probably two reasons for it. One might be best articulated by a letter I received. We received a request to acquire the names of employees of the various CAP agencies in the State of Iowa. I asked the State office to provide them. I was informed that the State office does not keep such a list of all the employees, only the names of the directors.

Mr. SCHERLE. Who is the State director of OEO?

Mr. SMITH. Mr. Robert Tyson.

Mr. SCHERLE. Did he tell you that all of these agencies were immune to audits?

Mr. SYDNES. No; he did not tell this to me personally. Some of the CAP directors did say that the State office—and I am not saying that this was Mr. Tyson—but they said that they received information from the State office that they did not have to comply with the request to the auditor of state because they were operating under Federal funds. Typical was this letter I received from an attorney who was hired by the CAP agency using Federal funds to write us a letter. It says:

While we do not have any particular reluctance to furnish you with a list of the employees of the association we are not quite clear as to the reason for your request.

As a federally financed agency reviewed by the Office of Economic Opportunity with its regional office in Kansas City, Missouri, we are required to make reports to that agency on a periodic basis and are subject to review by that agency. As stated above we do not wish to be obstructive in any respect but we are limited by federal law in our activities and are not sure that our authority extends to furnishing the type of information desired by you. If you would kindly advise the reason for your request we will take it up with our regional office and make a determination as to what should be done.

Now any professional auditor will never extend, and we are prohibited by law to divulge, the reasons why we are seeking particular information.

Mr. SCHERLE. If I may interrupt, I don't think it is necessary for any public office to feel they have immunity to any type of audit, particularly one that might be requested by a State auditor who was in charge of all the State funds. Now maybe as a State official you would not be entitled to it—and I don't know why anybody wants to hide it—but I can assure you that, as a Federal official, I will get those names and I will get those audits for you and I can assure you when I go back to Iowa I will request from the regional headquarters that you will have those audits. (The names have been made available to the Iowa State auditor by direction of Mr. Scherle.)

Mr. SMITH. Congressman Scherle, this goes back to what I read, that all grants be channeled through central State agencies. This would stop this attitude that Federal funds are not accountable.

Mr. SCHERLE. Does this money come from Washington straight to those agencies and just bypassing everybody else?

Mr. SYDNES. This is true in the case of many of the Federal funds. Two years ago I sent a blanket letter to all the banks in Iowa seeing if we could uncover some deposits which were being made of Federal funds that we did know about. In two instances we found that even State agencies had received Federal funds directly from Washington without any knowledge of the State comptroller or the State treasurer. These funds were being deposited in local bank accounts, were not recorded in the books of the agency, and no accountability was being made of them. You can be sure we changed that.

Mr. SCHERLE. If I may pursue that, they also owe no responsibility to anyone then either, do they, if the funds are provided right from Washington; they can tell you guys to go to hell?

Mr. SYDNES. This is right.

Mr. SMITH. Almost every week I read in some paper in the State of Iowa where some Senator or Congressman announces so many hundreds of thousands of dollars in grants to this institution, and that is all we ever know about it—what we read in the paper.

Mr. SCHERLE. You never see any announcements from me because if it were within my power I would dismantle, I would junk this program because, in my humble opinion, no program has ever caused as much dissension, as much chaos as this "Office of Eager Opportunists." I am a member of the Education and Labor Committee. I have a personal working knowledge of OEO and, believe me, I think that we ought to start from scratch as far as this program is concerned, if we based it on nothing else than the testimony we have heard this week, which I think was excellent.

Mr. SMITH. Just yesterday morning or the evening before, I received a call from an honorable State senator of the State; he is on a board funded by both State and Federal funds. He has asked the auditor of state to make a special audit. This local director had his wife on the payroll, himself; he got his two sons to make a little neighborhood survey, gave them \$13,700. He spent \$16,000 trying to set up the neighboring counties, and then the senator wants to know why they hired a consultant and gave him \$30,000 to report on whether food costs more in small towns than large cities. So he wants a special audit of this, and this is both State and Federal funds. This is a sample of the looseness, unless you really get the audits done.

Mr. SYDNES. You raised a question a moment ago about why these people are reluctant. I think there are probably some activities other than "economic opportunities" or "eager opportunists" going on in these agencies that they don't want us to look at. For example, I am holding in my hand here four checks which were elicited from an employee of the Agency for Partisan Political Activity under threat of suspension if he did not contribute.

Mr. SCHERLE. To your knowledge, as State auditor, has the State director ever contacted you about any reason to have audits in any of these agencies; is there any cooperation?

Mr. SMITH. He just wrote me a letter as auditor of state some months ago and said he was ready for us to audit his office, which we do anyhow. But none of these out here in the local communities; no.

Mr. SCHERLE. Has he asked for any type of a background as far as any of these programs are concerned for you to give him some type of evaluation?

Mr. SMITH. No; no one consults us about any type of employees or what to do with the programs. We are a post auditor; we audit after the money is supposedly spent.

Mr. SCHERLE. Does the State director of OEO, to your knowledge, encourage the agencies to comply with your requests for a list of their employees so we can tell who they hire, whether there are any militants, any Black Panthers, any people with questionable backgrounds? Has he asked that these agencies comply with this request?

Mr. SMITH. Not to me verbally or written to me personally, no; neither verbally or in writing.

Mr. SYDNES. I asked him verbally to provide me such a list, and he only provided me the list of directors, and one of the agencies reported back to me that the State office had said they did not have to comply with our request to furnish and provide such a list. Eleven of the agencies did give me lists of their employees. I do not have any assurance that the lists are complete.

Mr. SCHERLE. The other day we had a former Black Panther right in this hearing room who admitted being a Black Panther and is now employed by the OEO through the CEP program. We have had a former policeman who resigned under a cloud from the Des Moines Police Department that is now employed by OEO. Why do we have these types of people employed by a Federal agency, why isn't there some type of clearance, why isn't there some type of evaluation? It is no surprise to me that OEO has the image it has if it doesn't seek this type of information and find out who their employees are and what they are doing.

Mr. SMITH. If you will allow me to give my little philosophy of 31½ years, what I have arrived at, I believe that fiscal responsibility for Government funds is the twin of law and order. It appears to me, after seeing some of these audits and hearing what is going on that these Federal projects turn out to be just a paradise for Federal bureaucrats, a profit for so-called consultants, a haven for so many radicals. Not very much is getting down to John Doe, the public, the recipients, or the taxpayer.

Mr. SCHERLE. Do you have other examples of abuses as far as OEO militancy and so on are concerned? If you do I would like to hear of them.

Mr. SMITH. I will allow Mr. Sydnes, the supervisor, he has some information in work papers that he will give you at this time. You understand as auditor of state I have five main divisions and this is only one of the five.

Mr. SCHERLE. Before I yield to Mr. Sydnes, does the State director travel a great deal? Who authorizes his travel?

Mr. SMITH. Out-of-State travel, and that is another thing, if you will allow me to take a moment or two, since you brought up the subject. Out-of-State travel in the State of Iowa is ruled on by the executive council which meets every Monday morning, and it is composed

of the Governor of the State as chairman, the secretary of state, the next in line, and we appear as we are on the ballot and I being the third, the middle one, and then the State treasurer and the secretary of agriculture.

So we have anywhere from 40 to 80 of these requests for out-of-State travel every week. It seems like the people that have their fingers in Federal funds are the ones that are gone—practically, gone all the time. Their alibi is that Federal funds are not accountable like State funds and they are not as sacred, should not be audited and they are getting called out of State by these original agencies, especially in Kansas City.

You asked about the present director; I think he has taken around 20 trips or more this year already because he says he is called out of State.

Mr. SCHERLE. I made a trip, an unannounced trip to the regional office in HEW Kansas City and also OEO. I can't see any reason if he is gone that much of the time why this is necessary and, secondly, if he is gone that much of the time I can see why he doesn't know what is going on in the State of Iowa. Why in the world would that regional office have to request his attendance in Kansas City; why can't that be done by phone? Do you allow these trips? Do you allow these trips or do you have any jurisdiction over them?

Mr. SMITH. Yes, we have jurisdiction; three votes out of five could keep them home, but we are up against the argument that Kansas City calls for him, the region calls for him.

Mr. SCHERLE. The regional office is going to get another call from me finding out why that State director has to be absent from his job 21 or 22 times this year. Twice a month I think is utterly and completely ridiculous.

Mr. SMITH. This is not the only Federal project that has that. Wherever there are Federal funds we have that continually, that excuse or alibi.

Mr. SCHERLE. I think if this request goes out, as far as State directors are concerned, maybe we ought to take a look at them. I think their place should be back in the State overseeing their responsibility, and maybe in their absence this is the reason why some of the permissiveness exists as far as these agencies are concerned.

Mr. SMITH. Maybe that is why he had to hire a \$15,200 bookkeeper the other day when other bookkeepers get about half that much. That is another thing in the State that upsets the State, the fact when Federal funds are involved they can pay about twice the salaries as when State or county funds are involved. This causes a great deal of dissension throughout the State of Iowa.

Mr. SCHERLE. What are the duties of a \$15,200 bookkeeper, what are his duties?

Mr. SMITH. I don't know as yet.

Mr. SYDNES. He has only been on the payroll for about 4 or 5 weeks. Presumably his duties are to not only oversee the handling of four or five small grants in the State office, but to give some financial assistance to the various agencies around the State.

What is so upsetting is that technical men on our own staff, men who are certified or close to being certified, have to start at salaries substantially less than this. Actually if he had made application to our office

under the merit system he would probably have had to justify a starting salary of \$8,900.

Mr. SCHERLE. This is another prime example of OEO funding, 95 percent of them are overpaid.

Mr. SYDNES. As a supervisor I am closer to the men. This is exceedingly disruptive to an organization, to find a man at this level being paid this kind of salary. He has no responsibilities for supervision of other people at all.

Mr. SMITH. This will never be solved, Congressman—I don't know what the problem is in other States—until all of these funds are channeled through one State agency, accountable then like State funds either by legislative action or someone appointed by the Governor and then come under audit. We will be glad to furnish Congress with any audits we make on Federal projects.

Mr. SCHERLE. From what we have found out up to date just this week—and I think this has been one of the finest weeks that I have ever had as a member of this committee, the testimony has been excellent—two things have come to my attention just this week. One is the astonishing amount of militancy that is associated with the OEO or poverty agencies. I never realized before that so many people with questionable backgrounds are employees or they have sought them out to become employees of poverty agencies. It just does not make sense that the hiring practices could be so blatantly disregarded when it comes to going to the proper people to find out whether or not these people are qualified for the job, whether or not they should sit in positions of responsibility. I am not saying if a person runs a red light he should not be hired; I am talking about some of the associations we have had just this week, like over in Omaha, those two men who were employed by GOCA and one by OIC who are now in jail awaiting court action. They have been indicted for murder in booby-trapping that policeman. OEO in Des Moines, where they used an OEO van—they didn't use a bus like the sheriff; they used an OEO van—to participate and assist in boycotting a store, employees driving the van.

The other thing that bothers me is the fact, and maybe we here in Congress are responsible for this, and this is a multiple funding of poverty agencies, where we have HUD, HEW, Office of Economic Opportunity, law enforcement agencies, and Justice Department, everybody supplying just a little bit of money. How in the world can anybody serve four masters? It is impossible to do. Secondly, who has jurisdiction over that agency? Nobody does, so they just run free, just run rampant. I think we have got to make corrections either in our appropriations or in our authorizations to make sure that the agency has a boss. Because when you give them nothing but money they are not responsible to anybody; they can do anything they want, and there is no accountability, no review, no surveillance, nothing. It is almost reprehensible if it wasn't so totally incomprehensible.

Mr. SMITH. As I have already said, I can't speak for the other States, but I do know the unrest that it creates among public employees in the State of Iowa, all the way from school teachers and city and county officials up through the State departments, with all the 27,000-and-some employees, the fact when it comes to State funds they are restricted by the budgets. We have to account for every penny, but

when it comes to Federal funds the sky is the limit with no accountability. This causes a great deal of unhappiness.

Mr. SCHERLE. Have you had any dealings with OEO or poverty agencies, Mr. Sydnes?

Mr. SYDNES. Yes, I have. I personally became involved a little over a year ago because I wanted to become a part of the solution rather than a part of the problem.

This came about as a result of a young man on our staff who was quite idealistic, a university student at the time. He came to me one day with an idea. He said that in his observation, and I concurred with his observation, that many of the problems in some of the poverty areas were the result of money-management and accounting problems. So he unfolded to me his idea of establishing an accounting aid society paralleling in some respects a legal aid society where we would involve professionals to give accounting assistance at some level to individuals and to small businesses and to nonprofit organizations. Our initial contact here was to be in the model cities area in Des Moines, Iowa.

Mr. SCHERLE. What kind of results did you have?

Mr. SYDNES. The results were very good and this was largely because of the type of staff that we had. We involved at that particular time the president of the Iowa Society of Certified Public Accountants, another man who was head of the Committee of Social Concerns for the Iowa society, CPAs, a vice president of a bank, a representative of the National Accountants Association. I represented the State auditors office. There was an accounting professor from Drake University, several accounting students and graduates from Drake University, and then, so we would have a good tie-in and good relationship, a good rapport, we involved a representative from each of the poverty agencies in the Des Moines area. I think we selected a total of 13 of these. So our results were very good. In the first approximately 9 months of service we had helped about 266 individuals and/or small businesses all the way from helping them with tax problems to reconciling bank accounts, to filing tax returns. For example, one agency that was operating under Federal funds in the model cities areas had not filed their 941 in payment of Federal payroll taxes for almost 2 years.

Mr. SCHERLE. In what other activities has the accounting aid society been involved?

Mr. SYDNES. In our application for an OEO grant, we wanted to be part of the action, and one of the stipulations in this grant was that we should become involved in a consumer education project. This we wanted to do for many of the professionals on the board felt that consumer education meant helping consumers in money management, in advising them about interest rates where they can make the best effective loans and this type of thing, the actual nitty-gritty of managing a family's finances. We were somewhat surprised at the turn of events that this particular area took. We were able to make a contract with model cities for development and for funding of a CEPO agency, which is Consumer Education (I should remember it by now) Consumer Education and Protection Organization.

Mr. SCHERLE. Is this a properly certified agency?

Mr. SMITH. Yes. We were able to get a grant from the city of Des Moines, and our people became involved in this consumer education. Now we very quickly found out that some of the people in the model

cities area had a slightly different interpretation of consumer education. We were thinking of educating the consumer. They were thinking in terms of educating the supplier or the businessman.

Mr. SCHERLE. How much was your grant?

Mr. SYDNES. Our OEO grant was, the Federal share was \$76,566. I don't know if I have the exact figure here for the grant that came through model cities, but as I recall it is in the \$50,000 or \$60,000 bracket. Our director gave us a report on the activities in his contract here. I am reading from his report and I quote.

To administer the CEPO most effectively the administering plan will be as follows. The initial program director during the planning stages will be the accounting aid society assistant director who will have the ultimate responsibility of implementing the CEPO.

Also the secretary and coordinator of the accounting aid society will work with the assistant director in administering the program. The most important phase of the planning stages will be the utilization of technical assistance by the administering agency.

This CEPO model has been developed after the Consumer Education and Protective Association, Inc.—

And may I call your attention to this sentence here—

a program which OEO in Washington considers the best of its kind in the nation.

Now I have not checked this out, but our director is reporting to us that OEO in Washington considers it the best of its kind in the Nation. [Continues reading:]

They have been very successful in their education and protective efforts. Therefore the accounting aid society will utilize the technical assistance of the Consumer Education and Protective Association, Inc., of Philadelphia in the initial training phases.

Mr. SCHERLE. Who directed you to use this particular agency?

Mr. SYDNES. As I say, according to our director of our accounting aid society it was OEO in Washington.

Mr. SCHERLE. Who heads that agency that you talked about being such a model?

Mr. SYDNES. Let's take this in sequential steps here. After this recommendation, we entered into an agreement with the city of Des Moines, of which I see I have a rough draft copy. We sent our director to Philadelphia to observe their program, and he came back and gave us a report on this program, a rather glowing report, which I will not read into the record at the moment.

Subsequent to his return from Philadelphia we entered into a contract with CEPA of Philadelphia to offer this technical assistance to others. Now the contract which he entered into was in the amount of \$7,500.

Mr. SCHERLE. Who headed up that agency in Philadelphia?

Mr. SYDNES. The Philadelphia agency—and we have confirmed some of the information which was given to us by some information we had received in Washington since arriving here—the man who is one of the organizers of CEPA in Philadelphia and the man who came to Des Moines to offer technical assistance is a partner in the Consumer Education & Protective Association which occupies space with the Congress of Racial Equality at 2229 North Broad Street in Philadelphia, a man by the name of Max Weiner, W-e-i-n-e-r.

Mr. Weiner was a graduate of high school in Philadelphia, attended the Philadelphia Normal School, where he earned the right to teach in the public school system. However, he never used his certificate. According to the information which we have for the years 1934 to 1948, this individual held the position of circulation manager for the *Daily Worker*. It is reported that he held high positions in the Communist Party in the city of Philadelphia. His wife was also an active worker and organizer. She was one of the leading speakers in the Philadelphia area and was circulation manager for the *Daily Worker* during the period of 1943 and '44.

Mr. SCHERLE. If I may interrupt, are you telling me that the man who was sent from Philadelphia to set up this, take charge of this grant, that this is his background?

Mr. SYDNES. He was not to take charge of the grants; he was to offer us technical assistance in setting up our program in Des Moines. He was to come and instruct our staff in what he knew.

Mr. SCHERLE. Who sent him, the CEPA in Philadelphia?

Mr. SYDNES. He was recommended to us by OEO in Washington, D.C.

Mr. PEPPER. What was that program?

Mr. SYDNES. We call it in Des Moines CEPO, Consumer Education and Protective Organization. There is a private nonprofit corporation in Philadelphia known as CEPA, Consumer Education & Protective Association, Inc. In addition this same individual, according to the quarter sessions court of Dauphin County, pleaded guilty and paid a \$400 fine as a common gambler.

In addition to this, subsequently he was arraigned in open court, pleaded guilty, and ordered to pay costs for keeping a gambling house in Dauphin County. This same individual was charged with procuring, with intent to prevent a free and pure election by qualified voters of Dauphin County, signatures to nomination papers of the Communist Party.

Quarter sessions court of Dauphin County also says there is a charge of making false statements in affidavits required to be appended to and accompany nomination petitions and nomination papers of the Communist Party.

Mr. SCHERLE. If the witness will yield for a moment, I was shocked just a moment ago when you gave me the background information, but I guess really I am not really surprised that he is a member of the OEO. I think if you will check this you will see it rather rampant. I would like to know how you spell his name so my office might check back through the OEO to find out what he was doing in this position.

Mr. SYDNES. The information that we have, and I have not personally verified this, but the source that we have spells his name Weiner, W-e-i-n-e-r.

The address for CEPA is 2229 North Broad Street, Philadelphia, Pennsylvania.

Mr. SCHERLE. I have a note here given me by my staff that this information has been verified by our Internal Security Committee, that background which you just gave. My question is what is he doing with OEO and particularly in that responsible capacity. That is the question I want to find out.

Mr. SYDNES. There is some more on this same individual if you would care to hear it. He was convicted in the court of Dauphin County on conspiracy; he surrendered and served a jail sentence, filed a petition for parole; he was paroled after 2 years, under the supervision of probation officer, and finally released after 2 years in prison. He was later arrested for disorderly conduct in obtaining signatures for election petitions. He was engaged in a development project in New Jersey and when his company headquarters were destroyed he filed bankruptcy. He listed assets of \$3,447 and liabilities of \$24,778.

Mr. SCHERLE. I would like to ask another question along that same line, since you brought it up. In your audits are you aware of the background of any particular individuals employed in a poverty program in a large metropolitan area in Iowa?

Mr. SYDNES. Yes, I am. And I would like to keep the names of the individuals here privileged pending further investigation. I would encourage you and I will give you the names and addresses in particular to you personally if you would care to have them. Let me read a report that we drafted, a report that we did not release because some of the problems were corrected, although we have reason to believe that there may be further problems.

We were called up one day about some irregularities about a grant in a major metropolitan area involving \$2,082,960 worth of Federal funds. We checked it for compliance, and in this type of a grant there was a requirement as to the number and types of people who could be helped, their qualifications and even where they lived.

We examined the files of 238 individuals who had received assistance under the project. Of these 15 had an annual income above the poverty guidelines as defined in the eligibility criteria. We found that approximately 7 percent of the individuals reported addresses outside of the peripheries of the area designated in the contract. We also found, and we checked this through the Bureau of Criminal Investigation of Iowa, that three of the employees who were administering this grant had recorded on the books the following law violations. One individual spent 3 years in the men's reformatory at—

Mr. SCHERLE. If I may interrupt there, these are officials of the program?

Mr. SYDNES. These are officials of the program, counselors, advisers, and so forth. One individual spent 3 years in men's reformatory at Anamosa for committing a lewd act with a child.

A second individual was AWOL from the Army, was convicted of possession of marijuana for which he spent 15 days in jail. He had a second conviction of unlawful assembly, spent 10 days in jail. He was convicted of injury to city property—incidentally in the city in which he is now employed in this project—spent 10 days in jail. He was convicted of shoplifting, released to his mother. He was also convicted of operating a motor vehicle without a driver's license and paid a \$10 fine.

A third individual in this same program was convicted of a vagrancy charge and paid a \$25 fine, also of disturbing the peace, paying a \$10 fine. He spent 6 months in the county jail for larceny. He spent time at the men's reformatory for possession of narcotic drugs.

In addition to these three employees with police records there were two other individuals of this same project—

Mr. SCHERLE. This is a poverty project in Iowa?

Mr. SYDNES. This is a poverty project to help the unemployable and underemployed.

Mr. SCHERLE. Are these people still employed?

Mr. SYDNES. To my knowledge they still are although my research here was done more than a year ago now. I questioned some of the officials of this program as to why these people were allowed to continue on the payroll. They cited the provisions of the contract which were drafted by OEO which says—

no individual employed or assigned by any contractor or subcontractor assisted under the Economic Opportunity Act of 1964 as amended shall pursuant to or during the performance of services rendered in connection with any program, activity or contract conducted or assisted under this act by such contractor or subcontractor, plan, initiate, participate in or otherwise assist in the conduct of any unlawful demonstration, rioting or civil disturbance.

When I reviewed this with them they interpreted this to mean that only when they were actually on the payroll were they prohibited from doing any violent acts. Presumably after working hours, at 5:01 in the evening, they could go out and do whatever they wanted to. This is their interpretation of this provision of the grant. Let me go on with this same one. Two of the individuals who had a very clean record established a partnership with a third individual who was not an employee of the project. This partnership was organized to provide employment for low-income individuals from the target areas. When we came upon the scene we found that this partnership was using the two project employees to find for them individuals to work and presumably, since they were part of the partnership, would select the best individuals they could find to work in this floor maintenance company that was being organized. They were also making application for on-the-job training funds which would provide an additional \$25 per week per individual, Federal funds to supplement a profitmaking organization.

They were getting help to interview, to train individuals to work for a company which they organized. They were trying to get \$25 in addition to this to supplement their income and pay their employees only minimum wages. When we began our investigation—we did so quietly and we have never published it previously—they felt that perhaps they might not want to become involved in the manpower on-the-job training grant. They did not make application for funds at that time. They may have subsequently, I do not know. One of the partners, the partner that was not an employee of the project, came to Iowa from the State of New Jersey. In New Jersey there is a bench warrant out for his arrest on two false pretense charges which were dated April 23, 1969.

It seems as though this whole \$2 million grant has been plagued with problems. They entered into a subcontract with an area community college in which they were to provide for the project certain technical assistance. This subcontract was in the amount of \$416,000. The prime contractor himself made a survey of the recordkeeping of the community college regarding the \$416,000 and I quote from their report:

There is no bookkeeping system, per se. The only bookkeeping record available was a check register. There was no double entry system, no journals except in the use of payroll. The bank statements had never been reconciled since the checking account was opened. Our office reviewed subsequently, and we do audit the area community colleges, re-reviewed the situation. We assisted the area community college in setting up adequate accounting for these Federal funds. It only points up again that only where we are permitted by Iowa statutes to participate can we be of any particular help.

Mr. SCHERLE. It is almost impossible for me to understand why with a State director of the poverty agencies how in the world all of these shortcomings never came to light or how in the world he can admit it. And if he did I am dismayed that he doesn't know what is going on. I have almost come to the conclusion the State director is either naive or not doing his job. Maybe we ought to just relieve him of that responsibility because apparently there are many things wrong as far as administration is concerned with that poverty agency in Iowa.

Now have you any information regarding a Federal grant with juveniles in Iowa?

Mr. SYDNES. I don't have any definite, positive conclusions on this. We have received numerous complaints. I have talked to key people in the State about the particular use of this grant, and we have not had the opportunity to audit this one. This was in northeast Iowa where the grant was requested and the justification for the proposed budget was that there had been 37 major civil disorders in this particular county, which has been the result of hostile attitude and activity of black teenagers between the ages of 14 and 20. It is the purpose of the project to motivate this group toward a constructive attitude toward authority by employing them for the purpose of supervising community activities and performing the minor roles of seating customers and so forth.

The project to date includes approximately 80 young people who work in squads of 10 under leaders supervised by staff personnel at the rate of \$1.50 per hour. In addition to their activities in community events, this group also sponsors its own social, cultural, and educational events; works for the improvement of the community. Placing the members in downtown businesses is also part of the program as is visiting various governmental offices and officials to learn what work they do for the community.

Part of the plan is to establish a model law enforcement system and junior urban court to allow the youths to get acquainted with the procedures of law and order by trying persons that would be tried in juvenile court with parents', clients', and judges' permission. This will provide the experience and education to relate to the community. They will be able to become familiar with the different ways of obtaining peace in the community and justice in the community and in the court thereby providing a better relationship between the judge and teenagers in the community.

Mr. SCHERLE. What did that grant amount to?

Mr. SYDNES. \$50,000.

Mr. SCHERLE. To do that?

Mr. SYDNES. The allegations that have come to us are that the money is being misused. Actually the allegation has been made to us that the grant is largely a payoff to keep the kids from breaking windows.

Mr. SCHERLE. This is another poverty project?

Mr. SYDNES. This one is under the LEAA grant.

Mr. SCHERLE. Mr. Chairman, I would like to ask permission to place in the record the information that this committee has on file concerning a Mr. Max Weiner immediately after the testimony of the witness concerning that discussion.

Mr. PEPPER. So ordered.¹

Mr. SCHERLE. Mr. Smith or Mr. Sydnes, have you ever brought any of these extremely questionable audits to the Governor's attention, personally?

Mr. SYDNES. The one that I just related about the \$2 million project where there were people with police records administering the project, our written report of this was reviewed personally by the Governor of the State of Iowa.

Mr. SCHERLE. What was done about it?

Mr. SYDNES. I know of nothing.

Mr. SCHERLE. That is a shame. It is a miscarriage of justice as far as the programs are concerned and also taxpayers' money. I might say this, that the Governor is also derelict in his duty if he had that information and did nothing about it. Are there any other audits that should be called to the attention of this committee at this time?

Mr. SMITH. We have one more pending. This one concerns an area college employee spending Federal funds, signed a contract with an organization for a work study program, and the individual was getting \$12,500 at the school, part of his job; he got on the payroll of the organization up at city hall at \$9,600 a year and now for some reason he has showed up working in a project with a crime commission grant. And besides his area college work, we quote from a newspaper story in eastern Iowa, he is paying himself \$8.50 per hour for his services and his only authority for writing the check for \$2,500 to himself was a verbal telephone approval from a majority of the board over the telephone. This is still pending, but this is another sample of where it is hard to control Federal funds unless they are put in a central State agency.

Mr. SCHERLE. Mr. Chairman, I am chagrined and embarrassed that the testimony that we have received here this morning about the dereliction of duty of responsible individuals had to be given concerning my own State of Iowa. I am ashamed. I would have never thought that people in responsible positions could not have done more to protect the interests of my people, taxpayers, and also try and make these programs function for the benefit for which the programs were originally designed. I have no further questions.

Mr. PEPPER. Gentlemen, have you brought any of these cases that you have told us about here today to the attention of the General Accounting Office of the Government or to any accounting people in the OEO organization?

¹In addition to information furnished by Mr. Sydnes, committee records reflect that Max Weiner (Max Wiener, Mac Weiner) was: legislative secretary of the Communist Party of Pennsylvania in 1940; a conference delegate to, and member of the credentials committee of the Communist Political Association Constitutional Convention in New York City, May 20-22, 1944 (the Communist Party assumed use of the name "Communist Political Association" in May 1944 and resumed use of the name "Communist Party of the United States of America" in July 1945); secretary, Eastern Pennsylvania District, Communist Political Association, 1944; and an instructor for two communist-front organizations, both providing indoctrination in the theory and practice of communism, the Philadelphia School of Social Science and Art (1944) and the School of Jewish Studies in New York (1945).

Mr. SMITH. All I know is the Federal Government, I say the Federal Government had four auditors out to study our department some months ago. They spent 2 days, one represented Congress, the General Accounting Office, the other I think HEW and the Department of Agriculture. They were specialist auditors in those divisions. They spent 2 days studying our system. One day was with State audits and one day we took them out in the county and city because we were doing those audits. They complimented us for our fine work. It has been announced, I received a letter from the State of Ohio where their auditor staff said HEW told them to get their sample audits from our office. Other than that, we have not had any direct connections. We do send many of these audits direct to the regional office in Kansas City. We are having more joint audits, as time goes on, but this has been building up with a little more momentum than what it started with.

Mr. SYDNES. I would like to comment also on this, if I may, Congressman Pepper. There is one area with which we were cooperating to a high degree and this is HEW, region 7 in Kansas City. On the area community colleges for vocational education aid we are following their guidelines and are reporting to them. This is to save them considerable time in auditing while we are in the various area schools in the State of Iowa. They come in turn and review our work papers. The only contact that we ever had with any other Federal audit agency was in the case of where we found the misuse of on-the-job training funds used by a State agency where about 20-some employees took a junket to the University of Iowa, sat at a 1-day conference, and the State of Iowa collected \$4,365 worth of on-the-job training funds. This particular contract was specifically designed for the unemployed and the underemployed. The people who participated in this manpower conference, some of them had worked for the State of Iowa for 26 years. Apparently we touched a political nerve because there was considerable kickback on this. Senator Miller from Iowa asked the General Accounting Office to investigate this, and Elmer Staats, Comptroller General of the United States, did conduct an investigation and concurred with our audit.

This is probably one of the early things that got us started in the auditing of Federal funds and just as an idea of what can be done in compliance auditing. With this same project which was going on, this on-the-job training project at that time in Iowa, when we found these 20-some people who were employees of the department of public safety who did not know that they were poverty stricken and didn't know that they needed training and didn't know that they needed Federal funds for training.

There was an interesting sidelight in this particular one, the department has the right to train their people. The department had over a hundred thousand dollars of surplus money which they had to return to the State treasury at the end of the year. But anyway they got \$4,365 of your poverty funds and were very grateful for it, even though part of those funds were used to provide a going away party for one of the employees of the department. We extended our audit and we sent out quite a few questionnaires to people who were allegedly on an on-the-job training project. I have listed here about four pages of one- or two-sentence replies that we got back on our questionnaire and I would like to give you some examples, if I may.

I quote, "I was doing the same work prior to and after the so-called on-the-job training, but I did get a pretty certificate."

Mr. SCHERLE. A what?

Mr. SYDNES. "A pretty certificate." It was signed by the Governor. I quote from another letter, "I was on the job about a year when one day the boss said I was participating in on-the-job training. I was already trained so you just wasted your money."

Mr. SCHERLE. If I may go back to the "pretty certificate," what did it cost the taxpayers for that "pretty certificate"?

Mr. SMITH. This is under the former Governor who is now your colleague, Senator.

Mr. SCHERLE. That bothers me more, but by the same token if it was no good then it is no good now.

Mr. SYDNES. These "pretty certificates" were costing the taxpayers \$25 per week per employee, and most of the projects were running anywhere from 12 to 24 weeks. Here is another one, "I have never been part of any training program. If it is possible to learn a trade at somebody else's expense please send me full details."

Or I quote from another, "I did not take any on-the-job training and I don't understand why I keep getting the forms on it."

Now what is so vicious about this particular thing is the fact that this money went to the employer to provide the training. These individuals, by the specifications of the grant, were to have been cleared by the employment security commission as being underemployed or underemployable or not employable in the skills which they had. They were to be sent by the employment security commission to participating companies. You can obviously see what happened, the companies were pocketing the \$25.

Mr. SCHERLE. I think that goes back to my initial question, Isn't anybody doing anything in Iowa to watch some of these programs, don't we have any oversight at all?

Mr. SYDNES. I will say there was one bright spot in this.

Mr. SCHERLE. You had better tell me about it because I haven't heard any this afternoon.

Mr. SYDNES. The one bright spot is, this individual who was supervising this particular program—and incidentally was signing the contract, the contract on behalf of both the contractor and the subcontractor, she was serving as both parties to the contract—was relieved of her responsibilities in this, but there the good news ends. The news is now that after she left the MDTA-OJT project she administered the project for migrant workers. She lived in Des Moines; she operated out of her home. The closest migrant worker camp is 100 miles from the city of Des Moines.

Mr. SCHERLE. Is this the same situation where this party owned a motel?

Mr. SYDNES. No, this is another situation.

Mr. SCHERLE. Give me a briefing on that one. We might as well just make this a great day.

Mr. SYDNES. You are talking about the individual who established a CAP agency in her own motel in a town of 640 population in eastern Iowa.

Mr. SCHERLE. Give the committee the benefit of that one too.

Mr. SYDNES. She was one of the technical assistants at the State level. The office was opened up in eastern Iowa in a community of 640

population about 50 miles from the closest major metropolitan area. On weekends she would go down and visit the CAP agency and make sure that everything was in order and functioning properly and she would bill the State for staying in her own motel.

Mr. SMITH. This was under the former Governor, but now she has entrenched herself just as strong under this administration so some of these people know how to operate.

Mr. SCHERLE. Is she still employed?

Mr. SMITH. Yes. Grumbling about not getting enough pay increase.

Mr. SCHERLE. Does she want more money for her motel room?

Mr. SYDNES. No; we cut the motel expense out so now she has to have a raise in salary.

Mr. SCHERLE. This is almost too much. The director of the poverty agency in Iowa had no access to this information, he knew nothing about it, he claims complete ignorance?

Mr. SMITH. She is still working by his side in his office, a few feet away. It goes back to one thing, Congressman, you will never get this sound, and I only speak for Iowa, until you put these Federal funds through a State agency under the Governor of the State and the auditor of the State will make the audits and send you the copies.

Mr. SCHERLE. I am thoroughly convinced of that.

By the same token I want an administrator who will administer, too, and no one can tell me from what we have heard this morning that he can be totally ignorant. Even through osmosis he should have accumulated some knowledge as to what is going on.

Let me ask you another question: Has the State bureau of criminal investigation ever called to your attention their concern over some of the poverty employees?

Mr. SMITH. Yes, I think I can say yes to that question. They have expressed concern. I cannot divulge anything further than that.

Mr. SCHERLE. You as auditors are concerned and the State bureau of investigation is also concerned and the Governor's office and his political appointee, Mr. Tyson, said he knew nothing of all of these situations. To me this is just totally impossible. They can say all they want. If they claim they don't know what has been going on, it is typical of the innocent retraction that is always made when somebody is caught with their hand in the cookie jar. I think this was a big one.

Mr. Chairman, in conclusion, I want to compliment and I mean extremely compliment the State auditor, Mr. Smith, and his assistant, Mr. Sydnese, for their very fine testimony. I also wish that we had more people like you, professional individuals who could go out and give us the benefit of your ability at professional auditing. I don't think there is anything more unreliable when we have an agency audit itself. Also your recommendations are excellent, too. These will be carried to the committee, I can assure you, and hopefully maybe some of these changes will be made.

Mr. Chairman, I thank you for your extremely fine patience this morning and this afternoon.

Mr. PEPPER. Anything more, Mr. Scherle?

Mr. SCHERLE. Yes. May I add that these investigations reveal a consistent pattern of involvement between the Panthers (and other revolutionists) and federally funded antipoverty programs throughout the country. Of greatest interest to the people of Iowa, however, is

the revelation that many of our own area antipoverty agencies operating on Federal money are riddled with militants, due to the extremely lenient personnel policy followed by their administrators.

The Omaha police testify that the man under indictment for the bombing murder of a member of the Omaha force had been an employee of the Greater Omaha Community Action Program, which is run by the Office of Economic Opportunity, for over a year. OEO officials have been repeatedly warned by me about their employees, but they refuse to do anything about it.

Des Moines police officials testify that antipoverty programs have employed other unsavory characters as well, including a former member of the Des Moines force, who resigned "under a cloud." Another Clive De Patten. The truth of the matter is that De Patten works for the Concentrated Employment Program (CEP), which is funded by the Department of Labor, but is a spin-off of OEO under the Economic Opportunity Act, Title I, section B. The confusion among many arises from the fact that most of these agencies work hand in glove with each other, and that their responsibilities and jurisdictions for local antipoverty projects frequently overlap. De Patten was recently charged with contempt of court and the bond was paid by Charles Knox, an avowed communist and former Panther. Knox was being paid with Model Cities funds to act as a youth counselor until HEW froze the project funds at my direction.

A clear picture is emerging from these hearings of the permissive personnel practices of those charged with overseeing the expenditure of Federal antipoverty funds. It does not seem to me that the people of Iowa want such a state of affairs to continue if they know where the responsibility lies. Accordingly, I am issuing a statement saying that *if* the Governor knew of these abuses and did nothing about them, he was derelict in his duties.

The testimony of Iowa State Auditor Lloyd Smith and his chief aide, Richard Sydnes, only corroborates the view of Iowa's antipoverty programs which has emerged from the previous hearings. The two men detailed the criminal records of three more employees of these programs and sketched the background of a former communist from Philadelphia who was convicted of, among other things, election fraud. In addition, he went bankrupt in 1965. Yet, this man was recommended by the Washington office of OEO as the best qualified consultant for consumer education programs in Iowa!

Smith has also testified that the State director has taken 21 trips out of Iowa in the past 10 months at public expense. In addition, a woman currently employed as a technical assistant to OEO had installed a CAP (Community Action Program) agency in her own motel under the previous administration. The motel is located in a town of 640 people 50 miles from the nearest major metropolitan area. When she visited the agency in her official capacity, she billed OEO for her lodging in her motel! This practice has been discontinued, but she is still employed by OEO. It shows, said Smith, that "some of these people really know how to operate."

Smith says he has been unable to obtain personnel records from the 18 CAP agencies operating in Iowa because they maintained that the State auditor had no jurisdiction over federally funded antipoverty agencies. One agency responded to the request by saying

that the State OEO office had instructed them that they had no obligation to comply. Such refusals violate the spirit, if not the letter, of the freedom-of-information law, which applies to all Federal programs. It is clear from this testimony that if there is no supervision at the State level, there will be no effective supervision at all. Donald Rumsfeld, national director of OEO, told me that his duties were too broad to allow him to oversee properly all the programs under his direction. Obviously, the answer must lie in tighter control by elected officials at the State and local level.

The Governor has issued a denial of any knowledge of or involvement in the scandals which our hearings have thus far uncovered. He claims that the Governor's office has no control whatever over many of these antipoverty programs, so that even if he *had* known about them, he could have done nothing.

The Governor is wrong on both counts. The State auditor maintains he has brought at least some of these abuses to the attention of the Governor's office via Tyson, the Governor's close friend and appointee. And I know that the Governor's representative sits on the supervisory board which oversees these agencies. The CEP program, for example, falls under the advisory jurisdiction of the Comprehensive Area Manpower Programs (CAMPS) board. Both the Governor and OEO have representatives on this board and can therefore exert considerable leverage with the Department of Labor, which funds CEP.

Perhaps the most disturbing feature of this dispute, however, is the stand taken by the editorial board of the *Des Moines Register* and *Tribune*. The wizards at Locust and Seventh have leaped to the Governor's defense, saying it is unfair of me to disclose these abuses at this time. This is a very strange attitude for the pious editors to take. The integrity of the newspaper, which depends upon Iowa, rests on their determination to find and publish the truth whomever it may help or hurt. I am not a part-time representative of the people of Iowa—I will not declare a moratorium on my responsibilities. It is my conviction that the cozy relationship of these militants to federally funded poverty programs should immediately be brought to public attention. I did not intend to wait until a tragedy occurred in Des Moines like the one in Omaha.

Regardless of who has been responsible for these activities in the past, the main conclusion to be drawn from these hearings is that there are many militants presently involved in the poverty programs. The warning implicit in this fact should not be clouded by the rhetoric of those who are unfamiliar with the programs. We should all work together to eliminate this sordid relationship.

Mr. PEPPER. Thank you very much. Mr. Sydnes and Mr. Smith, for coming here today and giving this information to the committee.

The committee will now recess, subject to the call of the Chair.

(Whereupon, at 1:05 p.m., Thursday, October 15, 1970, the subcommittee recessed, subject to the call of the Chair.)

BLACK PANTHER PARTY
Part 4
National Office Operations
and
Investigation of Activities in
Des Moines, Iowa, and Omaha, Nebr.

TUESDAY, NOVEMBER 17, 1970

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON INTERNAL SECURITY,
Washington, D.C.
PUBLIC HEARINGS

The subcommittee of the Committee on Internal Security met, pursuant to call, at 10:14 a.m., in Room 311, Cannon House Office Building, Washington, D.C., Hon. Richardson Preyer, chairman of the subcommittee, presiding.

(Subcommittee members: Representatives Richardson Preyer of North Carolina, chairman of the subcommittee; Richard H. Ichord of Missouri, chairman of the full committee; and John M. Ashbrook of Ohio.)

Subcommittee members present: Representatives Preyer, Ichord, and Ashbrook.

Staff members present: Donald G. Sanders, chief counsel; Stephen H. Romines, assistant counsel; and Robert M. Horner, chief investigator.

Mr. PREYER. The meeting will come to order.

This is a continuation of some earlier hearings.¹

Mr. Romines, I understand you wish to put some more material into the record from some of the staff investigators, so I will turn it over to you at this time.

Mr. ROMINES. Yes, sir. I call Richard Shaw.

Mr. PREYER. He has probably been sworn before on this same hearing, but we will swear him again.

Do you solemnly swear the evidence you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SHAW. I do.

¹ For memorandum from Chairman Ichord confirming continuing appointment of subcommittee, see appendix E, p. 5119.

TESTIMONY OF RICHARD A. SHAW—Resumed

Mr. ROMINES. Mr. Shaw, on October 6 you began some testimony before this committee pertaining to the national office of the Black Panther Party. Your testimony was interrupted at the point where you were testifying about the results of an interview you had with an ex-member of the Black Panther Party. I would like to continue with a series of questions to you pertaining to that interview that you had with the ex-Black Panther Party member.

I would like to start by asking you: Did he express to you what the Black Panther Party's attitude with respect to the news media is?

Mr. SHAW. Yes, he did. He explained that the party regards the mass media as a tool or an instrument. They recognize, and have stated, that the mass media's quest for sensationalism will tremendously enhance their ability to disseminate propaganda. Actually, how to use the mass media and the advantages of it are expressed in their instructional material. This is a part of their training.

Mr. ROMINES. How vital to the survival of the party is propaganda, Mr. Shaw?

Mr. SHAW. Propaganda, as it is explained, is regarded as the life-blood of the party. They acknowledge in their interorganizational memos and directives that the party could not survive without propaganda, because the people would not accept their revolutionary philosophy by itself. This you will never read or learn through the mass media.

Mr. ROMINES. How does the Black Panther Party justify the use of propaganda?

Mr. SHAW. They explain in their instructions to the membership that propaganda is the necessary slap in the face to awaken or raise the consciousness of the black community as to the oppressed, racist, Fascist, capitalist state of affairs of this country.

Mr. ROMINES. Mr. Shaw, I hand you what has been marked Committee Exhibit 16 and ask if you can identify that, please.

Mr. SHAW. Yes, I can.

Mr. ROMINES. What is Exhibit 16?

Mr. SHAW. The report of the bureau of propaganda to the plenary session of the Black Panther Party.

Mr. ROMINES. Is that a document prepared and disseminated by the Black Panther Party?

Mr. SHAW. It is.

Mr. ROMINES. Mr. Shaw, with respect to the revolutionary statements which appear in the Black Panther Party newspaper and other literature and also made by Black Panther Party members, does the party hope that those statements will influence the black community over a prolonged period of time?

Mr. SHAW. Yes, they do.

Mr. ROMINES. Is changing the attitude of the black community important to the Black Panther Party?

Mr. SHAW. Yes, yes; and as they have stated, they recognize and admit that any successful revolution is predicated or dependent upon the willingness of the people to participate. They must stimulate the black masses to become more willing to possess and use firearms

against the common enemy, being the police, first, and then the system in general.

Mr. ROMINES. Why is it vital to them to focus attention on law enforcement and to depict law enforcement as the enemy of the people?

Mr. SHAW. To cause the people to be willing to attack the police, who tangibly represent the system, means that they would be prepared to attack and engage in all-out revolution, once they can be conditioned properly, that is, to the extent that they would be willing to attack the police.

Mr. ROMINES. Mr. Shaw, there are repeated references by Black Panther Party members to alleged police misconduct. These come in the newspaper, in their statements and speeches.

Does the Black Panther Party ever investigate these matters of alleged police misconduct before they make statements pertaining thereto?

Mr. SHAW. According to the information received in our total investigations, seldom, if ever, do they investigate an alleged case of police misconduct.

Mr. ROMINES. Do they ever make any explanation of why they do not investigate?

Mr. SHAW. Yes; they attempt to explain that, first of all, it is too time consuming, and secondly, due to the history of the racist police and their conduct in the black community, it would be a total waste of time to pursue this because they already know that the likelihood is that the officer was wrong in the first place.

In other words, what they are saying is the police simply represent an extension of this same system that they are already bound not to respect, so as a consequence or a result, the officer's conduct, his mere existence, is incorrect.

Mr. ROMINES. Do the Panthers differentiate at all between black and white officers?

Mr. SHAW. They do not.

Mr. ROMINES. There are numerous cartoons and pictures in the Black Panther Party newspaper and also posters hung here and there, Mr. Shaw, where police officers are depicted as pigs, shooting or otherwise brutalizing members of the black community.

Why are the police officers depicted as pigs?

Mr. SHAW. This is the Panthers' way of graphically illustrating that the police are the enemy of the people, and continuous dosages of this type propaganda or illustration will hopefully significantly influence the thinking of the people to the extent that they themselves will be willing to participate in armed resistance and conflict with the police.

Mr. ROMINES. What does the term, "Off the pig," mean as generally understood by Black Panther Party members and associates?

Mr. SHAW. To kill the police.

Mr. ROMINES. Does it make any difference what type of policeman or what the policeman has done?

Mr. SHAW. No, it doesn't, not in the least.

Mr. ROMINES. Is the Black Panther Party paper an official publication of the Black Panther Party?

Mr. SHAW. It is.

Mr. ROMINES. Has it been so declared?

Mr. SHAW. It has been so declared by the central committee of the Black Panther Party national office.

Mr. ROMINES. Mr. Shaw, has the Communist Party, U.S.A., ever attempted to establish a working relationship or arrangement with the Panthers?

Mr. SHAW. Our investigation revealed that at least one such attempt was made.

Mr. ROMINES. When and how did that occur?

Mr. SHAW. In early 1967 an invitation was extended to the national Black Panther Party in Oakland, California, to attend a Northern California Communist Party meeting.

Mr. ROMINES. Do you know who extended the invitation?

Mr. SHAW. Yes, a Roscoe Proctor.

Mr. ROMINES. Did you ascertain whether the Communist Party had intended to recruit Panther leadership?

Mr. SHAW. Yes. At this same meeting, that was held in a warehouse, which was attended by some 40 to 50 individuals, they made it clear that their hope was to help the Panther Party, help and direct them in organizing the black community and also the providing of funds. However, contingent upon this agreement would be the Panthers' agreement to receive certain instructions and orders from the Communist Party, U.S.A.

Mr. ROMINES. Did the Panther leadership accept this invitation?

Mr. SHAW. They did not.

Mr. ROMINES. Did they attend the workshop at all?

Mr. SHAW. They sent two delegates.

Mr. ROMINES. Did the Panther leadership, then, just actually object to the Communist position, or for what reason did they reject? Do you know?

Mr. SHAW. They didn't reject communism. They weren't anticommunist, according to our information, but they did not want to risk losing their position of unquestionable authority in the Black Panther Party.

Mr. ROMINES. Why were they concerned about losing their position of unquestioned authority?

Mr. SHAW. They feared the—by their standards—skill and leadership abilities of the Communist Party and they felt that somehow they might gain control, possibly through money.

Mr. ROMINES. Are Communist Party members permitted to attend Panther meetings and to frequent Panther headquarters?

Mr. SHAW. During the period that the interviewee was a member, he maintains that they did frequent Panther headquarters and they did engage in at least a one-to-one effort to influence the leadership of the Black Panther Party.

Mr. ROMINES. But as I understand you, or as I understand what he told you, there was never any success; is that correct?

Mr. SHAW. Correct.

Mr. ROMINES. Mr. Shaw, when was the first Black Panther breakfast-for-children program?

Mr. SHAW. November 1968.

Mr. ROMINES. Who was responsible for starting the breakfast program?

Mr. SHAW. Primarily, Bobby Seale and David Hilliard.

Mr. ROMINES. Why was the breakfast program started?

Mr. SHAW. They became—Seale and Hilliard and others of the central committee—became concerned about so many Panthers being arrested for serious offenses, so they envisioned that some “noble” program, such as the breakfast program, would reflect the party as being concerned for hungry children, responsive to the needs of the people, et cetera.

They expected that this new image would get sympathy, support, both physical and financial.

Mr. ROMINES. Mr. Shaw, according to the Panthers, who must actually start the revolution which they seem to so advocate?

Mr. SHAW. The Panthers hold that a people-precipitated revolution is necessary.

Mr. ROMINES. Does the Panther hierarchy want to be responsible or accountable for the revolution?

Mr. SHAW. No.

Mr. ROMINES. Why not?

Mr. SHAW. Either they are too smart or too afraid. This was not clear, according to the interviewee.

Mr. ROMINES. Why is a people-precipitated revolution more desirable than one started by an organization as such?

Mr. SHAW. A revolution of this type would, by necessity, render identifying the roots and definition of this revolution much more difficult to perceive and, as a consequence, much more difficult to put down.

Mr. ROMINES. What are the Panther plans if a revolution begins?

Mr. SHAW. They expect to attain leadership and reap the spoils. They premise this on the expectation that the Black Panther Party, with its organization and discipline, will have significant direction and thrust to take power.

Mr. ROMINES. When you say “take power,” do you mean take power across the whole country or just in the black community?

Mr. SHAW. Across the whole country. They expect that there will be disorganization, to some great extent, among the masses, in spite of their thrust against the system and, being disciplined and organized, they expect to move in and take leadership.

Mr. ROMINES. What type of individuals in the black community do the Panthers expect to help them create the proper revolutionary climate?

Mr. SHAW. The highly emotional, reactionary, and weaker individuals.

Mr. ROMINES. Why that dichotomy, that selection?

Mr. SHAW. This would be the easiest faction to influence and exploit and the persons most likely to perpetrate the deeds necessary for creating and following through with such a revolutionary climate.

Mr. ROMINES. What device or devices have the Panthers used to stimulate the, as you put it, emotional, reactionary, and weaker individuals?

Mr. SHAW. They hammer heavily on self-defense in response to genocide, protection, occupation or concentration camps having been set up for militant blacks who choose to resist the oppressive Fascist, racist system.

Mr. ROMINES. Mr. Shaw, does the Black Panther Party advocate community control of police?

Mr. SHAW. Yes, they do.

Mr. ROMINES. How do they explain it?

Mr. SHAW. They explain that in order for the black community to pursue its own destiny, it must control its community; and the only way they can control their community is, of course, through controlling the police. They regard the police, again, as an extension of the system that has already oppressed the black community.

Mr. ROMINES. Now that is how they explain it to the people; is that correct?

Mr. SHAW. Yes.

Mr. ROMINES. Did your source, your ex-Black Panther Party member, explain to you what they really mean by community control of the police?

Mr. SHAW. Well, the Panther program, basically, concerning the community control of police, involves a given number of community individuals elected to a councilship or some other authority who would control, discipline, and program the police in their given communities. And as a result of this, the Panthers are here again expecting that this, of itself, will tend to dilute or negate meaningful law enforcement. When this happens, or if this happens, the Panthers will have a free hand to organize and work within a given community as they see fit.

Mr. ROMINES. Now I think you basically answered my next two questions, but to make the record absolutely clear, according to the Panthers, how would the black community benefit from community control of the police?

Mr. SHAW. They attempt to justify this by simply stating that this is a means of controlling their destiny, the black community, and this is the only means by which this pursuit can be started.

Mr. ROMINES. And how would community control of the police benefit the Panthers, if at all?

Mr. SHAW. Simply by the community itself, that body of people who would be responsible for the administration of a police department, who would cause the police to live and operate within this community.

Mr. ROMINES. Is it part of the total Panther plan or scheme to either remove police officers from the black community or at least render them ineffective?

Mr. SHAW. It is. That's the basis of the community control of police.

The other interesting aspect in that regard is that the Panthers know that it is necessary, basically, before any revolution can begin, to have sanctuaries, areas of refuge. They are hoping themselves to colonize the black community so they might use these communities as bases of operations.

Mr. ROMINES. Mr. Chairman, at this point I would like to ask that Committee Exhibits 8 and 16 be included in the record.

Exhibit 8 is a typed interview of this ex-Black Panther Party member. Mr. Shaw has related the substance of his testimony. Mr. Shaw identified this exhibit on October 6, but we didn't include it in the record on that date.

Mr. PREYER. Exhibit 16 is the plenary session of the party?

Mr. ROMINES. Yes, sir.

Mr. PREYER. Where did this come from? Did this come from this witness that talked to Mr. Shaw?

Mr. ROMINES. Are you talking about Committee Exhibit 16?

Mr. SHAW, where was Committee Exhibit 16 obtained?

Mr. SHAW. The exhibit in question was given to us in confidence, and the individual, fearing for his own safety, requested that he not be identified.

Mr. ROMINES. But that is a Panther document. Is that correct?

Mr. SHAW. It is a Panther document.

Mr. ROMINES. And was obtained from a Panther?

Mr. SHAW. A Panther headquarters.

Mr. PREYER. It says the "REPORT OF THE BUREAU OF PROPAGANDA TO THE PLENARY SESSION OF THE PARTY." Is it your information that "the Party" is the Black Panther Party?

Is this the report from the bureau of propaganda of the Black Panther Party to a full session of the Black Panther Party?

Mr. SHAW. This is the title of their propaganda bureau. This is the substance of it.

Mr. PREYER. And it says "PLENARY SESSION OF THE PARTY." They are talking about Black Panther Party?

Mr. SHAW. Correct.

Mr. PREYER. Not any other party.

Thank you.

These two documents are admitted in evidence.

(Documents marked Committee Exhibits Nos. 8 and 16, respectively. See appendix A, pages 4998-5008 and 5042, 5043.)

Mr. ROMINES. Mr. Shaw, during the course of your investigation of the national office of the Black Panther Party, and also during the course of your investigation of the Black Panther Party in general, have you conducted any interviews or attempted to conduct any interviews with either national or local Black Panther Party leaders?

Mr. SHAW. Yes. Committee investigators contacted local Black Panther Party offices in Seattle, Washington; Indianapolis, Indiana; Detroit, Michigan; Milwaukee, Wisconsin; and the national office in Oakland, California.

Mr. ROMINES. What were the results of these contacts, Mr. Shaw?

Mr. SHAW. In Seattle, investigators visited Black Panther headquarters and interviewed Elmer Dixon, an officer who acted as spokesman for an unidentified group of Panthers who were present at that time. He agreed to the interview after contacting his attorney by telephone. The most significant information furnished by Dixon was his statement that he is dedicated to the overthrow of the Government by any means and does not think it is possible to work within the framework of the Government for desired social and economic changes.

The individuals contacted at the Indianapolis and Detroit Black Panther offices declined to be interviewed.

The office of the Milwaukee branch of the Black Panthers, known as the National Committee to Combat Fascism, was visited personally by committee investigators, where a man identified only as "Brother Butch" acted as spokesman. He said he would furnish no information

and also said he has no faith or hope in working within the present Government structure.

Another former Black Panther member in Milwaukee was contacted, and although he spoke to the investigator, he declined to discuss his former activities in the organization. He volunteered that people were getting out of the party because it was really—they have been unable to help the community due to lack of support from the community.

He said the breakfast program was one of the worst programs the Panthers had undertaken because it has been more or less a failure, had given the Panthers a bad name, and caused arguments and leadership problems.

He said the good thing the Panthers have done is to advocate that political power comes from the barrel of a gun. This shocked a lot of people into giving some thought to problems that Negroes face.

Mr. ROMINES. Those were your interviews or attempted interviews with local leaders of the Black Panther Party, Mr. Shaw. What were the results of contacts made with the national office of the Black Panther Party?

Mr. SHAW. This was negative. The investigator was simply referred to the party attorney.

An effort was made to contact Father Earl Neil of St. Augustine's Episcopal Church in Oakland, because he had been listed at one time as the party's minister of religion. Efforts to set up an interview with Father Neil were completely negative.

Mr. ROMINES. Mr. Shaw, I hand you what has been marked Committee Exhibit 17 and ask if you can identify that, please.

Mr. SHAW. Yes. These are the results of interviews and attempted interviews of Black Panther Party leaders and members.

Mr. ROMINES. And I hand you what has been marked Committee Exhibit 18 and ask if you can identify that, please.

Mr. SHAW. Yes. This is a return receipt—

Mr. ROMINES. I believe it is a letter and return receipt, is it not?

Mr. SHAW. Yes, a copy of a letter and return receipt.

Mr. ROMINES. To whom is the letter addressed?

Mr. SHAW. "National Officers, Black Panther Party," their correct address, "1048 Peralta Street, Oakland, California."

Mr. ROMINES. Would you read that letter into the record at this point, please?

Mr. SHAW. I will. [Reads:]

Dear Sirs:

A sub-committee of the Committee on Internal Security is conducting an investigation and holding public hearings concerning your organization under authority of the attached resolution.

The Sub-committee wishes to give representatives of your organization the opportunity to submit a statement with respect to the subjects of inquiry set out in the last paragraph of the resolution.

Any statement you submit will be considered for inclusion in the hearing record and should be directed to the Chief Counsel of the Committee on Internal Security.

Very truly yours, Richardson Preyer, Chairman, Subcommittee.

Mr. ROMINES. What is the date on that letter, Mr. Shaw?

Mr. SHAW. September 24, 1970.

Mr. ROMINES. Is there a copy of a signed receipt there, indicating that the letter was received by the Black Panther Party national office?

Mr. SHAW. Yes, there is.

Mr. ROMINES. By whom is it signed?

Mr. SHAW. R. Hilliard.

Mr. ROMINES. And can you make out the date when it is signed?

Mr. SHAW. September 28, 1970.

Mr. ROMINES. Mr. Chairman, I would like the record to reflect at this point the committee had received no response to the letter that was sent under your signature, and ask Committee Exhibits 17 and 18 be included in the hearing record.

Mr. PREYER. They are admitted into evidence.

(Documents marked Committee Exhibits Nos. 17 and 18, respectively. See appendix A, pages 5044-5048.)

Mr. ROMINES. Mr. Shaw, during the course of your investigation of the national office of the Black Panther Party, did you interview any individuals who resided in and around the vicinity of the Black Panther Party headquarters?

Mr. SHAW. Yes, I did.

Mr. ROMINES. Did they have any opinions as to the Black Panther Party with respect to whether they were a constructive or a destructive influence in the neighborhood?

Mr. SHAW. Without exception, of those individuals who were not too fearful to be interviewed, they regarded the Black Panther Party as destructive, in terms of any social progress.

Mr. ROMINES. Were some of the individuals whom you approached reluctant to talk to you?

Mr. SHAW. All were reluctant. Some flatly refused, and they did qualify the reasons for refusing.

Mr. ROMINES. What was their basic reason for refusing?

Mr. SHAW. Fear of retaliation on the part of the Black Panther Party.

Mr. ROMINES. Did the individuals who did consent to an interview have any opinion as to the effect on the youth in the neighborhood by the Black Panther Party?

Mr. SHAW. Yes. They explained that the youth, by their very nature being impressionable, and being exposed to the Panther propaganda and influence, have been exhibiting a degree of hostility within the neighborhood never before seen by long-time residents of this particular community.

Mr. ROMINES. Did the people who did consent to an interview give you any indication of the type of language which the Panthers used in and around that area?

Mr. SHAW. Yes. All of those people who did talk all agreed that the word "M.F." is universal; it is everyday. They play propaganda speeches over a PA system that can be heard for as far as a block away.

Again, they are afraid to complain for fear of retaliation. There have been instances in the neighborhood where people have refused to purchase the Black Panther paper and have made comments to that effect, as to their refusal to purchase the paper, and the Panthers have—or at least the interviewees were satisfied that the Panthers did—cause the youngsters to perpetrate property damage and other forms of harassment because of the position taken by certain families.

Mr. ROMINES. Did any of the interviewees express any opinion to you, Mr. Shaw, as to the reason for the Panther breakfast program?

Mr. SHAW. Yes. Those who were familiar with the breakfast program and who had taken the time to familiarize themselves with the mechanics of it agreed that the Panthers in no way are basically interested in feeding hungry children, but, rather, this program gets for them sympathy and support which stimulates their growth and sustains their life, and as a bonus it gives them the opportunity to orient, politicize, or propagandize the youth through their P.E. classes—their political education classes—usually conducted in the course of the breakfast program.

Mr. ROMINES. Mr. Shaw, I hand you what has been marked Committee Exhibit 19, which consists of three pictures. Can you identify those, please?

Mr. SHAW. Yes. The first picture is the Black Panther Party national headquarters, located at 1048 Peralta Street, Oakland, California.

The second photograph is the national headquarters of the National Committee to Combat Fascism, located at 3106 Shattuck, Berkeley, California.

The third photo is the location of the National Distribution, the distribution facility of the Black Panther newspaper located at 1336 Fillmore Street, San Francisco, California.

Mr. ROMINES. Mr. Shaw, let me return just one moment to an area you previously were testifying about, the breakfast program in and around the area, and what the residents in that area told you about the reason for the Black Panther Party breakfast program. Does the national office of the Black Panther Party operate and maintain a breakfast program?

Mr. SHAW. Yes, they do.

Mr. ROMINES. Mr. Shaw, during the course of the committee's investigation of the Black Panther Party, were the investigators able to arrive at an approximate number of total Black Panther Party members across the United States? What is their numerical strength; do you know?

Mr. SHAW. We have not been able to determine a fair and accurate approximation of the membership of the Black Panther Party. There have been a lot of "guesstimates" regarding the numerical strength, but I would like to point out that I am not just sure how meaningful numbers, in this instance, would be in the first place.

They have stated and they have made it no secret, the vanguard party shall operate above ground until such time as the aggressor—meaning the system—drives it underground. Now whether or not we are into that phase per se at this point, it is difficult to say, except it is highly likely, highly possible that we could be there.

Mr. ROMINES. Is the "numbers game" really that significant, Mr. Shaw?

Mr. SHAW. It is not that significant.

Mr. ROMINES. Would it be a fair statement to make that it is not really a question as to how many members they have, as it is a question of how much influence those members actually exert?

Mr. SHAW. Precisely.

Mr. ROMINES. Mr. Shaw, I hand you what has been marked Committee Exhibit No. 20-A and ask if you can identify that, please.

Mr. SHAW. Yes. This is a compilation of biographical data concerning certain leaders of the national Black Panther Party.

Mr. ROMINES. Would that be the significant, important leaders of the Black Panther Party?

Mr. SHAW. That is correct.

Mr. ROMINES. The national leaders?

Mr. SHAW. Correct.

Mr. ROMINES. And I hand you what has been marked Committee Exhibit 20-B and ask if you can identify that.

Mr. SHAW. Yes; again, these are the arrest records of the more significant leaders of the national Black Panther Party.

Mr. ROMINES. Now would that Exhibit 20-B include arrests for which there have been no adjudications?

Mr. SHAW. No, it would not. There are no traffic arrests, and cases that have not been adjudicated have been omitted from this report.

Mr. ROMINES. Mr. Chairman, I would ask that Committee Exhibits 19 through 20-B be put into the record at this point.

Mr. PREYER. All right. They are admitted into evidence.

(Documents marked Committee Exhibits Nos. 19, 20-A, and 20-B, respectively. See appendix A, pages 5049-5059.)

Mr. ROMINES. Mr. Shaw, have there been any recent authoritative sources who have given any current information on the Black Panther Party?

Mr. SHAW. Yes. A speech was delivered by Assistant to the Director William C. Sullivan, Federal Bureau of Investigation, on October 12, 1970, at the United Press International Conference, Williamsburg, Virginia.

Mr. ROMINES. I hand you what has been marked Committee Exhibit No. 21 and ask if you can identify that, please.

Mr. SHAW. This is a portion of that speech delivered by the individual just identified.

Mr. ROMINES. Mr. Shaw, contained in that speech is a reference to an alleged visit of Panther Party members to Jordan. Has there been any subsequent commentary by any member of the Black Panther Party pertaining to visits to Jordan?

Mr. SHAW. Yes. There was a press conference on August 26, 1970, in Berkeley, California, by Huey Newton, concerning the reported visit of Panthers to Jordan, led by Stokely Carmichael. Newton repudiated this report and said that the Black Panther Party has no representatives in Jordan, although they do have representatives in their international section in Algeria, headed by Eldridge Cleaver and Field Marshal Don Cox, who are in daily contact with the Palestinian liberation organization.

He charged that Stokely Carmichael was an agent of the CIA and that the press report to the effect that the alleged Panther delegation to the Jordan guerrillas spoke of the black power movement proves that the delegation was not made up of true Black Panthers. He said the black power is no more than black capitalism and therefore represents a philosophy which contradicts the Black Panther philosophy, which attributes the roots of racism to the profit motive and capitalism.

Mr. ROMINES. Mr. Shaw, in the Committee Exhibit No. 21, excerpts from the speech you have identified, there is reference to a conference held at Yale University on May 16-19, 1970. Is there anything of significance about that conference?

Mr. SHAW. This conference was billed, "Black Student Revolutionary Conference," held at Yale.

Mr. ROMINES. Did the Panthers sponsor that conference?

Mr. SHAW. They did; in May 1970. And it set out that the workshops on urban guerrilla warfare were held at the conference.

It also should be pointed out that this is the first information received by the committee concerning what transpired at that conference.

Mr. ROMINES. What makes that conference unusual, Mr. Shaw?

Mr. SHAW. Unusual in that it excluded all whites—they were selective with regard to who could participate—and that it did center around primarily guerrilla warfare tactics.

Mr. ROMINES. Actual instruction in, and advocacy of, guerrilla warfare tactics?

Mr. SHAW. Correct.

Mr. ROMINES. Mr. Chairman, I would ask at this point that Committee Exhibit No. 21 be included in the hearing record.

Mr. PREYER. Does this relate to the conference?

Mr. ROMINES. That is the speech.

Mr. PREYER. That is the speech.

All right, that is admitted.

(Document marked Committee Exhibit No. 21. See appendix A, pages 5060, 5061.)

Mr. ROMINES. Mr. Shaw, I hand you what has been marked Committee Exhibit No. 22 and ask if you can identify that, please.

Mr. SHAW. Yes. This is a summary of the events involved in the National Conference for a United Front Against Fascism.

Mr. ROMINES. Where and when was that conference held?

Mr. SHAW. It was held in Oakland, California, over the weekend of July 18 through 20, 1969.

Mr. ROMINES. And by whom was that conference sponsored?

Mr. SHAW. The Black Panther Party.

Mr. ROMINES. What basically was the purpose of that conference, Mr. Shaw?

Mr. SHAW. It was to call together—a call for all factions to group and develop like theories or approaches to the problems of imperialism and capitalism, and the destruction of the system.

Mr. ROMINES. Would it have been from that conference from which the National Committee to Combat Fascism chapters across the United States were formed? Was that its inception, at that point?

Mr. SHAW. I believe that is correct.

Mr. ROMINES. Mr. Shaw, I hand you what has been marked Committee Exhibit No. 23 and ask if you can identify that, please.

Mr. SHAW. Yes. This is a summary of the Revolutionary People's Constitutional Convention plenary session held at Temple University on September 4-7, 1970, to announce the date and place of the Revolutionary People's Constitutional Convention. Two preparatory conferences have been held, the first at Howard University in Washington, D.C., on August 8 and 9, 1970. The planning session issued a report published in the August 15, 1970, issue of *The Black Panther*.

Mr. ROMINES. Do they indicate in there, Mr. Shaw, that they intend to have a further conference meeting?

Mr. SHAW. The date for the Revolutionary People's Constitutional Convention, to be held in Washington, D.C., has been set for November 27, 28, and 29, 1970, in Washington, D.C. Howard University has been mentioned as a possible location, although no definite site has been fixed.

Mr. ROMINES. Mr. Shaw, I believe the Revolutionary People's Constitutional Convention held—or actually, the convention was held in Philadelphia on September 4 to 7, 1970; is that correct?

Mr. SHAW. That is correct.

Mr. ROMINES. Did the committee ascertain whether, during that convention, any individuals who came to the convention utilized either vehicles or funds which came from federally-sponsored or federally-financed programs?

Mr. SHAW. Yes.

Mr. ROMINES. Can you summarize briefly for the committee what you ascertained in that regard?

Mr. SHAW. Yes. There were two vehicles stopped for what was believed to be inappropriate license registrations, and after the investigating officers observed firearms, they arrested the subjects and began an investigation, which revealed that—

Mr. ROMINES. Were they stopped in Philadelphia?

Mr. SHAW. In Philadelphia. The investigation revealed that two of the vehicles, two 1970 Dodge Sports Van trucks, had been purchased on purchase order with Model City funds. However, it was later determined—

Mr. ROMINES. Model City funds from what area?

Mr. SHAW. From East St. Louis.

Further investigation revealed, however, that there some administrative violations occurred and that, in fact, the agency itself did not approve or authorize the purchasing of these vehicles.

The individual responsible was then the director of the Recreational Youth Program of the Model City Agency. He has since been fired, and the Recreational Youth Program has been terminated. And as the director explained it, it will remain in that status until such time as they can get proper and appropriate leadership.

The vehicles were ordered taken back to the dealer, and they are involved now in legal maneuvers in order to return the vehicles and not be charged with same.

Mr. ROMINES. One question I neglected to ask you, Mr. Shaw, about the Revolutionary People's Constitutional Convention scheduled to be held here November 27, 28, and 29. Is that the same convention for which the Panthers have attempted to obtain the use of the National Guard Armory here in Washington, D.C.?

Mr. SHAW. Yes, it is, and the Guard officials refused permission.

Mr. PREYER. Is that the same conference that you mentioned, that Howard University was suggested as a site?

Mr. SHAW. Correct, sir.

Mr. PREYER. But there hasn't been any conference at Howard University?

Mr. SHAW. No, sir.

Mr. PREYER. Thank you.

Mr. ROMINES. I ask that Committee Exhibits 22 and 23 be included in the record.

Mr. PREYER. These are so admitted.

(Documents marked Committee Exhibits Nos. 22 and 23, respectively. See appendix A, pages 5062-5065.)

Mr. PREYER. This Revolutionary People's Constitutional Convention—when is that scheduled to be held?

Mr. SHAW. The 27th, 28th, and 29th of November 1970.

Mr. PREYER. And that is to be here in Washington?

Mr. SHAW. As far as we can determine, yes, sir.

Mr. PREYER. Before we leave this conference matter, in order to clarify our understanding on them, the Student Revolutionary Conference that was held at Yale was not sponsored by the university but was sponsored by the Black Panthers?

Mr. SHAW. That is correct, sir.

Mr. PREYER. Were they allowed the use of university meeting rooms or facilities?

Mr. SHAW. Yes, they were.

Mr. PREYER. They excluded all whites, so I assume that excluded most of the Yale students. Were any Yale students involved in it?

Mr. SHAW. We don't know, sir.

Mr. PREYER. Who gave the permission? Do you know what facilities at Yale they used?

Mr. SHAW. Not specifically.

Mr. PREYER. It is strange that Yale would grant permission where no students are involved, or very few.

Mr. SHAW. No, sir, that has not been explored as yet.

Mr. ROMINES. Mr. Shaw, during our October hearings concerning Omaha and Des Moines Black Panther Party activities, a witness was subpoenaed to testify, and did testify, before the committee, named Clive De Patten.

Also during those hearings, a Black Panther Party member in the area named Charlie Knox was identified, and certain testimony was received pertaining to him.

Has the committee received any subsequent information pertaining to the Black Panther Party activities or the activities in general of Clive De Patten and Charlie Knox?

Mr. SHAW. Yes. The committee received information that on October 22, 1970, Clive De Patten had been sentenced to 6 months in jail and fined \$500 for contempt of court. De Patten appeared in municipal court on a charge of disturbing the peace, filed by the Iowa State University campus police.

De Patten and Stephen Green were arrested on October 19 for distributing material on campus without permission. Campus authorities said they were handing out the *People's America Daily News*, which lists itself as the "first revolutionary daily newspaper of the American working class."

Both were released on \$25 appearance bail, which was paid by Charles Knox, former head of the Des Moines Chapter of the Black Panther Party, now the leader of the Black Revolutionary Communist Youth group in Des Moines.

On October 21, a plea of innocent was entered for De Patten and Green. However, De Patten refused to remove his hat when ordered to do so by Judge McKinney. He also called the court a "Fascist" court, and the judge a "dishonorable judge and racist." Judge McKin-

ney then imposed a sentence of 6 months in jail and a fine of \$500 for contempt of court.

The above sentence was subsequently cut to 3 months, and De Patten was released daily on a work-release program to travel from there to Soul City, which is a recreation center, where he worked at \$65 a week. He was working under the Concentrated Employment Program, which is operated by the city of Des Moines and funded by the U.S. Department of Labor.

On October 27, 1970, Charles Knox was arrested for driving while his license was under suspension, which is an offense that carries a mandatory 2- to 30-day jail sentence. In a hearing before Judge Howard Brooks on November 5, Knox was given a 5-day jail sentence.

When the judge pronounced sentence, Knox leaned over and spat into the judge's face. Knox then reportedly tried to go after Judge Brooks, whereupon Clive De Patten pulled off his jacket and jumped from his seat and a wild scene ensued, and there was furniture broken and quite a disturbance followed.

Also resulting from this fracas, Katherine A. Bryson, B-r-y-s-o-n, and Mary Ann Rhem, R-h-e-m, and Stephen Green were arrested.

Mr. ROMINES. Did they participate in the activities in the courtroom at this time?

Mr. SHAW. In the melee, correct.

Mrs. Bryson, Mrs. Rhem, Green, and De Patten were held in jail in lieu of posting \$3,000 bond each on contempt charges. Charges against Mrs. Bryson were later dropped; Mrs. Rhem was given a 90-day jail sentence; Green and De Patten were each given 6-month sentences for contempt of court. In a separate trial, Charles Knox was also given a 6-months' sentence for contempt of court.

Mr. ROMINES. Mr. Shaw, I hand you what has been marked Committed Exhibit No. 24-A and ask you if you can identify that, please.

Mr. SHAW. Yes, it is an excerpt from the October 24, 1970, Black Panther newspaper, page 17. It depicts—or rather, it states, "WE HAVE TO BEGIN TO DRAW PICTURES THAT WILL MAKE PEOPLE GO OUT AND KILL FIGS." And the author is identified as Emory Douglas, minister of culture, Black Panther Party.

Mr. ROMINES. Mr. Chairman, I would like the record to reflect at this point that on the same page 17 attention is called to a new book in print and soon to be released, entitled *We will not hesitate to either kill or die for our freedom*.

I would like to have Exhibit No. 24-A included in the hearing record at this point, and I have no further questions of this witness at this time.

Mr. PREYER. When did this—

Mr. ROMINES. That comes from the October 24, 1970, issue of the Black Panther Party newspaper, at page 17.

Mr. PREYER. All right.

Mr. ROMINES. And it may appear in some later editions, also.

I have no further questions.

(Document marked Committee Exhibit No. 24-A. See appendix A, page 5066.)

Mr. PREYER. Do you have any other witnesses this morning?

Mr. ROMINES. Yes, sir, I have two further witnesses. I think we can finish in approximately 20 to 30 minutes.

Mr. PREYER. All right. I might just ask one or two clarifying questions.

The part about the Yale conference worries me, in that we seem to have left it in the record that Yale had officially granted them the use of their facilities there, which seems unlikely to me, since they were not sponsoring the conference.

Well, you gave some testimony about the Communist Party, U.S.A., and its relations with the Panthers that indicated what we heard from other sources, that while the party may have made overtures to the Panthers, they haven't been very warmly received. The Panthers seem to regard the Communist Party as part of the Establishment, and pretty square and old hat.

I had wanted to ask you about the relationship, however, with the Revolutionary Youth Movement, No. 1—they call it RYM I and RYM II, which were, as I understand it, the two branches that the SDS has split off into. But I see, on reading this document here on the National Conference for United Front Against Fascism, that this does go into that relationship somewhat, so that I don't believe we need to take more time on that.

But I think the point we might want to make clear on the record is, because there may not be any relationship to the Communist Party, U.S.A., doesn't mean that there may not be relationships with other revolutionary groups which advocate a form of revolutionary violence, such as the RYM I or Weatherman group.

Do you know anything about—did your information uncover anything about the relationship with the RYM II group, which is the Progressive Labor Party faction of the SDS?

Mr. SHAW. Not precisely, sir.

Mr. HORNER. May I confer with him?

Mr. ROMINES. Mr. Chairman, I believe we have the RYM I, RYM II, and the Progressive Labor Party faction.

Mr. PREYER. Is that a third one?

Mr. ROMINES. They are actually three different, distinct groups.

Mr. PREYER. Yes. Well, I will read this and learn more about that.

One thing that does seem incredible is that some of these groups at least attempt to appeal to the workingman, to the proletariat, against the system, against the capitalistic exploiters, and so forth, and yet, their way of doing this is to shoot the policemen.

If ever there was a typical example of the workingman and of the proletariat, it is the policeman. And it is the utmost of stupidity to think you are going to bring the workingman to your side by going around shooting policemen.

Mr. ROMINES. One thing, Mr. Chairman, I might call your attention to. The exhibit pertaining to the National Committee to Combat Fascism conference in 1969 reflects that the PLP faction was actually kicked out of that conference by the assembled people.

Mr. PREYER. Right.

Mr. ROMINES. So to that extent, there is no connection.

Mr. PREYER. All right. Thank you.

Thank you, Mr. Shaw.

Mr. ROMINES. I call Stuart Pott.

Mr. PREYER. Do you solemnly swear the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. POTT. I do.

TESTIMONY OF STUART L. H. POTT—Resumed

Mr. ROMINES. Mr. Pott, on October 6th you testified before this committee, basically concerning information you had obtained and the investigative staff had obtained concerning *The Black Panther*.

Have you subsequently obtained any further information pertaining to the paper publication and distribution?

Mr. POTT. Yes, there is some further information we would like to present.

Mr. ROMINES. Does that information concern distribution aspects of the paper?

Mr. POTT. Yes, it does; through the United States mail.

Mr. ROMINES. Does it reflect how the paper is shipped through the mail?

Mr. POTT. Yes. The paper is shipped in—I think we went into this in the previous testimony, but the paper is shipped in plain brown wrappers that bear the return address of National Distribution, 1336 Fillmore, San Francisco. Also indicated on these wrappers is the fact that utilized to mail these papers is Bulk Permit No. 2775.

Mr. ROMINES. What is a bulk permit?

Mr. POTT. This is a permit which any individual who has a sufficient quantity of mail can obtain to mail large quantities of mail.

Mr. ROMINES. How much mail is involved? What is the minimum before you can obtain a bulk mailing permit?

Mr. POTT. The minimum, I believe, is 50—not less than 200 pieces or not less than 50 pounds.

Mr. ROMINES. Who obtained the original bulk mailing permit for the Black Panther Party newspaper?

Mr. POTT. The original bulk mailing permit was obtained and executed on April 18, 1968, by a Rene or R-e-n-e Shepard.

Mr. ROMINES. Was that No. 2775?

Mr. POTT. Yes, it was.

Mr. ROMINES. And has that number remained consistent to date?

Mr. POTT. It has.

Mr. ROMINES. You say Rene Shepard. Was an address given?

Mr. POTT. Yes. The permit was issued to the Black Panther Party, Post Office Box 8641, Emeryville, California.

Mr. ROMINES. When did mailing under that bulk mailing permit commence?

Mr. POTT. June 27, 1968.

Mr. ROMINES. What is Post Office Department Form 3602?

Mr. POTT. This is a form that is referred to as Statement of Mailing Matter Form. This form must be initiated before each mailing of a quantity of mail to be mailed with a bulk permit. The form bears the signature of the permit holder or agent of the permit holder, date of mailing, number of pieces of mail to be sent, and number of pieces of mail per pound. The figures submitted on these forms prior to each mailing are verified by Post Office officials.

Mr. ROMINES. Mr. Pott, I hand you what has been marked Committee Exhibit 24-B and ask if you can identify that, please.

Mr. POTT. Yes. This is a list of individuals who have signed the Form 3602. In other words, they have acted as agents of the Black Panther paper, to mail the newspaper.

Mr. ROMINES. Over what period of time have these individuals signed the forms?

Mr. POTT. These individuals signed these forms during the period June 27, 1968, through August 13, 1970.

Mr. ROMINES. If mail is sent under a bulk mailing permit, does it have to be prepaid?

Mr. POTT. Yes, it does. The procedure is that money is actually paid in advance to the time that the amount for the week's mailing is calculated.

Mr. ROMINES. What is the rate?

Mr. POTT. The rate on the last information that was available to us was 22 cents per pound.

Mr. ROMINES. And approximately how many Black Panther Party newspapers are there per pound?

Mr. POTT. It averages out to approximately five papers per pound.

Mr. ROMINES. Mr. Pott, have you compiled any data from the 3602 forms which pertain to average bulk mailings?

Mr. POTT. Yes, we have. We were able to make an estimate of the average mailings per week through information submitted on these forms, and through the samples studied we have estimated that an average of approximately 2,500 papers per week are sent through the U.S. mail.

Mr. ROMINES. It is 2,500?

Mr. POTT. 2,520. Excuse me.

Mr. ROMINES. And what was your estimate of the total postage paid? Let me make sure I understand; that is an average per week of about 2,500; is that correct?

Mr. POTT. That is correct.

Mr. ROMINES. And what was the total papers mailed?

Mr. POTT. Well, in the sample 10 mailings examined, a total number of papers mailed was 25,207. The total postage fees for this mailing, \$1,087.08; for an average postage per week of \$108.70.

Mr. ROMINES. I see. For the 10 weeks that you sampled, you found a total number of papers of approximately 25,000 mailed.

Mr. POTT. That is correct.

Mr. ROMINES. Which averages out about 2,500 per week. You found total postage paid of a little over a thousand dollars.

Mr. POTT. During the 10 sample mailings, yes.

Mr. ROMINES. Which made an average postage per week of a little over a hundred dollars. Is that correct?

Mr. POTT. That is correct.

Mr. ROMINES. And one last question, Mr. Pott.

What does a subscriber, on a yearly basis, to *The Black Panther* pay for his subscription?

Mr. POTT. The most recent rate that has come to our attention is a rate of \$7.50 per year, which means that the party receives approximately 15 cents per copy when it sells papers to yearly subscribers.

Mr. ROMINES. Mr. Chairman, I ask that Committee Exhibit 24-B be included in the record, and I have no further questions of this witness at this time.

Mr. PREYER. All right. This is Exhibit 24-B; it is admitted into the record.

(Document marked Committee Exhibit No. 24-B. See appendix A, page 5067.)

Mr. PREYER. Thank you, Mr. Pott.

Mr. POTT. Yes, sir.

Mr. ROMINES. Do you have any questions of this witness?

Mr. PREYER. No.

Mr. ROMINES. I call Neil Wetterman.

Mr. PREYER. Do you solemnly swear the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WETTERMAN. I do.

TESTIMONY OF NEIL WETTERMAN

Mr. ROMINES. By whom are you employed, Mr. Wetterman?

Mr. WETTERMAN. I am employed by the Committee on Internal Security.

Mr. ROMINES. In what capacity?

Mr. WETTERMAN. As an investigator.

Mr. ROMINES. In your capacity as investigator with the House Committee on Internal Security, Mr. Wetterman, have you conducted any investigation of the Black Panther Party finances?

Mr. WETTERMAN. Yes. Pursuant to resolutions of the committee, various bank transactions and the Federal tax status of the Black Panther Party were audited.

Mr. ROMINES. You said "various bank accounts," is that correct?

Mr. WETTERMAN. That is correct.

Mr. ROMINES. Would that have been done pursuant to subpoena?

Mr. WETTERMAN. Correct.

Mr. ROMINES. Mr. Wetterman, I hand you what has been marked Committee Exhibit No. 25 and ask if you can identify that, please.

Mr. WETTERMAN. This exhibit is a summary of the results of the analysis of the Black Panther Party finances.

Mr. ROMINES. What bank accounts were analyzed during the investigation of the Black Panther Party finances?

Mr. WETTERMAN. There were two major bank accounts and a number of inferior accounts analyzed during the course of the committee's investigations.

Mr. ROMINES. When you say "inferior," do you mean minor?

Mr. WETTERMAN. Minor accounts that are either now dormant or have been closed recently.

Mr. ROMINES. What are the two major accounts?

Mr. WETTERMAN. The two major accounts of the Black Panther Party were the national headquarters account and the national distribution account, which had to do with the Black Panther Party newspaper, with the finances in relation thereto.

Mr. ROMINES. With respect to the national headquarters account, what did you ascertain?

Mr. WETTERMAN. The Black Panther Party national headquarters account was opened on April 29, 1968, with a deposit of \$710.50. It has progressively increased in activity to the present.

As of October of 1970, this account reflects total deposits of \$171,943.24 and total disbursements of \$172,302.97 and a current overdrawn balance of \$359.73.

Mr. ROMINES. Now that would be total deposits and total disbursements over the period of time this account has been in existence; is that correct?

Mr. WETTERMAN. That is correct; from its inception to the present.

Mr. ROMINES. Did you ascertain who the authorized signatories are?

Mr. WETTERMAN. As of March 5, 1970—the previous signatories were not available—but as of March 5, 1970, Patricia Hilliard was identified as the financial secretary, Roosevelt Hilliard as assistant chief of staff, Judith Douglas as deputy communication secretary, and David Hilliard as chief of staff.

As of June 4, 1970, Judith Douglas was deleted as an authorized signatory.

Mr. ROMINES. Mr. Wetterman, I hand you what has been marked Committee Exhibit 26 and ask if you can identify that, please.

Mr. WETTERMAN. This exhibit is a compilation of the credits and debits of the ledger statements furnished to the committee under subpoena of the Black Panther Party headquarters account, and it also indicates the various signatories.

Mr. ROMINES. Signatory cards?

Mr. WETTERMAN. Right.

Mr. ROMINES. Did you, during the course of your investigation of this particular account, Mr. Wetterman, notice any significantly large deposits to the Black Panther Party national headquarters account?

Mr. WETTERMAN. Yes. There was a check in the amount of \$20,000 drawn against a New York bank.

Mr. ROMINES. I hand you what has been marked Committee Exhibit 27 and ask if you can identify that.

Mr. WETTERMAN. This is a copy of the check. It was made payable to the Black Panther Party breakfast program, Black Panther Party, 3106 Shattuck Avenue, Berkeley, California, the Shattuck Avenue address being the prior address or the address of the prior national headquarters.

Mr. ROMINES. Does the check indicate the source of the funds?

Mr. WETTERMAN. It indicates it is a gift from an anonymous donor.

Mr. ROMINES. So the name of the person who furnished the \$20,000 is not contained on the check; is that correct?

Mr. WETTERMAN. That is correct.

Mr. ROMINES. Is there any indication on the check as to how the funds were to be used?

Mr. WETTERMAN. For the Black Panther Party breakfast program; it is made payable to that program.

Mr. ROMINES. Did you subsequently, during your investigation, Mr. Wetterman, ascertain who made this \$20,000 gift?

Mr. WETTERMAN. Yes. This check was made payable to the breakfast program by Paul Moore III of New York City, who is currently a resident of Berkeley, California.

Mr. ROMINES. Did you ascertain what happened to the \$20,000 after the check was given to the Black Panther Party?

Mr. WETTERMAN. One other aspect on the check is that a telegram was sent to Mr. Moore to afford him the opportunity to discuss this check.

Mr. ROMINES. The telegram was sent by whom?

Mr. WETTERMAN. Sent by the committee to Mr. Moore.

Mr. ROMINES. Did he receive the telegram?

Mr. WETTERMAN. Yes, he did. The committee was advised by Western Union on October 5 of this year that the telegram had been delivered to Mr. Moore, and as of this date he has made no contact with the committee.

Mr. ROMINES. Have you ascertained, Mr. Wetterman, what happened to the \$20,000 after it was given to the Black Panther Party?

Mr. WETTERMAN. One point of interest, that prior to the deposit of this \$20,000 check to the account of the Black Panther Party, the balance of the account at that time was \$10.22.

My subsequent testimony will reflect that this check was in no way used, as it was designated, for the Black Panther Party breakfast program.

On August 5 and 6 of 1970, nine checks were written against this particular account. This was following the deposit of the \$20,000 check. The nine checks totaled \$22,121.16. Since the balance of the account at that time was \$20,038.96, the account was overdrawn by \$2,082.20.

On August 7, 1970, a check in the amount of \$2,082.20 was transferred from the account of the national distribution to the Black Panther national headquarters account in order to cover this overdraw.

Now another significant point of this transaction at the time these checks were written, on August 5, is that one of the checks was made payable to cash in the amount of \$20,000.

Mr. ROMINES. Now would that be one of the nine checks?

Mr. WETTERMAN. This was one of the nine checks that was written at the time the account became overdrawn. This check was written in the amount of \$20,000, made payable to cash, and was endorsed by Patricia Hilliard, finance secretary of the Black Panther Party. Mrs. Hilliard received the \$20,000 in cash and immediately purchased a cashier's check for that amount, made payable to Jack G. Blue, county clerk, with the payor of the cashier's check being identified as Patricia Hilliard.

Mr. ROMINES. Who is Jack G. Blue?

Mr. WETTERMAN. He is the county clerk of Alameda County.

Mr. ROMINES. What was done, then, with the \$20,000 check made payable to Jack G. Blue?

Mr. WETTERMAN. We received a communication, upon inquiry from the committee, from a Mr. William J. Kelley, deputy clerk of Alameda County. He furnished the committee a copy of a receipt showing that the \$20,000 cashier's check purchased by Patricia Hilliard, being the breakfast fund money, had been used as a portion of the \$50,000 bail posted for the release from jail of Huey Newton, the minister of defense of the Black Panther Party.

Mr. ROMINES. Mr. Wetterman, I hand you what has been marked as Committee Exhibit No. 28 and ask if you can identify that, please.

Mr. WETTERMAN. This is the check from the National Distribution that was used to offset the overdraft of the headquarters account. This was a check in the amount of \$2,082.20.

Mr. ROMINES. I hand you what has been marked Committee Exhibit No. 29 and ask if you can identify that.

Mr. WETTERMAN. This exhibit contains two checks, the one check being the check made payable to cash that was just testified to—

Mr. ROMINES. Now that would be the \$20,000 check?

Mr. WETTERMAN. That is correct, in the amount of \$20,000, which was obtained by the cash being obtained by Patricia Hilliard.

The second check is where she converted this cash into a cashier's check, made payable to Jack G. Blue, county clerk of Alameda County, and it indicates the purchaser as Patricia Hilliard, 1048 Peralta Street, and this was in the amount of \$20,000.

Mr. ROMINES. And I hand you what has been marked Committee Exhibit No. 30 and ask you if you can identify that, please.

Mr. WETTERMAN. This is a receipt that was received from Mr. William Kelley, the deputy clerk of Alameda County, indicating that the \$20,000 had been made a part of the \$50,000 bail for Huey Newton, and it so indicates, "Received from Patricia Hilliard."

Mr. ROMINES. Mr. Chairman, at this point, I would like to ask that Committee Exhibits Nos. 25 through 30 be included in the hearing record.

Mr. PREYER. These are ordered admitted in evidence.

(Documents marked Committee Exhibits Nos. 25 through 30, respectively. See appendix A, pages 5068-5091.)

Mr. WETTERMAN. With further reference to the telegram that was sent to Paul Moore III, he was residing at that time at 1731 Parker Avenue, in Berkeley, California.

Mr. PREYER. Is Moore a white man?

Mr. WETTERMAN. Yes, sir.

Mr. PREYER. He is a resident of New York City, you say?

Mr. WETTERMAN. He was a resident of New York City. The committee investigation ascertained that he was currently in Berkeley, California. Since the committee had no representative in the area at that time, a telegram was sent to him advising him of the committee's knowledge of the transaction and affording him the opportunity to contact us and discuss the matter.

Mr. ROMINES. Mr. Wetterman, I hand you what has been marked Committee Exhibit No. 31 and ask if you can identify that, please.

Mr. WETTERMAN. This is a copy of a telegram that was sent from Frank Coe to the national headquarters of the Black Panther Party. This telegram states: "Wish send you and Huey Newton about seven-thousand dollars from estate late Anna Louise Strong. Cable me collect"—"correct," I would think—"address for receiving check and copy of her will of which I am executor."

Mr. ROMINES. Can you identify, Mr. Wetterman, Anna Louise Strong?

Mr. WETTERMAN. Anna Louise Strong is an American who has spent most of her life writing books and articles praising the communist way of life. She died March 28 of 1970 of a heart attack in Peking, China, where she had spent the last 12 years of her life.

Miss Strong's membership in the Communist Party and her work on behalf of international communism has been the subject of sworn testimony by at least four witnesses who have appeared before the predecessor committee, the House Committee on Un-American Activities.

Mr. ROMINES. Can you identify Frank Coe?

Mr. WETTERMAN. Elizabeth Bentley, a member of the Communist Party and admitted participant in a Soviet espionage ring from March 1935 until October of 1938, appeared before the House Committee on Un-American Activities on July 31, 1948. Miss Bentley's testimony concerned communist espionage groups within the United States Government. She identified Frank Coe as a member of the "Silvermaster" espionage group.

Frank Coe also appeared as a witness before the committee during 1948. He denied that he had ever been a member of the Communist Party or that he belonged to the Soviet espionage group.

On August 19, 1964, Senator Karl Mundt revealed in a statement in the *Congressional Record* that Frank Coe was then a resident of China.

Mr. ROMINES. One question I neglected to ask you, Mr. Wetterman, about this copy of the telegram. Was that obtained by the committee pursuant to a subpoena?

Mr. WETTERMAN. It was.

Mr. ROMINES. Mr. Wetterman, I hand you what have been marked Committee Exhibits Nos. 32 and 33 and ask if you can identify those, please.

Mr. WETTERMAN. These are two checks that were made payable to Huey Newton and deposited to the Black Panther Party national headquarters account. One check is dated June 15, 1970, and is in the amount of \$16,000. The other check is dated August 10, 1970, and is in the amount of \$4,000. And these two checks were drawn upon the Royal Bank of Canada, Nassau, Grand Bahamas.

Mr. ROMINES. Was the committee, Mr. Wetterman, able to ascertain the source of these two checks?

Mr. WETTERMAN. We were not able to determine the maker of the two checks. However, due to the proximity of the dates, it is a reasonable assumption that this was the method employed by the estate of Anna Louise Strong to send the deposits to the Black Panther Party.

Mr. ROMINES. Mr. Chairman, I would ask that Committee Exhibits 31, 32, and 33 be included in the hearing record at this point.

Mr. PREYER. So ordered; admitted into evidence.

(Documents marked Committee Exhibits Nos. 31, 32, and 33, respectively. See appendix A, pages 5092-5095.)

Mr. ROMINES. Mr. Wetterman, I would direct your attention now to the National Distribution account.

What constitutes the major source of deposit to the National Distribution account?

Mr. WETTERMAN. The major source of deposits are postal and telegraphic money orders.

Mr. ROMINES. What do they reflect?

Mr. WETTERMAN. Well, the postal money orders and some small personal checks vary in amounts from several dollars to \$10, and these have been noted as including payments for such items as buttons, stickers, and posters. Also, as previously testified to, the checks in the

amount of \$7.50 reflect a yearly subscription rate to the Black Panther Party newspaper.

The larger deposits to this account are received through the telegraphic money orders, and these deposits indicate the assessments by the Black Panther Party for the newspapers that are sent to the various areas. A sampling of such deposits during the period of August 10, 1970, to September 10, 1970, but not necessarily covering all receipts due to bank statement overlaps, reveals the following amounts received from throughout the United States, together with the number of telegraphic money orders involved.

I have a list of some 30 cities from which telegraphic money orders were received. Do you wish these cities detailed, or a total of the cities and the total amounts received?

Mr. ROMINES. Those cities are reflected, are they not, in the committee exhibit which has previously been introduced, which is a summary?

Mr. WETTERMAN. That is correct. There is a total of 30 cities, and some \$38,758.88, being covered under 72 telegraphic money orders for a 1-month period.

Mr. ROMINES. Since it is already included in an exhibit which is included in the hearing record, I don't believe you need to name them at this time.

Mr. WETTERMAN. That is correct.

Mr. ROMINES. Did you make any analysis of the Black Panther Party printing expenses?

Mr. WETTERMAN. The cost of the printing of the newspaper has been billed to the Black Panther Party by the Howard Quinn Company, a printing establishment in San Francisco.

The following amounts were paid by Black Panther Party checks on the dates as noted: on August 5, \$4,558.55; August 12—this is of 1970—\$6,895.70; August 19, \$6,336.45; August 26, \$6,052.20.

That is a total printing cost for the month of August 1970, of \$23,842.90. The total printing cost for the subsequent month of September 1970 was \$23,695.58.

Mr. ROMINES. What was the major method of shipping the Black Panther Party newspaper, Mr. Wetterman?

Mr. WETTERMAN. The major method of shipping was by air freight.

Mr. ROMINES. And did you obtain any figures on the cost involved for that shipping expense?

Mr. WETTERMAN. Well, charges billed by the various shippers showed a total Black Panther Party expenditure of \$14,399.03 for a 4-week period of July 17, 1970, to August 16, 1970, and a total of \$16,676.91 for a 2-week period of August 30, 1970, to September 13, 1970.

Mr. ROMINES. Would this be the entire printing and shipping expense, that you have just given the committee, for these intervals?

Mr. WETTERMAN. No. It should be noted that the aforementioned printing and shipping expenses do not necessarily reflect the total expense for the services involved. The committee's investigation revealed that on occasion a portion of these expenses are paid by the Black Panther Party with a number of smaller denomination checks, which they receive in the mail and endorse over to the shipper. And then whatever balance is due on the account, that is made payable by their own check. So, in effect, the shipping charges by air freight are in excess of the original amounts quoted.

Mr. ROMINES. During the course of your investigation and your compilation of data from the national distribution account, Mr. Wetterman, did you notice any unusual draws against this account?

Mr. WETTERMAN. Well, during the period of August 3, 1970, to August 30, 1970, 12 checks, totaling \$12,292.70, were converted to cash. From September 2, 1970, to September 30, 1970, 15 checks, totaling \$11,740, were converted to cash. These checks were endorsed and cashed by Karen Williams, Phyllis Jackson, and Pat Hilliard.

Now the significance of these checks will deal with the aspects of my testimony concerning the income tax status of the Black Panther Party, in that there are no payroll checks shown whatsoever on the disbursements of their account.

Mr. ROMINES. Was there any information, Mr. Wetterman, that these checks which had been converted to cash, which you just testified about, were actually used to pay payroll expenses?

Mr. WETTERMAN. The committee has no direct information on that.

Mr. ROMINES. What is the tax status of the Black Panther Party? In conjunction therewith, I hand you what has been marked Committee Exhibit 34.

Mr. WETTERMAN. The Black Panther Party to date has never filed any Federal tax forms that are required of employers. The expenditures from the National Distribution account do not reflect, as I indicated before, that there are any payroll checks made or any checks of any type made payable to individuals. They are all normal expenses, printing, paper, et cetera. Hence, this was the significance of the checks drawn to cash.

Now since the inception of the Black Panther Party in 1966, the organization has neglected to file Internal Revenue Service Form 1120, which is the U.S. Corporate Income Tax Return. It has neglected to file Form 941, the Employer's Quarterly Federal Tax Return, and has neglected to file Form 940, the Employer's Annual Federal Unemployment Tax Return.

Mr. ROMINES. Let me ask you this question, Mr. Wetterman. During the total existence of the Black Panther Party, has it ever, as an organization, filed any Federal tax form?

Mr. WETTERMAN. None whatsoever.

On September 2 of 1970, the chairman of the full committee directed a letter to the Commissioner of Internal Revenue requesting information as to the obligation of the Black Panther Party to file returns, and if such obligation exists, what steps have been taken by Internal Revenue to enforce the obligation.

On October 14, the committee was advised by Commissioner Thrower that the Black Panther Party "has not established exemption from Federal income tax with the Service," and further noted that the Black Panther Party has raised the issue that the organization is a political party, claiming that it is not liable for filing income tax returns.

Commissioner Thrower also advised Chairman Ichord that the Black Panther Party and its principals are currently under a full-scale investigation by the Service, and that any tax obligation for which the organization may be found to be liable will be strictly enforced.

Mr. ROMINES. Now what is Committee Exhibit 34, then, Mr. Wetterman?

Mr. WETTERMAN. Committee Exhibit 34 is the letter from Commissioner Thrower of the Internal Revenue Service to the chairman of the committee.

Mr. ROMINES. I want to return just 1 minute, Mr. Wetterman, to the checks which you have discussed, 12 of them, totaling \$12,292.70, converted to cash and then followed by 15 checks, totaling \$11,740, converted to cash. Do I understand you correctly, that you are suggesting that those checks converted to cash may actually have been for payroll expenditures?

Mr. WETTERMAN. This would be a reasonable assumption to make, in that we found there is a pattern of checks in the amount of \$1,400 that would be drawn, say, a week apart, indicating a weekly—possible weekly payroll.

Mr. ROMINES. Is this something that you see, as you have analyzed the bank records of the Panther accounts? Is that something that you have seen over and over again, a large or a substantial number of checks totaling a substantial amount of money converted to cash, for which there is no record as to how it is spent?

Mr. WETTERMAN. This is true in all their accounts.

Mr. ROMINES. Mr. Wetterman, I hand you what has been marked Committee Exhibit No. 35 and ask if you can identify that, please.

Mr. WETTERMAN. This is an exhibit of the credits and debits noted from the Black Panther Party lodge association account of 1336 Fillmore Street in San Francisco.

It also has attached the resolution showing the authorized signatories.

Mr. ROMINES. Is that a lodge account, Mr. Wetterman?

Mr. WETTERMAN. This is a lodge account. I beg your pardon. They are both the same address. It is my error. This is a National Distribution account.

Mr. ROMINES. This would be the account to which you have just been referring?

Mr. WETTERMAN. That is correct. That is the account to which I have just been referring.

Mr. ROMINES. Since you mentioned it, Mr. Wetterman, what is the lodge account?

Mr. WETTERMAN. The lodge association account was opened at the same address, 1336 Fillmore Street in San Francisco, on July 28, 1969. This was a predecessor account to the National Distribution account.

The signatories were Robert L. Bay, president, Karen Williams, secretary.

On November 10, 1969, Karen Williams was replaced by Shaila Hampton as secretary. Karen Williams later became the secretary of finance for the Black Panther Party National Distribution account.

Mr. ROMINES. Is the lodge association account still in existence, Mr. Wetterman?

Mr. WETTERMAN. No, the lodge association account was closed by the bank due to inactivity in July of 1970, at which time there was an overdraft of \$1.23.

Mr. ROMINES. I hand you what has been marked Committee Exhibit 36 and ask if you can identify that, please.

Mr. WETTERMAN. This exhibit is the lodge association account.

Mr. ROMINES. And what is reflected therein?

Mr. WETTERMAN. The credits and debits extracted from the ledger sheets of that account, together with the signatory resolutions.

Mr. ROMINES. Mr. Chairman, at this point I would like to ask that Committee Exhibits 34, 35, and 36 be included in the hearing record.

Mr. PREYER. All right. It is the order of the committee.

(Documents marked Committee Exhibits Nos. 34, 35, and 36, respectively. See appendix A, pages 5096-5105.)

Mr. ROMINES. Mr. Wetterman, I hand you what has been marked Committee Exhibit No. 37 and ask if you can identify that, please.

Mr. WETTERMAN. This is a statement that was submitted to a committee investigator by the attorney for Leonard Bernstein of New York City.

Mr. ROMINES. Can you briefly summarize for the committee the circumstances surrounding the reason for the issuance of this statement?

Mr. WETTERMAN. Yes. On March 5, 1970, Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, in testimony before the House Subcommittee on Appropriations, stated with regard to the Black Panthers that:

Upper echelon New Yorkers reportedly are giving legal defense fund benefits for the BPP. According to articles in the January 10, 1970, editions of the New York Times and the New York Post, the wife of composer-Director Leonard Bernstein gave a cocktail party for the BPP in her home. More than \$10,000 in cash and pledges was collected for the BPP at the party which was attended by the Bernsteins and guests, including film director Otto Preminger, Mrs. Peter Duchin, wife of the orchestra leader, and Mrs. Sidney Lumet, wife of the film director. Included among the pledges was one by Bernstein himself who promised to donate the proceeds of his next concert, a sum he indicated would be in four figures.

Mr. ROMINES. Was it for that reason, then, to inquire whether Mr. Bernstein had actually given money to the Black Panther Party, that the investigators had contacted him?

Mr. WETTERMAN. That is correct.

Mr. ROMINES. Mr. Wetterman, contained in Committee Exhibit No. 25, which is the compilation and summation of your entire work with respect to Black Panther Party finances, is reference to a Jean Genet having received, I believe, \$600 and endorsing the check over to the Black Panther Party.

Mr. WETTERMAN. That is correct. On May 28, 1970, a check in the amount of \$600, drawn upon the H.M.H. Publishing Company, Inc., of Chicago, Illinois, was deposited to the Black Panther Party national headquarters account. This check was made payable to Jean Genet. It was endorsed by him and counterendorsed by Patricia Hilliard of the Black Panther Party.

The H.M.H. Publishing Company, Inc., is a business enterprise of Hugh Hefner of *Playboy* magazine. The \$600 check constituted a turndown payment to Genet, in that an article he wrote on the Black Panther Party was for some unknown reason not published by the *Playboy* magazine.

Mr. ROMINES. Who is Jean Genet?

Mr. WETTERMAN. Genet was interviewed during the time that he was in the country in April of 1970, by Liberation News Service, and he was described in this published interview as an "incorrigible crimi-

nal, an unrepentant burglar and a social deviate." During the course of the interview, Genet stated that he had, on a previous visit, been to the United States and had been in Chicago, Illinois, illegally.

Mr. ROMINES. When you say, "In Chicago illegally," or "in the United States illegally"——

Mr. WETTERMAN. In the United States illegally. In fact, he was in on two occasions and he entered the United States illegally because he was then unable to get a visa.

Mr. ROMINES. Where is Genet from?

Mr. WETTERMAN. From France.

Mr. ROMINES. I hand you what has been marked Committee Exhibit No. 38 and ask if you can identify that.

Mr. WETTERMAN. This is a biographical sketch of Jean Genet.

Mr. ROMINES. I hand you what has been marked Committee Exhibit No. 39, Mr. Wetterman, and ask if you can identify this, please.

Mr. WETTERMAN. This is a check that was made payable to Martin Kenner in the amount of \$12,000 by the Black Panther Party.

Mr. ROMINES. Who is Martin Kenner?

Mr. WETTERMAN. Kenner is a member of the executive committee of the New York Committee to Defend the Panthers and a former leader of Students for a Democratic Society. He was arrested at Columbia University on May 22, 1968, during a confrontation with police. He was charged with conspiracy to commit murder, riot, and inciting to riot.

On October 27 of this year, Martin Kenner, Black Panther Party member Donald Cox, Yippie leader Jennifer Dohrn, sister of the fugitive Weatherman leader Bernardine Dohrn, and Dr. Timothy F. Leary, hallucinatory drug advocate and escaped fugitive from a California prison, went to Cairo, Egypt, where they were denied entrance visas.

All were reported to have been deported to Algeria, where reportedly Kenner and Dr. Leary requested asylum. Prior to boarding the plane to Algeria, Martin Kenner allegedly told a newsman, quote, "I will not hesitate to kill Richard Nixon or anyone else who stands in the way of freedom."

Mr. ROMINES. Do you know, Mr. Wetterman, for what purpose the \$12,000 check was made out to Mr. Kenner?

Mr. WETTERMAN. We have no indication; it was deposited in an account by Kenner in a New York bank.

Mr. ROMINES. I hand you what has been marked Committee Exhibit 40, Mr. Wetterman, and ask if you can identify this, please.

Mr. WETTERMAN. This is an exhibit of the Continuations Committee of the Emergency Conference To Defend the Right of the Black Panther Party to Exist. This resulted from an earlier conference.

Mr. ROMINES. What was basically the purpose of the continuations committee of the Emergency Conference To Defend the Right of the Black Panther Party to Exist?

Mr. WETTERMAN. The principal purpose is to raise funds for their legal defenses. To further elaborate on that, this was a result of an active campaign by the Communist Party in March of 1970 for the purpose of raising Black Panther Party legal defense and bail funds.

Prominent leaders of the Communist Party attended this Emergency Conference To Defend the Right of the Black Panther Party

to Exist, which was held in Chicago on March 7 and 8 of 1970. Various officials and prominent members of the Communist Party attended, including such prominent party leaders as Herbert Aptheker, Charlene Mitchell, William Patterson, Ishmael Flory, Jack Spiegel, and numerous other leaders of the Communist Party.

During the course of this particular conference, it was indicated that the people must be informed of the campaign of repression that was being launched by the United States Government against blacks, and of the Fascist police state, so-called, that is evolving in the United States.

It was recommended that people, through education and leaflets, must be convinced that their preservation is synonymous with winning the battle against repression. The theme recommended by this emergency conference was that if the people can't save the Panthers, then they can't save themselves.

And consequent to this particular conference resulted the letter which was the prior exhibit you displayed, which letter is signed by Ossie Davis, actor, Dick Gregory, and Angie Dickerson, if I recall correctly.

Mr. ROMINES. And this letter is, among other things, a solicitation for funds; is that correct?

Mr. WETTERMAN. That is correct. And the sponsors and officials noted on the letterhead include also prominent members of the Communist Party.

Mr. ROMINES. Mr. Chairman, I would ask that Committee Exhibits 37 through 40 be included in the hearing record, and I have no further questions of this witness at this time.

Mr. PREYER. No. 37 is the statement from Leonard Bernstein?

Mr. ROMINES. That is correct.

Mr. PREYER. In his letter he points out that he is vigorously opposed to those concepts of the Panthers insofar as they are advocating violence against their fellow citizens, the downfall of Israel, the support of Al Fatah, and other similarly dangerous and ill-conceived pursuits. And his purpose for meeting, concerning the meeting, was civil liberties and to raise funds, not for the party but for legal expenses in connection with their defense.

No. 40 is the letter which you have just mentioned; is that right?

Mr. ROMINES. That is correct, sir.

Mr. PREYER. Ossie Davis and others; No. 38 is the biography of the playwright Jean Genet.

Mr. ROMINES. Background information on Jean Genet.

Mr. PREYER. No. 39 is the check.

Mr. ROMINES. That is correct.

Mr. PREYER. Those are all admitted into evidence.

(Documents marked Committee Exhibits Nos. 37 through 40, respectively. See appendix A, pages 5106-5110.)

Mr. PREYER. Did we admit into evidence earlier the statement, Exhibit 25, Mr. Wetterman's summary of the bank account situation?

Mr. ROMINES. Yes, sir.

Mr. PREYER. All right.

Mr. Wetterman, listening to your account of the financial accounts of the Panthers, it would seem that very little of the funds

going through there were ever used on Panther causes, but that the main expenditures were to provide bail for arrested Panthers.

Mr. WETTERMAN. Yes, sir.

Mr. PREYER. Is that a fair summary?

And apparently the Panther main account was used as a vehicle to get bail money to Panthers, in some instances from people who didn't want to give bail money directly but who would make out checks to the Panther breakfast program, which I guess sounds better than just putting up bail money for Huey Newton. And so that would look like almost a charitable donation, but that would then immediately be converted into a cashier's check and turned over to the county clerk for bail money.

Mr. WETTERMAN. That is correct.

Mr. PREYER. Did you run across any checks in this main account that were used for the breakfast program?

Mr. WETTERMAN. There was no way of ascertaining that, sir. The checks—

Mr. PREYER. The checks were cashed.

Mr. WETTERMAN. The checks that were made payable to the breakfast fund, of course, on that particular one, they only had a balance of a little over \$10 in the account, and it was obvious it couldn't have been used, and we have had testimony previously of the breakfast program, where it is used for purposes other than it is designated, for indoctrination purposes, forcing merchants to contribute food and money to the program.

Mr. PREYER. The Kenner check was dated September 3, 1970?

Mr. WETTERMAN. Yes, sir. This was just prior to the time he left the country. The committee, we have no indication whether he might have drawn that money out and taken it with him. The extent of our investigation at that point revealed that he made a deposit in New York, and that is as far as our knowledge is at this time.

Mr. PREYER. So at the time he was serving as head of the New York legal defense fund for the Panthers?

Mr. WETTERMAN. Yes, sir, and he is also a former official of SDS.

Mr. PREYER. So that \$12,000 could have gone into bail or legal defense lawyers' fees, or it could be financing Mr. Kenner and Dr. Leary around Algeria.

Mr. WETTERMAN. It could have been, sir.

Mr. PREYER. We don't know.

Mr. WETTERMAN. No, sir.

Mr. PREYER. All right.

Mr. Wetterman and Mr. Pott and Mr. Shaw, I want to thank you for your testimony, and looking at your detailed reports here, it is obvious that you have done a lot of detailed work on them. I will study these over with interest.

Mr. Romines, is there anything further at this time that you have?

Mr. ROMINES. No, sir.

Mr. PREYER. At this time we will recess the hearings relating to the Black Panther Party.

(Whereupon, at 12:07 p.m., Tuesday, November 17, 1970, the subcommittee recessed, subject to the call of the Chair.)

APPENDIX A

COMMITTEE EXHIBIT NO. 1

NATIONWIDE SURVEY OF BLACK PANTHER PARTY ACTIVITIES

Extent of Survey:

Local law enforcement agencies in 77 cities where Black Panther Party groups were reported to have been active were asked to furnish information concerning those groups. These cities were located in 32 states.

Partial Results:

As of October 1, 1970, replies had been received from 27 cities in which Black Panther Party groups were then active and 15 cities in which Black Panther Party groups had formerly been active. Not all replies included information on each subject matter under inquiry. A compilation of the available data follows.

Organization DataName

Most of the groups used the name "Black Panther Party." 10 used the name "National Committee to Combat Fascism." The only significant difference between the two was that in two instances the National Committees were noted to have some participation by Caucasians.

Connections with National Headquarters

All but 3 of the active and inactive Black Panther and National Committee groups had specifically been authorized to operate by the national Black Panther Party headquarters. In one instance that authorization had just been withdrawn for an unknown reason. 3 others were self-described Black Panther Party groups which operated without approval of the national headquarters. One of them had been ordered to disband by the national headquarters and had done so. In 2 cities Black Panther Party groups unauthorized by the national headquarters had been set up on the initiative of local people and had subsequently been approved and chartered by national headquarters.

When Organized or Disbanded

15 groups were organized in 1968, 13 in 1969, and 10 in 1970. 8 groups became defunct in 1969 and 6 in 1970. One defunct group had recently been reactivated.

Predecessor Organizations

In 14 instances the Black Panther Party groups had evolved out of other local groups such as a "Black Society" and an "Afro-American Unity Movement." Black Student Unions were the predecessor organizations in two instances.

COMMITTEE EXHIBIT NO. 1 - Continued

- 2 -

Membership

The active, "hard-core" members of each group described averaged 21 persons. About one-fourth of the total were females and most groups had female members. 6 groups had reached their maximum membership in 1968, 8 in 1969, and the remainder in mid-1970. 11 groups were said to be growing in numbers, 8 declining, and the remainder static.

Ages of Members

The ages of the members were estimated to be from 18 to 23 years, with 20 the predominant age.

Leaders

Most Black Panther Party leaders were described as male, over 20 years old, unemployed, with criminal records, and with a primary motivation of being a "big shot." About half were high school dropouts and few had college training.

Problems of Organization

The following is an analysis by a police official concerning attempts by the Black Panther Party to maintain a group in his city. It is believed to typify the situation in many cities.

"Since the birth of the Black Panther Party in the city there have been numerous attempts to weld a cohesiveness among the entire black population, all meeting with a surface evaluation of failure. Because of these repeated failures a series of leaders have come and gone. These leaders have been persons from within the community as well as persons from other states....

"Fast regimes have met with failure for several reasons. The elder population abhor the violent tactics employed by the organization, while a large segment of the youth are attracted by these tactics. These youths will readily participate in anti-establishment rallies, boycotts, or even riots; however, the daily monotonous routine of party labors and studies of "The Red Book" produce a lack of enthusiasm necessary to captivate their minds for full-time employment in the party. Transparent failures in promises made to the community have added to this disenchantment. Lack of adequate funds and ability to create same have produced stern admonitions from national headquarters. Local youth refusing to be chastised in this manner simply refuse to participate in the BPP program.

COMMITTEE EXHIBIT NO. 1-Continued

- 3 -

"Though I must classify the BPP in this city as presently being a failure, I will emphasize Huey Newton has expressed a desire to upgrade the local party structure. His presence locally can produce a magical effect. Additionally, a strong nucleus or work force exists who will readily participate should responsible leadership convince them of the Panthers' ability to fulfill their pledges to the community. Though actual local BPP membership is microscopic in current numbers, as recently as May, 1969 there were as many as ninety persons known to be actively participating in BPP activities in this city. Local observation reveals no reason to believe this number of available persons had diminished."

Sympathizers

In most cases the number of close supporters and sympathizers was estimated at double the number of members although in several instances the estimates were several hundred.

Headquarters

All of the groups described maintained headquarters. Most rented the space. Two were in donated space, another had purchased its building and another was in the process of doing so.

Programs

8 of 27 active Black Panther groups were reported to be operating breakfast programs. One was operating a lunch program. The average attendance was reported to be 26. 8 groups had inactive breakfast programs due to lack of funds or poor organization. 5 were attempting to organize the programs. 8 of 13 inactive chapters had operated breakfast programs.

Of 27 active Black Panther groups, 4 had active medical aid programs and 3 were attempting to organize them; 7 had active liberation schools (average attendance 27); 4 had active free clothing programs and 3 were attempting to organize such programs; 9 had active political education classes (average attendance 22); and 4 had active programs calling for community control of the police.

Among the active groups, 1 had an inactive medical aid program, 10 had inactive liberation schools, 4 had inactive free clothing programs, 14 had inactive political education programs, and 11 had inactive programs dealing with community control of the police.

COMMITTEE EXHIBIT NO. 1--Continued

- 4 -

Verified reports had been received by the local law enforcement agencies that 17 of the 27 active groups were using the above programs, particularly the community political education classes, the liberation schools, and the breakfast for children programs, to teach hatred of the police and the government. Similar reports had been received concerning 6 inactive Panther groups.

Possession of Firearms and ExplosivesFirearms

36 of the Panther groups, active and inactive, were reported to have been in possession of firearms and ammunition. Most had an assortment of rifles, shot guns and side arms. In one city it was noted that all of the rifles in the possession of the Panther group were mounted with scopes and the arsenal of one group included a military bazooka. Eleven groups were reported to have stored firearms in quantities which were considered stock piles, considering the size of the Panther group and the extent of gun ownership in those communities. Seven groups were considered to have firearms in quantities below normal for those communities. Two hundred assorted firearms was the largest stock pile reported for any group.

Legal purchases or gifts were reported to be the principal source of firearms for the Panther groups. Thefts were listed as a source of firearms for twelve of the groups.

Fifteen active Panther headquarters were reported to be sandbagged or barricaded in a manner suggesting that the occupants were preparing for a possible shoot-out. Most had done so not only because of a belief that a shoot-out would actually occur but also to create a public image showing the Panthers to be on the defensive.

Reports had been received by twenty-two local law enforcement agencies in cities having active Panther groups, that the groups were illegally in possession of firearms. Arrests of Panther members on this charge have been made in fourteen cities having active Panther groups.

Explosives

In seventeen cities having active groups and in five having inactive groups the Panthers were reported to have been in possession of explosives including black powder, dynamite and caps, hand grenades, plastic explosives, and chemicals for manufacturing fire-bombs. Dynamite was reported to have been in the possession of Panther groups in nine cities having active groups and in two cities where the groups are inactive. Four arrests of Panther members on charges involving explosives have been made.

COMMITTEE EXHIBIT NO. 1—Continued

- 5 -

In five instances in which explosions have occurred local law enforcement officers had knowledge that the explosions had been set by Panther members. The targets of the explosions were business establishments.

Local law enforcement agencies had received information from reliable sources that explosives were being stored by five Panther groups as of September 1970. These included dynamite, black powder and hand grenades.

Participation in Riots

Riots or major disturbances had occurred in fourteen cities since the formation of Panther groups in those cities. Black Panther Party members were identified as ring leaders in six instances.

Police Deaths and Injuries

In 42 cities reported upon 4 police officers had been killed by Panther members. The killers were all arrested. 2 were convicted. 2 are awaiting trial.

26 police officers in 11 cities have been injured as a direct result of confrontations with Black Panther Party members. 21 injuries resulted from gun shots. Clubs and knives were used in 2 instances, a thrown brick in another, and assaults without weapons occurred in 2 instances. One of these was a six-man Panther assault on a lone officer.

Time lost for the injured officers totalled over 738 working days and several of the officers were still off duty as of October 1, 1970.

4 of the police departments said they had an arrangement with the local Panther group, such as prior warnings when warrants are to be served, designed to prevent confrontations with police. 3 of the departments said the plans were effective, the other had not had occasion to use it.

Revolutionary Violence

Of 23 departments which furnished information, 11 submitted the opinions of individuals who had been Black Panther Party members. Of these 11, 7 were of the opinion that the primary objective of the Black Panther Party national leaders is to incite a violent revolution in order to take power themselves. 2 believed that the aim of the Panther leaders is to incite a violent revolution without regard to who might take power. 2 did not feel that violent revolution was the objective of the Panther leaders.

COMMITTEE EXHIBIT NO. 1-Continued

- 6 -

One of these felt that the Panther leaders were expressing frustration over racial problems and another felt that the Panther leaders were not only demonstrating their frustration over racial problems but were also promoting attacks on the police and the power structure out of a spirit of revenge and in an attempt to force radical social and economic changes without overthrowing the government.

Of the 14 agencies submitting opinions, but not specifically basing them on information provided by former Black Panther Party members, eight felt that the Panther leaders are attempting to incite a violent revolution in order to take power themselves or (in one instance) without regard to who might take power. 3 believe that the Panther leaders advocate attacks on the police out of a spirit of revenge, and 1 of these felt, in addition, that the primary objective of the leaders is to demonstrate frustration over racial problems. Another agreed with the latter assessment.

Black Panther Newspaper

Most of the sources of the law enforcement agencies contacted looked upon the violent statements and cartoons which have appeared in the Black Panther newspaper as an attempt to create dissatisfaction so that a violent revolution will be more readily acceptable in the future. About one-third felt that the newspaper advocates the violent overthrow of the Government. Only 1 felt that the violent statements were individual expressions, not expressive of the policy of the leaders; and 6 felt that the statements were solely rhetoric intended to harass the police and power structure.

Of the sources which felt that the newspaper advocated the violent overthrow of the Government, all also believed that there is a direct connection between these violent statements and cartoons and physical attacks on police because the police are symbols of the Government and such militant confrontations are expected to attract violence-prone ghetto youths to the Panther revolutionary cause.

Panthers and Communism

Of 25 departments which furnished information on this subject 13 said their sources close to the Panthers believe that the Panthers are attracted to the "Red Book", the writings of North Korean leader Kim Il Sung, and similar communist propaganda, because the propaganda claims the American Negro is oppressed by monopoly capitalism which must be overthrown before Negroes and whites in the United States can be "free". 14 said the understanding of the average Panther concerning communism is very vague and shallow. 12 also said that the Panthers known to them give lip service to pro-communist propaganda because it coincides with the Panther hate-United States propaganda.

COMMITTEE EXHIBIT NO. 1--Continued

- 7 -

Six of the above groups were reported to have studied the "Red Book" or similar communist propaganda on a weekly basis, four on a daily basis, six "very little" and three not at all. Most of the groups had studied the teachings of Malcolm X and Che Guevara.

Four law enforcement agencies said they had received information from reliable sources that local members of the Communist Party, U.S.A. are regularly in touch with the Panthers and give them significant guidance.

General Analysis

Based on their experience, most of the local law enforcement officers contacted believe the chief threat of the Panther organization is the alienation of young people who Panthers have infected with a "hate the police" (or "hate white") attitude. 19 also felt that a chief threat of the Panther organization is that they are helping to create a climate favorable to violent revolution. 3 of the departments felt that there is a likelihood that the Panthers will make a concerted effort to start a revolution. 10 departments noted that they consider one of the chief threats of the Panther organization is that police officers are physically endangered.

In nine cities the law enforcement agency reporting believe that the local negro communities are against the violent tendencies of the Panthers but are glad that they have focused attention on conditions in their communities.

Community support of the Panthers was considered small in fourteen of thirty-six cities and in the remainder it was felt that the Panthers had been insufficiently active to have caused any significant effect on the communities.

The law enforcement agencies contacted in 38 cities commented on their relationship with the negro communities. Five considered the relationship excellent, 31 considered it good, one considered the relationship fair, and two poor.

As to any benefits which have accrued to the Negro communities as a result of the work of the Panthers 18 departments in thirty-eight cities stated that no benefits had resulted. 3 felt some benefits had developed from "City Hall programs, social changes at the local and federal level, attempts for better community relations, and unification of the community."

COMMITTEE EXHIBIT NO. 2

Our records indicate that approximately 858 firearms of all types, including fully-automatic weapons, have been possessed or used by Black Panthers, and that 181,584 rounds of ammunition have been identified in the same frame of reference. In those cases where firearms could be or were traced, the most frequent means of acquisition was theft, followed by illegal purchase, and finally, by legal purchase. There were also instances where firearms had been lawfully or unlawfully acquired and then illegally made over into another firearm such as a sawed-off shotgun. The ammunition because of its very nature has been extremely difficult to trace as to method of acquisition, although quantities of similar types of ammunition have been isolated through investigation at various licensed dealer locations.

We have established that known Black Panthers have been in possession of explosive and/or incendiary devices. These devices have encompassed a considerable range or variety, in some instances limited only by the ingenuity of their possessors. We have encountered in one case, five 40MM high explosive projectiles and the M-79 grenade launcher needed to propel them. Hand grenades of the fragmentation type, commercial dynamite, black powder pipe bombs, and "molotov cocktails" have also been found or alleged in connection with Panther related investigations. It has been very difficult to identify or trace conventional explosives in the context of their immediate source or to fix from an evidentiary standpoint, the means by which these explosives or explosive substances were procured. It has been virtually impossible to isolate the sources of the clandestine types of explosives or incendiaries or the sources of the technical knowledge needed to fabricate them, but intelligence from other agencies would seem to confirm the existence of published, circulated instructions.

We have neither retained nor requested specific data regarding targets of Panther related explosive or incendiary activity. However, an analysis of investigative reports would seem to indicate that stores and other commercial establishments were the most vulnerable and the most frequently affected target areas, with public buildings such as schools and administrative centers coming next, and law enforcement offices such as police stations following. Damage assessments, excluding damage to police vehicles, have been in excess of \$1,000,000 and there have been 19 personal injuries and four deaths in matters investigated by our enforcement personnel.

COMMITTEE EXHIBIT No. 3

LAW ENFORCEMENT OFFICERS KILLED
OR WOUNDED BY GUN SHOTS FIRED
BY BLACK PANTHER PARTY MEMBERS

<u>STATE & CITY</u>	<u>DATE</u>	<u>KILLED</u>	<u>WOUNDED</u>
CALIFORNIA			
Berkeley	11/13/68	0	1
Gardena	9/7/69	1	0
Los Angeles	8/6/68	0	2
Los Angeles	10/18/69	0	1
Los Angeles	12/8/69	0	3
Oakland	10/28/67	1	1
Oakland	4/6/68	0	2
Oakland	4/17/70	0	4
Sacramento	5/9/70	1	0
San Francisco	11/19/68	0	3
Santa Ana	6/4/69	1	0
Torrance	9/8/69	0	1
ILLINOIS			
Chicago	7/16/69	0	2
Chicago	7/31/69	0	5
Chicago	10/4/69	0	1
Chicago	11/13/69	2	7
Chicago	12/4/69	0	2
Chicago	6/19/70	1	0
LOUISIANA			
New Orleans	9/14/70	0	4
MARYLAND			
Baltimore	4/24/70	1	1
NEW JERSEY			
Camden	9/3/70	0	1
Jersey City	9/24/68	0	4
NEW YORK			
New York City	8/2/68	0	2
New York City	1/17/69	0	1
New York City	9/30/69	0	1
OHIO			
Cleveland	6/29/70	0	1
Toledo	9/18/70	1	0
PENNSYLVANIA			
Philadelphia	8/31/70	0	3
WASHINGTON			
Seattle	7/29/68	0	3
TOTALS		<u>9</u>	<u>56</u>

COMMITTEE EXHIBIT No. 5

**CONVERSATION
WITH
ELDRIDGE
CLEAVER**

ALGIERS

**BY
LEE LOCKWOOD**



A DELTA BOOK

COMMITTEE EXHIBIT No. 5—Continued

A DELTA BOOK

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starts now; there is going to be a bloodbath and a guerrilla war. And one would gather from what you have been saying here that the Black Panthers are laying plans for guerrilla warfare in the United States. Why do you believe that a guerrilla war is absolutely necessary at this time?

CLEAVER. Well, I don't like the way you ask that question, you see. Because you ask me, is the Black Panther Party laying plans for that? I just want to say that this is my belief, and this is what is going on in my mind, and this is what I feel is necessary, and this is what I am dedicated to, and this is what I know a lot of other people are dedicated to, and this is what I feel that all revolutionaries in the United States should be dedicated to—to recognize that we have to fight a revolutionary struggle for the violent overthrow of the United States government and the total destruction of the racist, capitalist, imperialist, neo-colonialist power structure. This is what I'll be working on henceforth: to establish the North American Liberation Front, which will include the revolutionary forces in every community. It will not be an all black organization; it will be a machinery that will include the revolutionaries in the white community, of the Mexican-American community, the Chinese community, the Puerto Rican community and the black community. The experience we have gained in the Black Panther Party, particularly in developing our coalition for working with revolutionaries in other communities, must now be transferred over, not into the political arena but strictly into the military arena where politics have been

transformed into warfare. And this is what I see the whole situation moving into, and this is what I'm pushing for, and this is what I have been working on ever since I have left Babylon.

LOCKWOOD. Late last year, in an interview just before you disappeared, you said: "It may still be possible, barely possible, to revolutionize this society to get fundamental structural changes without resorting to civil war, but only if we get enough power before it's too late." Have you changed your mind since then—do you now think it is too late for peaceful changes?

CLEAVER. I don't think there is any contradiction or change in my position, because I've always moved from an analysis of the American system. What I said in that interview, and what I'm saying now, is that if the United States government would change the structure of the country so that people would no longer be oppressed, so that people would no longer be subjected to all the grievances about which we complain, then obviously the fuel for the fire would not be there. But obviously, the way that the situation has developed, there has been more fuel added to the fire. What I'm saying now is that things have gone so far that there is a conflagration indicated. As far as I'm concerned there can be nothing but the conflagration. The very nature of the capitalistic system is such—I've always felt this, you see—that I have never had any hope that the United States of America could make peaceful modifications or that it could be perpetuated in the future in its present condition.

I'm saying to you that I feel that the United States as it exists today has to be totally obliterated and has to be rebuilt and restructured, and the wealth, the means of production, the entire system, has to be rearranged. And it won't be rearranged peacefully, because it's clear that those who control the United States have no intention whatsoever of modifying what's going on there, that in fact what they are doing is escalating the repression against the forces that are moving for change. The only fitting response to this repression can be implacable resistance, and the only implacable resistance that can possibly be manifested in this situation is open warfare against the system.

LOCKWOOD. Nevertheless, you did say in that interview that there might still be time for peaceful changes to occur in American society to avoid the "conflagration" you are talking about, whereas now you are saying that the conflagration is "inevitable." Is it possible that your thinking has become more radical since you left the United States?

CLEAVER. Well, there are a lot of relationships that I had a year ago which I no longer have. For instance, the relationship between myself and the power structure of the United States of America has been made crystal-clear. As far as they are concerned, I am a fugitive from justice. As far as I am concerned, they are fugitives from the justice of the people. So it is only a question of what forces can be mobilized to see who is the fugitive in the end. I intend to do everything I can to see to it that what I represent and what I advocate prevails. That may

be speaking from a position of weakness in some people's eyes, but I feel that I am speaking from a position of strength I don't believe that the revolutionary forces in the United States of America are faced with a crisis; I think that the United States itself, the structure and the system of the United States, is the entity that is faced with a crisis, and that I represent part of that crisis, and I intend to do everything I can to aggravate that crisis. I have broken off relationships with them; I don't belong to them; I am not their property. They can call me their fugitive; I call them my fugitives. They want to arrest me; I want to arrest them. They want to execute me; I want to execute them. So it's only a question of who will be executed and who will be captured, you see. And I have not been captured yet, and I have not been executed yet; I have not captured them yet and I have not executed them yet; but they are still trying and I am still trying, and I don't know how the shit is going to end, and I don't give a fuck, but I am going to be trying.

LOCKWOOD. But you are outside the country. Don't you find it a little hard to conduct this struggle, being so far away?

CLEAVER. No, no, no! Our struggle in the United States is not an isolated struggle. I have always been an internationalist. I think that any true revolutionary has to be an internationalist, because our oppressor has an international system. Racism, imperialism, capitalism, colonialism and neo-colonialism are international. All these oppressors are united on the international level in every

COMMITTEE EXHIBIT NO. 6

Production, Distribution, and Sales of Black Panther
Party Newspaper and Applicability of Federal Statute
Relating to its Mailability

During the course of the Committee investigation of the Black Panther national headquarters the following information was developed concerning The Black Panther newspaper. The information was obtained from law enforcement agencies, from interviews with former members of the Black Panther Party, and a review of records, including Black Panther Party records.

In 1969 Frank B. Jones, a Black Panther Party member in Richmond, California who had contributed articles to the paper as a staff writer, was Managing Editor of the paper. During this approximate period of time other persons involved with the paper were Emory Douglas, Minister of Culture of the Black Panther Party and creator of revolutionary cartoons, Matilaba (Joan Lewis) also a revolutionary cartoonist, Virtual Murrell, and Sam Napier, Distribution Managers; Eldridge Cleaver, Minister of Information; Bobby Seale, Black Panther Party chairman; and David Hilliard, Black Panther Party Chief of Staff. Frank B. Jones also became Deputy Minister of Information.

During the 1968-69 period the Managing Editor performed the following duties: (a) screening of reports and letters that were sent to national headquarters for suitability; (b) determining the layout of the paper. (This was done jointly with the Minister of Culture). The Managing Editor and Minister of Culture were not concerned with matters of circulation, finances, sales, distribution, or printing. All decisions concerning these matters were handled by distribution and circulation managers (Murrell and Napier). The Managing Editor, Minister of Culture, and Circulation Managers had frequent conferences with the Minister of Information (Cleaver) the Chairman (Seale) and Chief of Staff (Hilliard) concerning the paper.

The staff of the paper is currently guided by the following persons: Elbert Howard ("Big Man"), Managing Editor; John Seale, in charge of paper layout; David Hilliard, Chief of Staff, who makes all final major decisions concerning the paper; Andrew Austin, Distribution Manager, Sam Napier, East Coast Distribution Manager (sent to New York City because of East Coast distribution problems); and Emory Douglas, creator of revolutionary cartoons and now instructor of revolutionary cartoon classes.

According to a former Black Panther Party member who was knowledgeable concerning the publication of the newspaper in its early days, San Francisco attorney Beverly Axelrod permitted her office to be used to lay out the paper. She herself assisted in determining the paper's layout and was the first person to provide guidance to the Panthers in this matter. She was considered to be an official Panther attorney at the time.

The layout work for the paper is currently completed at Black Panther national headquarters, 1048 Peralta Street, Oakland, California. Distribution, circulation and similar matters are handled from Black Panther facilities located at 1336 Fillmore Street, San Francisco, California. The papers are distributed under the name of National Distribution, and most business transactions concerning the paper are

COMMITTEE EXHIBIT NO. 6-Continued

conducted by this unincorporated agency. 1336 Fillmore Street is a two-story store front facility, the ground floor of which serves as the San Francisco Panther branch office. The upper level houses the National Distribution facilities. Andrew Austin, who is Manager of the distribution center is the person of most influence at both the San Francisco Black Panther office and at National Distribution.

The Black Panther Party paper has grown from a local enterprise in the San Francisco Bay area to a nationally and internationally distributed publication. Approximately 140,000 copies are distributed weekly to major cities in the United States. Circulation of the paper has doubled in the past year. Papers have also been shipped to the following foreign countries: West Germany, Algeria, Nigeria, Sweden, U.S.S.R. and England.

Estimated Number of Black Panther Party Papers Shipped to Various Cities
in the United States During Two Different Weeks and Estimated Cost of Same.

<u>CITY</u>	<u>WEEK # 1</u>	<u>WEEK # 2</u>
Baltimore, Maryland	14,400	14,700
Birmingham, Alabama	300	No information obtained
Charleston, South Carolina	300	600
Chicago, Illinois	18,900	No information obtained
Cincinnati, Ohio	1,700	1,800
Cleveland, Ohio	No information obtained	1,500
Columbus, Ohio	No information obtained	1,200
Compton, California	10,800	10,800
Dallas, Texas	2,400	No information obtained
Dayton, Ohio	2,400	2,100
Denver, Colorado	1,200	300
Detroit, Michigan	9,600	9,300
Houston, Texas	3,900	No information obtained
Indianapolis, Indiana	1,200	No information obtained
Little Rock, Arkansas	900	900
Milwaukee, Wisconsin	No information obtained	1,500
Minneapolis, Minnesota	1,200	1,200
New Orleans, Louisiana	2,700	2,100
New York, New York	35,100	35,400 (Corona, N.Y.)
Newport News, Virginia	No information obtained	300
Philadelphia, Pennsylvania	9,800	10,200
Portland, Oregon	1,200	1,500
Roxbury, Massachusetts	6,600	2,700
Seattle, Washington	3,000	2,700
Toledo, Ohio	2,400	No information obtained
Wilmington, Delaware	1,800	2,100
Winston-Salem, North Carolina	1,500	1,800
TOTAL SHIPPED PER WEEK	183,300	108,000
ESTIMATED TOTAL SHIPPING COSTS	\$4,429.00	\$3,522.33
ESTIMATED COST OF MAILING	100.00 (est.)	100.00 (est.)
TOTAL SHIPPING EXPENSES	4,529.00	3,622.33

COMMITTEE EXHIBIT NO. 6--Continued

Projected gross income for Week A = \$15,996.00

Projected gross income for Week B = \$13,026.05

Net income of the national Panther headquarters from the paper sales was estimated by subtracting total shipping and printing costs per week from the projected gross income for that week,

Projected Net Income for Week A = \$4,902.00

Projected Net Income for Week B = \$5,098.72

Average net profit per annum realized by the Panther national headquarters based on an average of the two weeks studied = \$249,968.00.

Average net profit per annum realized by local chapters and salesmen based on an average of projections made from weeks studied = \$725,551.

Average overall potential projected profit earned by national headquarters of Black Panther Party, local chapters of Black Panther Party and sales people, derived from averages of projections of Weeks A & B = \$975,489.25.

In making the above projections or estimates the following variables were not available:

- 1) Money spent to maintain staff and equipment.
- 2) Percentage of money actually collected by the national headquarters for issues of the paper delivered (Some chapters, when in financial difficulty are occasionally given permission to keep their proceeds.)
- 3) Complete mailing and subscription information.

Projections concerning combined profits of local chapters depend on locals selling all of papers delivered. It is not known what percentage of papers is actually sold at local levels. It is known that all chapters must pay 12 1/2¢ for papers delivered by the national office. It is conceivable that many locals may actually be going "in the red" on paper sales and hence projections concerning the local chapters should be considered only as possibilities or potentials. Information regarding profits or national headquarters is considered to be more nearly accurate because of the fact that the National office demands a fixed price for each copy delivered whether it is sold or not.

Financial records of certain chapters indicate that no profit is being made by these local chapters from paper sales. In other words, they are not selling or collecting enough money to pay the amount due the national headquarters. Records indicate that the full price of the paper is not paid on delivery but must be paid before new shipments are received. This policy was established because many chapters had been delinquent in their payments due for shipments received. Sam Napier, Distribution Manager, was reportedly sent to New York to oversee East Coast distribution and collection difficulties.

Local chapters find it difficult to pay the shipment bills for these papers because money turned in for sales collections to local chapter headquarters often "disappears" and because in some areas sales of the paper have decreased because of the harassing and aggressive techniques employed by individuals selling the papers on

COMMITTEE EXHIBIT No. 6-Continued

the streets. When this occurs the local chapters must find some means of raising the money or be subject to severe pressure from the national headquarters.

Money collected from the sale of papers is sometimes used to transport members from the field to national headquarters and back and indicates one fashion in which profits realized by the national are disbursed.

In summary, information available indicates that the Black Panther Party national headquarters seems to be assured of a fairly consistent and substantial profit from the paper because of enforced quotas and collections it employs. On the other hand at the level of some of the Black Panther Party locals it appears that while the paper may provide some income (5¢ per copy) for individual salesmen, poor sales efforts and pilfering of funds causes the chapters to be quite heavily burdened by paper sales, and they do not realize consistent profit. If, however, all papers are sold and no collection money disappears, they should realize substantial profits.

The Assistant General Counsel, Mailability Division, U. S. Post Office Department, has reviewed certain copies of the Black Panther newspaper and has advised as follows concerning its mailability:

"... Section 1717 [Title 18, U.S. Code] prohibits the mailing of matter advocating treason, insurrection, or forcible resistance to any laws of the United States, and provides penalties for violation. However, relevant U. S. Supreme Court decisions have indicated that to be valid, application of such statutory prohibitions and penalties must be supported by evidence, other than the mail matter itself, that there exists a clear and present danger of the mailed statements' causing the advocated action."

"In the absence of such independent supporting evidence, the Post Office Department would have no basis to institute administrative proceedings seeking to have matter declared unmailable, or to request criminal prosecution."

COMMITTEE EXHIBIT NO. 7

BLACK PANTHER PARTY

The following persons were identified during the Committee's investigation concerning the National Office as having been either office holders or dedicated members of the Black Panther Party in the San Francisco Bay Area at various times from its inception, October, 1966, to the present:

Chairman

Bobby Seale

Ministers

Richard Aoki, Minister of Education
 H. Rap Brown, Minister of Justice
 Stokely Carmichael, Prime Minister
 Eldridge Cleaver, Minister of Information
 Emory Douglas, Minister of Culture
 James Forman, Minister of Foreign Affairs
 Raymond "Masai" Hewitt, Minister of Education
 Frank B. Jones, Deputy Minister of Information (and Managing Editor of The Black Panther newspaper)

George Mason Murray, Minister of Education
 Rev. Earl A. Neil, Minister of Religion
 Huey Newton, Minister of Defense
 Melvin Newton, Minister of Finance

Chiefs of Staff

David Hilliard, Chief of Staff
 Roosevelt Hilliard, Assistant Chief of Staff

Field Marshals

Donald Cox
 Carver "Chico" Neblett
 George Sams, Jr.
 Landon Williams

Captains

Robert L. Bay
 William "Bill" Brent
 Oleander Harrison
 Wilfred Holliday

Miscellaneous Officers

Kathleen Cleaver, Communications Secretary
 Judi Douglas, Deputy Communications Secretary
 Bobby Hutton (deceased), Treasurer

COMMITTEE EXHIBIT NO. 7-Continued

Newspaper Staff

Andrew Austin, Distribution Manager
Gregory Harrison, Student Editor
Robert Herron, Co-Editor
Elbert Howard, Co-Editor
Joan "Matilaba" Lewis, Revolutionary Artist
Raymond Lewis, Managing Editor
Virtual Murrell, Distribution Manager; Photography Manager
Samuel Napier, Circulation Manager
John Seale, Layout Assistant
Mark Teemer, Revolutionary Artist
Jay White, Political Editor
Iris Wyse, Student Editor

Other Dedicated Members

Johnny Bethea	Harold J. Holmes
Annette Broadnax	Kenny Horston
Henry Lee Broadnax	Phyllis Jackson
Charles Brunson	Mark Jefferson
Betty J. Carter	Lucky Jenkins, Jr.
Harvey Carter	Helen H. Johnson
James Charley	Pat May
James R. Clark	Jo Ann Mitchell
Mark Comfort	Pauline Napier
Florence Davis	Ron Penneywell
Glen De Beal	Dorothy Phillips
Judith Douglas	Lafayette Robinson
Reggie Forte	John L. Scott
Sherman Forte	Artie Seale
Rose Mary Gross	Calvin Tally
Shaila Hampton	Clarence Terry
Truman Harris	Wendell Wade
Carol Henry	Ellis White, Jr.
Shirley Hewitt nee Neely	Karen Williams
Patricia Hilliard	Naomi Williams
Ernest Hitter (Phonetic)	

COMMITTEE EXHIBIT NO. 8

The following report pertains to an interview with an ex-member of the National Black Panther Party concerning his knowledge of that organization. The interview was conducted in Oakland, California by Committee investigators Richard Shaw and Stuart Pott.

For fear of grave bodily harm to himself or his family the source insisted that he not be identified. The source emphasized that his fears were based on his personal knowledge concerning the criminal and psychotic personalities comprising the leadership of the Panther Party.

The source stated that he joined the Black Panther Party in the very early stages of its development, and that he joined for the same reasons that others joined later. He stated that his basic desire to battle repression was the key to his joining the Black Panther Party because he felt that the Black Panther Party actually represented all the things they said they did, such as, all for one, to develop a united fight against oppression and brutality of black people, etc. However, after having been in the Party for approximately two years and after numerous attempts on his part to ignore the wrong doings of the Party, in the name of the cause, he decided to leave because of favoritism being shown particular high ranking members and the hypocrisy that prevailed in relation to the actual implementation of the Panther ideology by Panther members and the totally repressive attitude of the Panthers which was supposed to be an organization battling repression.

The source stated that the Black Panther Party was formed in October of 1966 at which time there were approximately six members. Of the original members the source could only identify the following individuals:

Bobby Seale - Chairman
Huey Newton - Minister of Defense
Bobby Hutton (Little Bobby Hutton) - Treasurer
Cleander Harrison and several others.

During the early stages of the Party's history activities were mainly of a local nature and consisted of attending rallies by the Panther group, making street corner speeches, having Minister of Defense Huey Newton make speeches on various street corners, at various schools and other local functions. During this period the source described Newton as being the organizer and Seale more or less the effector of Newton's organizing plans. Speeches were made predominantly on campuses to white audiences or for and to white professors because it was soon learned that this was a much more lucrative practice than speaking on street corners or to black audiences. Speeches on street corners and school grounds were designed to arouse the interest of the people in the Black Panther Party for Self Defense and its basic goals. Speeches given at colleges and schools - that is formal speeches were also used to arouse interest in the Party but were primarily used as a fund raising vehicle. When Newton would give speeches at colleges or to formal audiences he would have Panther members serve as body guards. These body guards were there not only to protect Newton but also they were used for the dramatic effect that the gun displays and the military appearances of discipline and rigidity provided. The source indicated that the guns which were carried were indeed loaded, and consisted primarily of shotguns. He explained that the guns were loaded also in order to protect themselves from police interference should the police attempt to interrupt or in any other manner interfere with their speeches. It was pointed out however, that if the police did interrupt one of their sessions and

COMMITTEE EXHIBIT NO. 8-Continued

Should the police attempt to draw their weapons the Panthers were prepared to shoot the police. The source indicated that point number seven of the Black Panther Party Platform and Program which states "We want an immediate end to police brutality and murder of black people" was probably the most important point of the Black Panther platform. He explained that point seven of the Black Panther Party Platform and Program as well as self defense comprised the keynote of almost all speeches.

The source stated that in late 1966 the National Panther Party formed what was known as the "Pig Patrol". This program was initiated in the Oakland, Calif. area to help prevent brutalization in the black community. These patrols were equipped with cameras, tape recorders and firearms, and their activities involved advising black citizens of their rights, photographing and recording street incidents, intercede in behalf of a citizen being victimized and when an arrest did occur follow the police vehicle to its destination so as to reduce the likelihood of the prisoner being brutalized.

According to the source by October 1967 - the end of October 1967-the Party had grown to a membership of approximately 50 persons. Of this number only six or seven could be described as activists, that is persons who were involved in the planning, programming and could be depended upon to participate in any and every effort in behalf of the Panther Party. The membership was referred to as "cadre". At certain rallies and other functions there would be perhaps 100 persons attending, however, the majority of these individuals were considered as "come-alongs" and would only be present when it seemed fashionable or like the thing to do to be seen at functions with the Panthers.

According to the source, in May of 1967 he was with the group of Panthers that traveled to Sacramento to the State Capitol building and walked into a session of the California State Legislature. This incident received much publicity via the news media throughout the entire country. According to the source there were two purposes for conducting this trip. One was that it was considered to be a good time to combat the anti-gun laws or legislation that was being considered at the time of their visit. The other reason was to obtain publicity for the Black Panther Party. The source indicated that there was some doubt in his mind as to whether or not the Panthers would have actually walked into the floor of the State House if some unidentified newspaperman had not more or less guided them onto the floor of the House. At this time the Panthers emphasized their concern about genocide within the black community. The Panthers were very satisfied with the publicity they received concerning this incident and were satisfied that they had picked a most opportune time for carrying on this demonstration. Persons identified as having participated in the Sacramento Legislature incident were:

Bobby Seale	Sherman Forte
Eldridge Cleaver (was then taking photographs for Ramparts magazine)	
Oleander Harrison	Artie Seale
Bobby Hutton	Truman Harris
Lafayette Robinson	Johnny Bethea
Ernest Hitter (Phonetic)	Mark Comfort
Reggie Forte	

COMMITTEE EXHIBIT NO. 8—Continued

Reportedly, all persons had shotguns or rifles and they were being displayed.

The source indicated that in approximately April 1968 the first Central Committee was formed. Prior to this time matters of policy-making involved voting and the general consensus of the membership. The following were identified as Central Committee members:

Bobby Seale
 Huey Newton
 Bobby Hutton
 Melvin Newton
 Stokely Carmichael
 H. Rap Brown
 Emory Douglas
 Eldridge Cleaver
 James Forman
 David Hilliard

The Central Staff which was described as a working staff designed to follow through with policies and decisions made by the Central Committee had as its identified members:

Capt. Wilfred Holliday aka Captain Crutch
 Capt. William Bill Brent (identified as highjacking a commercial airplane to Cuba in 1969)
 Capt. Harvey (fnu)

In approximately April 1967 David Hilliard was brought directly into the Black Panther Party as a Captain and became Captain of National Headquarters in April 1968. This was made possible because Hilliard and Newton were long-time school friends. The Central Committee was responsible for making all decisions concerning with whom the Panthers would demonstrate, at what rallies, whom they would support and all matters involving Panther organizational activities, positions and ideology. These sessions were usually conducted by Bobby Seale and dealt with day-to-day as well as long-range planning. Seale was regarded as an alcoholic and Hilliard was held as responsible for his condition. When Seale would object to decisions or policies submitted by Hilliard, Hilliard would make certain that Scotch whiskey was available and if none was on hand he would send Elbert Howard "Big Man" out to purchase some. Hilliard knew that by inducing Seale to drink enough he could eventually influence Seale's decisions or thinking.

According to the source one of his major points of concern had involved the fact that the Panther Party publicized not condoning criminal conduct but in reality they were only concerned if a member was arrested. If a member who was not an office holder or in good favor with the ruling hierarchy was arrested the Party would immediately embark upon a campaign designed to focus attention on the member by describing him as lower than low, violating the people's trust, not a real member at all, and an assortment of derogatory names. This, in the opinion of the source, was for the purpose of directing attention away from the Party and at the same time attempting to project the Party as strictly non-criminal, dedicated to the people's struggle and wholesome revolutionaries. In other words, a member would be sacrificed while the Party engaged in a lie campaign. If, however, the member was a member of the ruling body or liked by the hierarchy, the Party would immediately

COMMITTEE EXHIBIT NO. 8-Continued

scream that the charges were trumped up, an act of oppression designed to hurt the Party efforts toward ending oppression, etc. The same policy was adhered to concerning whom the Party would post bail bond for and how discipline would be meted out for infractions of Party policy.

The source stated that after Huey Newton went to jail in October 1967 the Party hierarchy (namely David Hilliard) insisted that the members should not have jobs because a job would be too time consuming and the Party came first. Although the ruling group received money for their personal expenses from Party funds, the rank and file members were not given so much as subsistence money. As a result it became necessary for members who had no other means of subsistence to engage in robberies, larcenies and burglaries in order to get enough money to live. Hilliard who is by now Chief of Staff, while advocating the policy of having the Panther members "liberate goods", would demand 90% of the take or proceeds and permit the member to keep the remaining 10%. Hilliard would not, however, support a Panther brother if caught committing a crime unless the member was among the favored few. If the member chose not to split with the Party or questioned the use of the money by Hilliard himself, Hilliard would order the members to "move on him" which meant to physically convince him that proceeds had to be turned over with no questions asked. Hilliard definitely did not want a criminal act traced to himself or others of the ruling group. The hierarchy was both too wise and afraid to become involved in actually perpetrating crimes of this nature. The source pointed out that as a result they selected people who were stupid enough to go out and commit burglaries and robberies in the name of the "Panther cause". He cited as an example the case of Wendell Wade. Wade was arrested for robbery while a Panther member in good standing. There was no assistance afforded Wade by the Panther Party and Hilliard made the statement that Wade was a provocateur agent. Wade subsequently received a 5 year sentence in San Quentin Prison. According to the source, Hilliard's policy in this regard was responsible for such disaffection among Party members. The double standard policy was regarded by the source as one of the primary reasons for members leaving the Party, plus other discrepancies such as not really intending to serve the people as they would purport and all, but rather to get for themselves what they want, i.e. money, power, prestige, etc.

The source indicated that many individuals who joined the Black Panther Party did so genuinely and fully expecting to participate in some genuine effort to improve or overcome oppressive conditions. He stated that because of this basic interest, and the fact that the Party hierarchy does not inform the rank and file members as to the true nature of their intentions with regard to the various devices and gimmicks that they manufacture in order to exploit the people, it requires, usually, some significant amount of time for the average member to become aware of the fact that he is being used as a Patsy or as a fool at the expense of the ruling group. He indicated that he could not begin to venture a guess as to the number of people that would fall into this group. He said one of the major points of difficulty involving a member realizing that he's being used, is the fact that he is constantly exposed to and surrounded by information and individuals that is all one sided and he very seldom if ever has an opportunity to be provided with or to provide himself with information that may tend to counter, off-set or dilute the information provided by the Panther hierarchy, particularly with reference to Party instructions and philosophy.

COMMITTEE EXHIBIT NO. 8-Continued

The source indicated that as of April 1968 Donald Cox and Chico Neblett were considered Field Marshals who operated in an underground capacity, and that Kathleen Cleaver was appointed Communications Secretary shortly after April 1968. At this time the Minister of Education was Richard Aoki, a Japanese person. The source pointed out that all members of the Committee except lower ranking Captains and Field Marshals were entitled to special treatment, for example, bonds were made available to them and they did not have to adhere to the rules of the Party. Persons holding a lesser rank would be shown favoritism if they were liked by certain individuals of the ruling group.

The source provided the following definition by the Panther Party of self-defense; he stated that the original concept of self-defense had to involve some overt act that resembled aggressiveness and had to be directed toward a Panther brother or the black community before some form of reaction or self defense would be enacted. However, through the years this definition has broadened and as of the present time the following definition is applicable. The Panther definition of self-defense is based on the history of oppression, repression, murder, brutality and exploitation for the past 400 years as it relates to the black community of this country, for an example, this history can justify the killing of a pig or policeman today without the pig or policeman performing any overt act of aggression at the time of his slaying. He can be found guilty by association with an organization, group, business, etc., that has a history of oppression, racism, and can in the cause of self-defense be executed. This not only applies to policemen but any other persons affiliated with that portion of the system which is regarded as racist, or oppressive according to the Panther standards.

For an example, in the past businessmen who were too avaricious and too hard-nosed were considered to be brutalizing in the black community, at least economically, and in such cases Panthers would expose these individuals. The community people would be told to stop patronizing such people, going into their stores, etc. Another example as it would have occurred in the past, if an officer had a history of not being, as the source put it, "too cool" in the community, the people would be told to watch him very carefully and beware of him. They would then try in this manner to stop him from brutalizing the people because the policy at that time was to never provoke an individual such as this who was regarded as an oppressor. The policy, basically, was to let the oppressor determine the means of self-defense to be used on him. However, currently, as previously stated, a person's history or association with some group can justify his execution, in the name of self-defense.

The source stated that some of the weapons which he has observed in the possession of different Panther members are M-16s; AR-15s; M-69s; M-14s; 45 calibre machine guns; P-38 handguns; 357 Magnums; 38 calibre handguns; shotguns; dynamite and incendiary gels. He pointed out that the Party was careful not to possess arsenals per se so as to circumvent the law. He explained that weapons were split throughout the membership to the various trusted individuals so as not to be vulnerable to arrest or confiscation of the weapons.

According to the source, revolutionary statements and cartoons are the means by which Hilliard, Seale and others of the ruling group would capitalize on the weaknesses and tendencies of weaker and emotion individuals. To create the revolutionary climate was the purpose by which it was hoped for and expected that the more reactionary members of the black society would carry out the acts and deeds that the Panther hierarchy themselves were too afraid or too wise to perpetrate. He stated that actually the hierarchy, not wanting to be held accountable for

COMMITTEE EXHIBIT NO. 8--Continued

revolutionary acts, very cleverly presented such statements and cartoons via their newspaper so as to give the impression to the more objective observers that such reflections were only rhetorical in nature. He explained that the collecting and displaying of firearms coupled with revolutionary statements and cartoons involves the Panthers' plan to create the desired revolutionary climate. If such a climate can be sufficiently developed the Panthers are planning and expecting that the revolution will be started by the people. The purpose of the Party will then be to provide arms to "the people" and lend direction and coordination to the revolution. The Panthers do not want to be held accountable for having actually started the revolution. A revolution precipitated by the people according to the source would be much more difficult to put down, if at all, because the roots and definition would be so much more difficult to pinpoint or attack as opposed to an organization per se which would attempt to start a revolution. He pointed out that once again to avoid being identified as in fact planning a revolution and/or being arrested, certain members were responsible for maintaining secret arsenals completely removed from Panther facilities.

If a revolution can be encouraged the Panthers expect to attain leadership and reap the spoils. If the revolution fails the Panthers expect to be held no more accountable than any other black. The big pitch by the Panthers concerning the right of self defense and black people arming themselves in this regard is the Panther strategy to cause blacks to become more receptive to the possession and possible usage of weapons. Such terms as genocide, protection and occupation camps are designed to enhance the impetus concerning self defense. According to the source the Panther Party continues to exploit the weaker or more unstable people in an effort to get them to do things that the Party elite are either too smart or not brave enough to do themselves.

The source stated that the first breakfast program was begun in November or December of 1968. The program was started because Seale, Hilliard and other members of the ruling group became concerned about the number of arrests of Panther members for serious offenses, so as a result they needed a humane program which would reflect the Party as good, nonviolent, and only interested in serving the people. It was expected that this new image would create interest, sympathy and support, all of which would lessen the pressure on the Party. This program coupled with their propaganda machine would not only prolong the life of the Party but assist it in growth. The bonus however, would be the opportunity to expose children to political education while at the same time publicizing it as a means of serving the people.

The source pointed out further that revolutionary cartoons in the paper are generally created by Emory Douglas. These cartoons which often depict police as pigs who are shooting or brutalizing members of the black community or as pigs being shot, stabbed or mutilated by members of the black community are placed in the paper to show that many police are enemies of the people and the course of action the people should take toward the enemy. They are also shown to illustrate the right of black people to defend themselves in a manner in which the oppressive acts of police should be rewarded. The reaction generated by cartoons depends upon the individuals reading them. Some persons will regard them as nothing but funny cartoons, others however, who are so prone, will react to them as having a specific message, such as a call for violence. The same attitude is assumed concerning revolutionary statements. Cartoons showing police helping citizens of the black community are not shown because they do not fit the image of the paper or convey the message the paper was created to convey. The source indicated that the term

COMMITTEE EXHIBIT NO. 8-Continued

"off the pig" as originally used in the paper meant to remove undesirable policemen from the black community, however, the term is interpreted now by most Panthers to mean to kill a policeman.

The source explained that propaganda is regarded by the Panther Party as necessary to the growth of the Party by combatting complacency in the black community. Propaganda as the source explained, is precisely that, a distortion of the facts designed for the purpose of serving one's own cause. He did point out however, there were instances when the Party did not intentionally exaggerate reports of an incident but they would indulge in propaganda regarding the causes, immediate effect and proposed reaction by the people to an incident.

The source in discussing various publications of the Black Panther Party indicated that the first publication of the Party was distributed primarily on a local basis, that is the Oakland-San Francisco-Berkeley-Richmond area, and were in the forms of leaflets or newsletters. They did receive wide dissemination later when requests for particular documents came from different parts of the country. However, there was no formal national distribution set up to disseminate these documents. The first document was in the form of a newsletter and was entitled "Why Did the Police Murder Denzil Dowell?" Only one issue of this was printed and it was the first official Panther publication. The next publication was a printing of the first Panther Platform or their 10-point Platform and Program. This according to the source, was created by Newton and Seale. This item also was distributed on a local basis but was sent in answer to specific requests from different parts of the country. The specific requests for the Panther Newsletter and the printing of the 10-point Platform and Program came to the Panther Party according to the source, because of publicity given the Party in the regular news media.

According to the source, the Black Panther paper began being published in May of 1967. During the early stages of the paper Beverly Axelrod was responsible for helping to put together the various issues of the newspaper. The source believed that the original papers were actually laid out in the offices or facilities owned by Axelrod. Axelrod participated in the discussions concerning the layout and planning of the paper. Axelrod, at the time was regarded as an attorney for the Panther Party and was considered as officially that.

In the production of the paper during its earliest stages no out of state travel was done and there was not really much out of state dissemination except answers to specific requests made by groups or individuals in other parts of the country. These requests eventually resulted in the Panthers deciding to set up some sort of national distribution system for the paper. The types of requests involved response from individuals throughout the country who had become aware of the Panther Party and what it was trying to do through the conventional news media. The other type being individuals wanting to obtain more facts about the Party and the manner in which it was attempting to deal with racism and oppression. The next type of request involved organizations and groups in various parts of the country that wished to have quantities of these papers sent to them so they could sell them as a vehicle to raise funds.

The papers were first sold by standing on street corners, however the Panthers used more aggressive sales techniques than the average normal media news-vender would use. Individuals were required to sell a certain number of papers. The quota of newspapers to be sold by certain individuals was arrived at by dividing the total number of papers printed among the members designated to sell them by the

COMMITTEE EXHIBIT NO. 8--Continued

leaders. The papers sold for 25 cents and if a member failed to sell all of his quota he was sent back on the street until he either sold them or returned with the equivalent amount of money. In the early stages of paper sales all the money was turned in to the chapter and was counted by all members who had gathered it. During this period all members knew how much money was being collected. As time went on Hilliard developed a policy of taking all the proceeds himself and making the count privately. From this point on it was not known how this money was disbursed. According to the source, because of the discrepancies in money shortages it was definitely felt that Hilliard was misappropriating the money.

With regard to leftist groups who attempted to establish working relationships or influence on the Party the source indicated the following: The group most successful in establishing any type of coalition with the Panther Party was the Peace and Freedom Party. Their primary thrust was in 1968 when Eldridge Cleaver was a candidate for President on the Peace and Freedom Party ticket, and Huey Newton was a candidate for Congress.

The Student Non-Violent Coordinating Committee tried to establish a coalition but became dissatisfied because the Panthers would not endorse SNCC's separatist philosophy. Stokely Carmichael and H. Rap Brown were members of the Panther Party but when it was learned that they did not want to do any work but just wanted to be Panther leaders they were eased out of the Party. The source admitted that it was never quite clear to him whether the Black Panther Party eased Brown and Carmichael out or whether Brown and Carmichael left on their own because of difficulties arising between themselves and the Panther hierarchy. He did point out however that there was concern on the part of the Panther leaders that Carmichael and Brown very conceivably could, if permitted to remain in their present capacities with the Central Committee, somehow gain power and control over the Black Panther Party. The source indicated that they only wanted to travel, make ugly speeches, and more or less run their mouths. They both were regarded as blatant hypocrites and it was feared that they might somehow take over the leadership of the Party.

The source stated that the Communist Party, USA, actively attempted to establish a working arrangement with the Party. The effort centered around Roscoe Proctor, a black Communist Party member. It was learned that Proctor had been sent by the Communist Party to recruit the Panther leadership or to proselytize them to the extent that they would work in accord with the Communist Party. Several members of the Panther Party attended by invitation the California Communist Party meeting in early 1967 which was held in a warehouse in San Francisco. At this meeting the Panther members were given Communist Party literature and subjected to communist ideology regarding the takeover of the world, etc. During the meeting which was attended by 40 to 50 persons, all over 40 years of age, it was stated that the Communist Party would supply the Panthers with money in order to organize the black community but certain orders would be taken from the Communist Party if the Panthers accepted. The source stated that to the best of his knowledge the Panther leaders declined the offer because they were determined not to be taken over or run by anyone. The Panther leadership did not object to communism but the leaders did not want to risk depriving themselves of their present positions of unquestionable authority. According to the source, Communist Party members nevertheless continued to attend Panther meetings and attempt to exert influence. The source was unable to identify any of these individuals other than Roscoe Proctor.

COMMITTEE EXHIBIT NO. 8--Continued

The Socialist Workers Party although very active and desirous of developing a working arrangement with the Black Panther Party, especially during the election climate in 1968, was regarded by the Panthers as a sort of club which got very little accomplished, according to the source. For this reason there seemed to be little interest by the Panthers in developing a regular coalition with the SWP. According to the source, however, the present status with SWP, CPUSA, or any other leftist group is not known.

Source stated that portions of the Red Book or Quotations by Mao Tse-tung were used as a part of Panther political educational material in an effort to assist in developing and creating both an overall revolutionary political awareness and engendering within the individual members a discipline and self-discipline necessary to effect a revolution. He pointed out that this training was given not so much to orient the membership around or with communism per se but to provide insight, through examples, of the self-discipline needed to carry out a successful revolution. The source pointed out that in his opinion Huey Newton was a Socialist, who felt that all other people, Panthers and otherwise, when freed from the oppression of the United States system could then choose for themselves under what type of government they would like to live. He stated that Huey felt that until all were liberated, all people must gather together and do the same thing in a unified fashion to obtain this liberation. The source said that although he believes this to be Huey Newton's position, he regarded Hilliard as being all for himself, and what he could obtain for himself from the Party, in the name of the Party cause. The source exhibited nothing but contempt and mistrust for Hilliard and stated that if there are any working arrangements with any leftist groups and there was money involved, that he would not doubt Hilliard's desire to sell out. The source also pointed out that Eldridge Cleaver's true position was not known to him but he did know that Eldridge liked people that he considered "active" people because he felt that he could get more out of them. He described active people as being of the criminal element, hoodlums and ex-convicts.

The source indicated that for the most part prior to April 1968 Eldridge Cleaver functioned in an underground capacity. He indicated that shortly after Cleaver began to operate above ground he became the Minister of Information and he was placed in charge of the Black Panther newspaper. However, Cleaver's time was taken up in preparing for his campaign in which he ran for President of the United States on the Peace and Freedom ticket. After this, Bobby Seale was placed in charge of the paper and Seale and Hilliard actually ran or produced the paper. He identified Virtual Murrell, a Major in the Black Panther Party, as being in charge of distribution. Along with Emory Douglas he identified Matilaba whose real name is Joan Lewis, as revolutionary artists.

The source indicated that during May or June 1968 and after Newton was jailed, for having shot and killed a police officer, a decision was made by Hilliard and Seale to begin issuing charters on a select basis to cities around the country, who could qualify. The decision was predicated on the desire by the national Panther leadership to increase control and influence over the black militant movement in other parts of the country.

Persons desiring to start a chapter were required to travel to the national headquarters where they received a minimum of 6 weeks training. This training consisted of basically political education, the mechanics of operating a party headquarters and other administrative responsibilities. During the training period the prospective chapter leaders were observed and evaluated concerning their sincerity, leadership abilities, how well they learned and responded to Panther philosophies and their willingness to work. Those who passed the test were given a title

COMMITTEE EXHIBIT NO. 8—Continued

of Captain or Deputy Minister and returned to their respective cities with authority to form a Panther chapter. All of those given such authority, however, did in fact, complete their 6 weeks training to the knowledge of the source. It was understood by these people that their local organizational responsibilities were to the National Black Panther Office in Oakland, California.

According to the source, local chapters of the Black Panther Party, committees and community centers are required to submit periodic reports to the National Headquarters of the Black Panther Party concerning activities and financial status. Activities Reports are submitted on a weekly basis and include a daily log of activities. Financial reports are submitted on a monthly basis and give an overall view of the financial condition of the local chapter. The weekly activities reports in most instances would include the following topics; significant daily activities of the members; success in implementing established Panther programs; (separate memoranda are sometimes submitted regarding the breakfast program, etc. describing the attendance, menus, contributors, success and problems); proposed programs and success in creating and implementing them; activities attended such as rallies and demonstrations; propaganda efforts, i.e., leafleting activities; news leaflets printed by local chapters; content of discussions in political education classes; discussion of local incidents and positions taken or to be taken by local chapters in order to obtain the approval of national headquarters on these positions; planned activities for immediate future in order to obtain headquarters approval of same; liaison with local groups, i.e. white radical groups.

Source pointed out that the national headquarters reviews these reports in order to determine its position and planned stances to be taken by the national. The national demands that these reports be submitted and if they are not, representatives will be sent into the field to investigate and remove current defense captains or by whatever title the leader is known, if necessary. If he or the chapter resists, orders to disband the chapter may be given or orders to "move on" a particular individual may be given. "Move on" in this instance was described as, according to the source, a physical persuasion or convincing by force that the orders of the national will be adhered to. In some chapters separate reports are submitted by defense captains and the field lieutenants. However, the physical format of the reports is not always identical, but the reports submitted by various chapters contain basically the same categories of information.

Primary source of funds. The source indicated that during his membership with the Party funds were obtained through donations and fees paid to Panthers who spoke at various campuses, churches, private homes, and community organizations. Donations were also received from individuals and groups who chose to support the Panthers. Newspaper sales which began in May 1967 became a regular source of funds. With regard to the national headquarters control over the local chapters the source indicated that after chapters were established, the national office would have individuals visit local chapters around the country as the need occurred to inspect the functioning of those chapters. These inspectors who had no particular title were sent out to enforce discipline and give direction to the local chapters if any of these chapters were not operating according to the standards of the national headquarters. If the inspectors met with resistance from the members and/or the local chapter head, the national office would be so advised and if the resistance was continued then the national office would make the decision to remove the chapter head from the Party or purge those members offering the continued resistance. The source stated that the Black Panther Party is not currently helping people in the

COMMITTEE EXHIBIT NO. 8--Continued

various communities. He explained that the organization is now filled with a bunch of cry babies and armchair revolutionaries who disseminate propaganda which justifies murders in the name of self-defense. He stated that originally, to the revolutionary that is, to kill an individual for reasons of self defense was not to be considered murder, but to wantonly kill an individual for the sake of killing him for no reason of self defense or for a personal reason was murder. This definition according to the source is still applicable. He complained however, that the Panthers are currently justifying more and more, what may have before been considered murders, as killings in the name of self defense. He indicated that the demise of the Panther philosophies and effectiveness began in his opinion after Huey Newton was sent to jail. He indicated that Seale, Hilliard and Cleaver feel that they are the absolute law and that the locals and all members must comply with their demands. He indicated that he regards them as egotists and this was known by many of the members, but that these members hoped that they would progress or outgrow their extreme egotism as the organization developed, but unfortunately they did not.

COMMITTEE EXHIBIT No. 9
ARTICLES OF INCORPORATION

OF
BLACK PANTHER ORGANIZATION, INC.

SECRETARY OF STATE
IOWA

68 JUL 18 PH 3:02

We, the undersigned, acting as incorporators of a corporation under the Iowa Nonprofit Act, Chapter 504A of the 1966 Code of Iowa, adapt the following Articles of Incorporation for this corporation.

ARTICLE I

The name of the corporation is Black Panther Organization, Inc.

ARTICLE II

The period of its duration is perpetual.

ARTICLE III

The purpose or purposes for which the corporation is organized is to promote, implement and develop the well being of the entire black community in Iowa by assisting this community in the full attainment of its human rights as a minority group in the State and to defend its rights by any and all means necessary as guaranteed and permitted by both the Constitution of the State of Iowa and of these United States. Further, this corporation will promote and develop black power in the community which means the economic, political and cultural control of the black community by Black people.

ARTICLE IV

The address of its initial registered office in the State of Iowa is 1207 11th Street in the City of Des Moines, Polk County, Iowa, and the name of its original registered agent at such address is John M. Manders.

COMMITTEE EXHIBIT NO. 9--Continued

ARTICLE V

The number of directors constituting the initial board of directors of the corporation is twelve (12) and the names and addresses of the persons who are to serve as initial directors are:

NAME	ADDRESS
Michael Harris	725 28th Street, Des Moines, Iowa
Mary Rhem	1620 13th Street, Des Moines, Iowa
Charles Knox	1207 11th Street, Des Moines, Iowa
Beverly Williams	1239 15th Street, Des Moines, Iowa
Harvey Lloyd	1918 E. 17th Street, Des Moines, Iowa
Felicia Woods	948 Walker Street, Des Moines, Iowa
Glen Sellers	826 17th Street, Des Moines, Iowa
Tyron Hilmon	1514 19th Street, Des Moines, Iowa
Erwin Taylor	1540 17th Street, Des Moines, Iowa
Nate Quinn	1323 11th Street, Des Moines, Iowa
Charles Smith	1620 13th Street, Des Moines, Iowa
Sylvester Green	1719 12th Street, Des Moines, Iowa

The board may increase the number of directors by amending the bylaws of the corporation.

ARTICLE VI

These articles may be amended at any annual meeting of this corporation or any special meeting called for that purpose by a two-thirds (2/3) vote of the membership present either in person or by proxy.

ARTICLE VII

These articles of incorporation, together with the bylaws, shall provide the regulation of the internal affairs of the corporation.

COMMITTEE EXHIBIT No. 10

AMERICAN
MASS'S' LINE



Vol. 1, No. 9
Sept. 28, 1970

The proletariat is the greatest class in the history of mankind. It is the most powerful revolutionary class ideologically, politically and in strength. It can and must unite the overwhelming majority of people around itself so as to isolate the handful of enemies to the maximum and attack them. Mao Tse-tung.

Newspaper of the American Communist Workers Movement - (Marxist-Leninist) PG. 5221, Cleveland, Ohio Tel. 861-6949

COMING OCTOBER 1ST:

PEOPLE'S AMERICA
DAILY NEWS!

From corner to corner, the globe is rocking with struggle! The working and oppressed people of the whole world are rising in revolutionary struggle against their oppressors. They are taking up arms, uniting and directing their fire towards their common enemy — U.S. imperialism, Soviet social-imperialism and all their running dogs. **THE PRESENT UPSURGE IS A COLOSSAL EVENT!**

The U.S. monopoly capitalists and their Soviet accomplices have stepped into the shoes of Hitler, Tojo and Mussolini as the most rabid aggressors in history. They are frantically plotting a Third World War in order to preserve their parasitic rule. They have gravely escalated their military provocations, wantonly slaughtering the people at home as

well as abroad. At the same time they are using such political deception as the Rogers "peace" plan in an attempt to create a "global Munich" and deprive the oppressed peoples and nations of the right to resist while guaranteeing the imperialists' right to oppress.

But the world of today is not the world of 1939. The Great Proletarian Cultural Revolution in China, personally guided and led by Chairman Mao, has thoroughly smashed the revisionists' attempts to restore capitalism and has transformed Socialist China into the powerful base area of world revolution and the strong guarantee that the oppressed people the world over will definitely win victory. The United Front of the Indo-Chinese People, based on the victorious armed struggles of the three Indo-Chinese peoples against U.S. imperialist aggression, has been forged with the guidance of Chairman Mao. The Palestinian and other Arab people have overcome every obstacle to advance their heroic struggle against U.S. imperialism, its lackey Israeli Zionism and all their running dogs. The people of Asia, Africa and Latin America have taken up the revolutionary road of armed struggle, and the people of Europe, North America and Oceania have risen in revolutionary storms time and time again in recent months and years. It is certainly true, as our great leader Chairman Mao stated on May 20, 1970, that "REVOLUTION IS THE MAIN TREND IN THE WORLD TODAY!"

Revolution is also the main trend in the United States today! Displaying great heroism, the American working class and people have also refused to lie down before the fascist aggressors, Nixon and Agnew. Instead, they have unleashed such varied and powerful struggles as has never been seen in the history of our beloved country before. Launching strike after strike, the American working class has resolutely opposed the attempts of the trade union hacks to repress their right to rebel and has dealt more and more powerful blows against the criminal rule of the U.S. monopoly capitalist class. The heroic Afro-American people have persisted in rising in massive armed struggle against violent repression. The Puerto Rican people, the Mexican-American people, the Native Indian people, the Hawaiian people and other oppressed nationalities have also risen. The revolutionary youth and students have waged militant struggles against the imperialists' unleashing of aggressive war and in defense of the right to disseminate Marxism-Leninism-Mao Tse-tung Thought. The American women have risen in struggle for democratic rights. All these struggles are rapidly merging into a single revolutionary torrent which will inevitably overwhelm the fascist rule of Nixon-Agnew and the monopoly capitalist class.

On May 20, 1970, Chairman Mao issued the great call and political program of the final stage of world revolution: "PEOPLE OF THE WORLD, UNITE AND DEFEAT THE U.S. AGGRESSORS AND ALL THEIR RUNNING DOGS!" The concrete application of this call to conditions in the United States today is for the American working class and people to unite in revolutionary armed struggle in order to overthrow the fascist rule of monopoly capital, establish the Dictatorship of the Proletariat and bury the exploiters and oppressors of the world's people here in the soil of America. They can prepare for this momentous task only by persisting in the large-scale dissemination of Mao Tse-tung Thought, taking up the weapon of mass democratic struggle and "waging war of annihilation on the cultural front" against the fascist reactionary ideas of the decaying monopoly capitalists and their stooges. It is for this purpose that PEOPLE'S AMERICAN DAILY NEWS has been founded.

Chairman Mao writes: "CAREFULLY SEEK OUT THE ADVANCED EXPERIENCE OF THE MASSES IN A LOCALITY, SUM IT UP AND POPULARIZE IT." This is the guideline for PEOPLE'S AMERICAN DAILY NEWS. If it follows this guideline and steadfastly stands for what is right against what is wrong, PEOPLE'S AMERICAN DAILY NEWS will definitely unite the people to hit at the enemy and will make a major contribution to the final defeat of the monopoly capitalist class.

PEOPLE OF THE WORLD, UNITE AND DEFEAT THE U.S. AGGRESSORS AND ALL THEIR RUNNING DOGS!

—LONG LIVE PEOPLE'S AMERICAN DAILY NEWS!

VICTORY TO THE MASS DEMOCRATIC, ANTI-FASCIST REVOLUTION OF THE AMERICAN WORKING CLASS AND PEOPLE!

CHAIRMAN MAO'S SOLEMN STATEMENT OF MAY 20, 1970 OF THE STRUGGLE OF THE WORLD'S PEOPLE AGAINST U.S. IMPERIALISM!



A new upsurge in the struggle against U.S. imperialism is now emerging throughout the world. Ever since World War II, U.S. imperialism and its followers have been continuously launching wars of aggression and the people in various countries have been continuously waging revolutionary wars to defeat the aggressors. The danger of a new world war still exists, and the people of all countries must get prepared. But revolution is the main trend in the world today.

Unable to win in Viet Nam and Laos, the U.S. aggressors treacherously engineered the reactionary coup d'etat by the Lon Nol-Sirik Matak clique, brazenly dispatched their troops to invade Cambodia and resumed the bombing of North Viet Nam, and this has aroused the furious resistance of the three Indo-Chinese peoples. I warmly support the fighting spirit of Samdech Norodom Sihanouk, head of state of Cambodia, in opposing U.S. imperialism and its lackeys. I warmly support the joint declaration of the summit conference of the Indo-Chinese peoples. I warmly support the establishment of the Royal Government of National Union under the leadership of the National United Front of Kampuchea. Strengthening their unity, supporting each other and persevering in a protracted people's war, the three Indo-Chinese peoples will certainly overcome all difficulties and win complete victory.

While massacring the people in other countries, U.S. imperialism is slaughtering the white and black people in its own country. Nixon's fascist atrocities have kindled the raging flames of the revolutionary mass movement in the United States. The Chinese people firmly support the revolutionary struggle of the American people. I am convinced that the American people who are fighting valiantly will ultimately win victory and that the fascist rule in the United States will inevitably be defeated.

The Nixon government is beset with troubles internally and externally, with utter chaos at home and extreme isolation abroad. The

mass movement of protest against U.S. aggression in Cambodia has swept the globe. Less than ten days after its establishment, the Royal Government of National Union of Cambodia was recognized by nearly 20 countries. The situation is getting better and better in the war of resistance against U.S. aggression and for national salvation waged by the people of Viet Nam, Laos and Cambodia. The revolutionary armed struggles of the people of the South-East Asian countries, the struggles of the people of Korea, Japan and other Asian countries against the revival of Japanese militarism by the U.S. and Japanese reactionaries, the struggles of the Palestinian and other Arab peoples against the U.S.-Israeli aggressors, the national liberation struggles of the Asian, African and Latin American peoples, and the revolutionary struggles of the peoples of North America, Europe and Oceania are all developing vigorously. The Chinese people firmly support the people of the three Indo-Chinese countries and of other countries of the world in their revolutionary struggles against U.S. imperialism and its lackeys.

U.S. imperialism, which looks like a huge monster, is in essence a paper tiger, now in the throes of its death-bed struggle. In the world of today, who actually fears whom? It is not the Vietnamese people, the Laotian people, the Cambodian people, the Palestinian people, the Arab people or the people of other countries who fear U.S. imperialism. It is U.S. imperialism which fears the people of the world. It becomes panic-stricken at the mere rustle of leaves in the wind. Innumerable facts prove that a just cause enjoys abundant support while an unjust cause finds little support. A weak nation can defeat a strong, a small nation can defeat a big. The people of a small country can certainly defeat aggression by a big country, if only they dare to rise in struggle, take up arms and grasp in their own hands the destiny of their country. This is a law of history.

PEOPLE OF THE WORLD, UNITE AND DEFEAT THE U.S. AGGRESSORS AND ALL THEIR RUNNING DOGS!

AMERICAN COMMUNIST WORKERS MOVEMENT (M-L): CALL TO REVOLUTIONARY YOUTH AND STUDENTS!

The U.S. monopoly capitalist class is in control of the economics, politics and culture of America and their agents are threatening and taking fascist action against the working class, the Black and other oppressed peoples, the students and generally democratic sections. Every day the monopoly capitalist agents are busy dishing out one piece of fascist legislation after another -- for instance, the "conspiracy" section of the so-called civil rights law, the anti-strike legislation, laws barring the free distribution of revolutionary literature and barring demonstrations and protest gatherings -- all aimed at justifying the fascist

people. This fascist culture is supported by the monopoly capitalist state machine, the police, the courts and the army. It is here we must hit.

In order to advance the "WAR OF ANNIHILATION ON THE CULTURAL FRONT", THE AMERICAN COMMUNIST WORKERS MOVEMENT (M-L) CALLS UPON ALL REVOLUTIONARY YOUTH AND STUDENTS TO:

- 1) Stand up and denounce in broad daylight all the fascist cultural institutions.
- 2) Bring down the fascist cultural institutions.

fascist police and "special forces" in the armies to be used against our people in order to serve the interests of their masters, the U.S. monopoly capitalist class. They are trying to concoct a fascist mass movement by dressing up police agents and imperialist scum as "workers" and brazenly attacking the revolutionary people. Every day the working and oppressed people are being exploited, bullied and attacked by these fascist agents. In the ideological domain, they are trying to prepare public opinion for the further consolidation of fascism by propagating the decadent theories "all your problems are born in your genes," "overpopulation and pollution cause problems, not the social system of imperialism," "you can't stop fascism because you can't change human nature," and "all trouble is caused by outside agitators," all aimed at blaming the oppressed people for the crimes of the monopoly capitalists. Further, the cultural domain is dominated by the fascist agents through promotion of parasitism, detachment from the people's problems, extreme egotism and indulgence in drugs and sex, decadent idealism and mysticism and other such cultural forms of the dying bourgeoisie. Under these conditions, a dark cloud of fascism is looming all over America, and the U.S. monopoly capitalist class is promoting these backward ideas at an ever-increasing tempo.

In addition, especially since World War II, the U.S. monopoly capitalists have committed wanton aggression against the people of the world in the vain hopes of bringing the economics, politics and culture of the entire world under their control. Because of this they have aroused the bitter hatred of the world's people and have aroused more than fifty People's Wars of national liberation directed against U.S. imperialism and its running dogs and guided and led by the People's Republic of China, Chairman Mao and Mao Tsetung Thought. Since Chairman Mao issued his May 20 Solemn Statement making the great call "PEOPLE OF THE WORLD, UNITE AND DEFEAT THE U.S. AGGRESSORS AND ALL THEIR RUNNING DOGS!" a world-wide anti-U.S. imperialist united front has been developing and the U.S. reactionaries have become isolated in the extreme, even among their own people. Under these conditions they have escalated their bluster about creating a Third World War against Socialist China and the national liberation struggles. Thus the internationalist duty of the American working class and people is very great: to make revolution, in our own country in order to free ourselves and to bury the U.S. imperialists' dreams of war and world hegemony in the soil of America.

Against this dark cloud of fascism and imperialist aggression, the American working class and people have risen up. Since 1967 many struggles have broken out which go to show that the American people will not stand for this growing fascism, such as the Black peoples' struggle against racial discrimination and violent repression, the working peoples' struggle against exploitation and oppression, the youth and student struggles against imperialist war and the decadent bourgeois educational system, the many fights for the right to organize politically and the recent fight to smash the "hard-hat" fascist menace.

American youth and students have already played an important role in dispelling the evil shadow of this dark cloud on our people and bringing rays of Mao Tsetung Thought. Now is the time to increase the struggle to a new level. Now is the time to intensify struggle on the front where imperialism is the weakest, the people are strongest, and the class contradictions the most intense; this is the cultural front. The main content of this struggle is against fascist ideology and culture and against the fascist rules and regulations. It is a political struggle directed toward the seizure of state power. THE AMERICAN COMMUNIST WORKERS MOVEMENT (MARXIST-LENINIST) CALLS UPON ALL REVOLUTIONARY YOUTH AND STUDENTS TO BEGIN "WAR OF ANNIHILATION ON THE CULTURAL FRONT!" It is this front which is playing the leading role in exploiting and repressing our

- 3) Denounce the bourgeois "academic authorities."
- 4) Smash all imperialist films, art, literature, singers, musicians, etc.
- 5) Stand up to oppose all anti-people ideas, especially racist and militarist ideas designed to justify imperialist war and fascist repression.
- 6) Smash the attempts to build a fascist mass movement and militantly resist the attacks of the fascist police.
- 7) Create cultural models which sum up the struggles of the working and oppressed people against the monopoly capitalists and their fascist agents.
- 8) Organize MAO TSETUNG THOUGHT STUDY CIRCLES and MAO TSETUNG THOUGHT PROPAGANDA TEAMS IN ORDER TO BUILD THE ARMED RED GUARD MOVEMENT.
- 9) DEVELOP UNCOMPROMISING HATRED AMONG THE YOUTH AND STUDENTS FOR ALL IMPERIALIST CULTURE AND WIN THEM OVER TO THE MASS DEMOCRATIC ANTI-FASCIST REVOLUTION!

YOUTH AND STUDENTS:

AMERICA BELONGS TO US AND NOT TO THE MONOPOLY CAPITALISTS! THE AMERICAN WORKING CLASS AND PEOPLE ARE OUR PEOPLE AND NOT A SOURCE OF LABOR AND CANNON FODDER FOR THE MONOPOLY CAPITALISTS AND THEIR AGENTS! THE AMERICAN LAND IS OUR LAND FOR US TO EXPLOIT FOR THE BENEFIT OF THE LARGE MAJORITY OF THE PEOPLE, NOT FOR THE U.S. MONOPOLY CAPITALISTS TO ROB AND PLUNDER IN ORDER TO FILL THEIR COFFERS!

YOUTH AND STUDENTS:

FOLLOW THE EXAMPLE OF THE HEROINE MICHELE SHUBERT WHO HAS THROWN OFF HER "CAREER", DENOUNCED THE IMPERIALIST CULTURE, RESOLUTELY INTEGRATED WITH THE STRUGGLES OF THE WORKING AND OPPRESSED PEOPLE AND NEVER FLINCHED FOR A MOMENT IN ATTACKING THE FASCISTS!

YOUTH AND STUDENTS:

FOLLOW THE PATH OF OUR COURAGEOUS, COMRADE STEVE SMITH WHO HAS INTEGRATED WITH THE WORKING CLASS AND HAS TAKEN A LEADING ROLE IN DISSEMINATING MAO TSETUNG THOUGHT, ATTACKING RESOLUTELY THE "HARD-HAT" MENACE AND CARRYING THE FIGHT INTO THE COURTS AND JAILLS!

YOUTH AND STUDENTS:

FOLLOW THE PATH OF THE YOUNG FILIPINO-AMERICAN COMMUNIST WORKER DARRYL AUSTIN WHO HAS CARRIED FORWARD THE GLORIOUS ANTI-FASCIST TRADITION OF HIS FATHERS AND HAS STOOD UP TO UNITE WITH THE ENTIRE AMERICAN WORKING CLASS AGAINST THE COMMON FASCIST ENEMY!!

YOUTH AND STUDENTS:

FOLLOW THE HEROIC EXAMPLE OF THE REVOLUTIONARY YOUTH COMRADE BARBARA CAHN WHO HAS DARED TO STAND UP TO THE FASCIST MONSTERS, REFUSED TO TAKE THE PATH OF PROSTITUTING HERSELF TO IMPERIALISM AND HAS RESOLUTELY DENOUNCED AND EXPOSED THE FASCIST COURTS!

YOUTH AND STUDENTS:

FOLLOW THE GREAT REVOLUTIONARY EXAMPLES OF OUR HEROES AND HEROINES WHO HAVE STOOD UP FOR THE AMERICAN WORKING CLASS AND PEOPLE, FOR THE ANTI-FASCIST STRUGGLE, FOR THE DICTATORSHIP OF THE PROLETARIAT AND FOR OUR BELOVED LEADER CHAIRMAN MAO AND MAO TSETUNG THOUGHT!!

ARISE, ALL YOUTH AND STUDENTS!

BRING YOUR WRATH ONTO THE U.S. MONOPOLY CAPITALISTS AND ALL THEIR FASCIST STOOGES!

SERVE THE PEOPLE HEART AND SOUL!!

BUILD A BRIGHT NEW PEOPLE'S REPUBLIC OF AMERICA ON THE DEAD BODIES OF ALL MONOPOLY CAPITALISTS, FASCIST BROWN-SHIRTS IN THE GUISE OF "HARD-HATS", FASCIST LACKEY POLICE AND COURTS, FASCIST EXPERTS AND SOCIAL FASCISTS!

COMMITTEE EXHIBIT NO. 11



COMMITTEE EXHIBIT No. 11—Continued



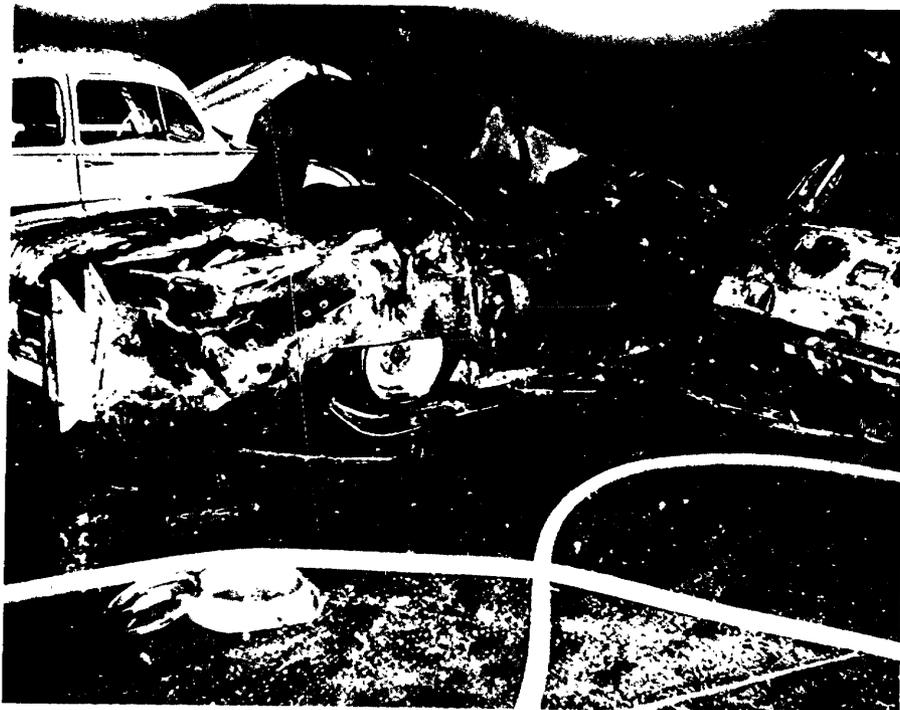
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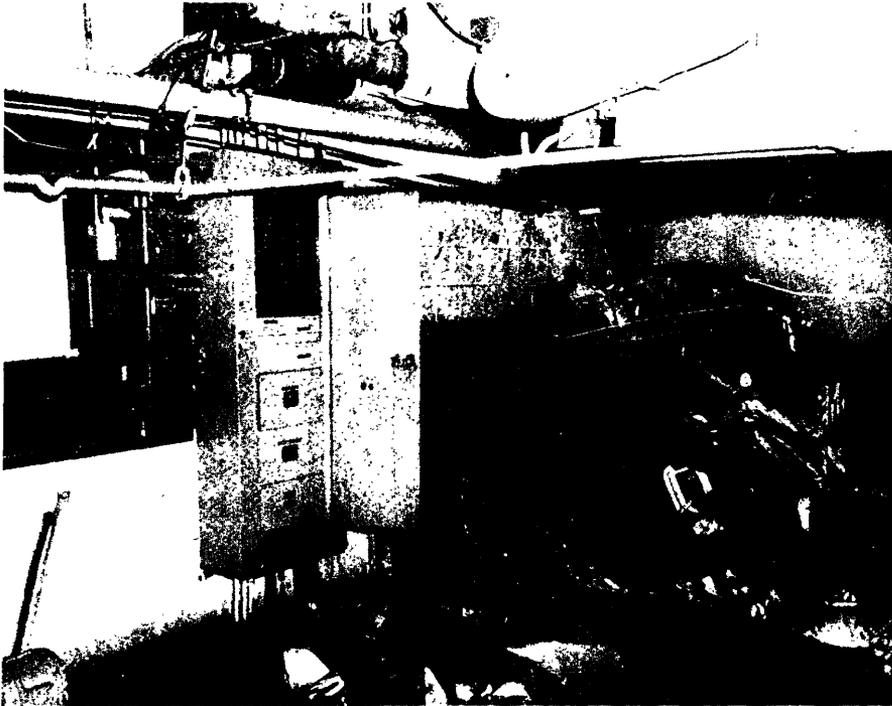
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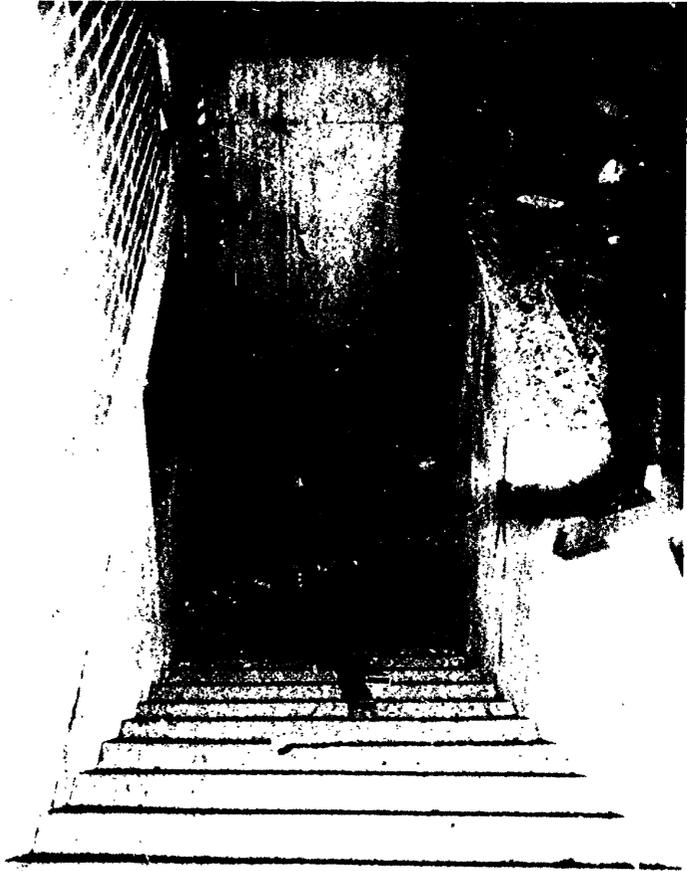
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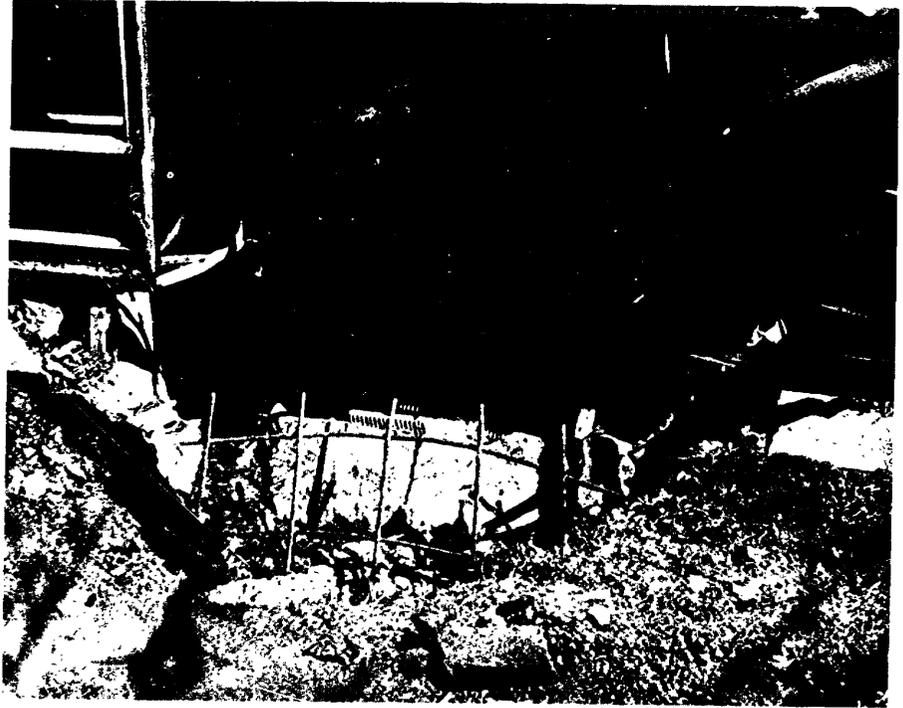
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COMMITTEE EXHIBIT NO. 11 - Continued



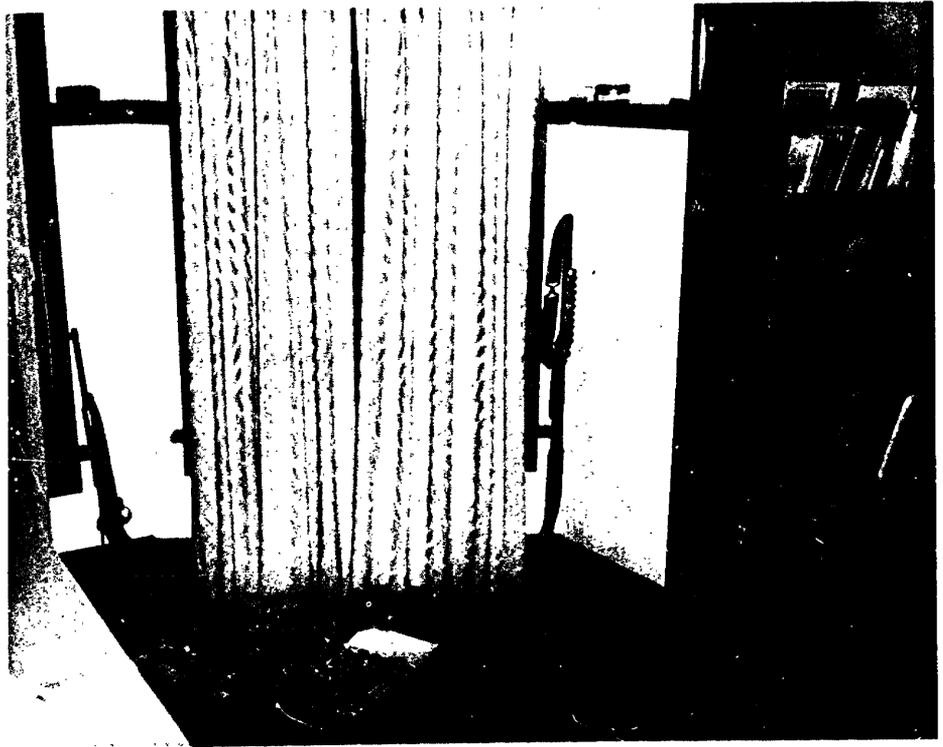
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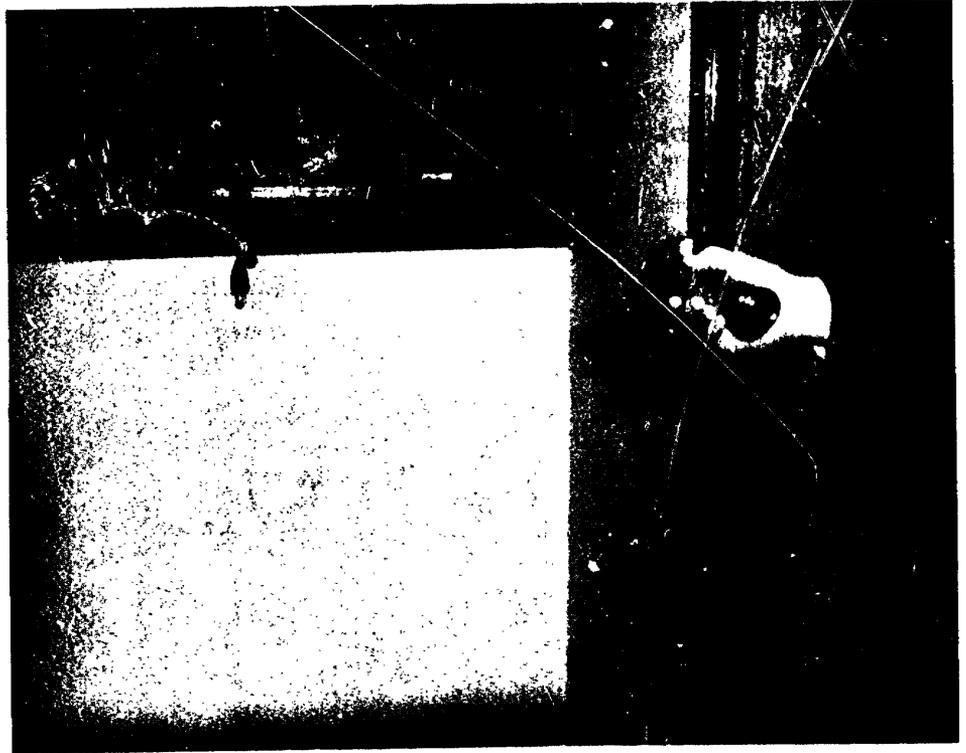
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COMMITTEE EXHIBIT NO. 11 - Continued



COMMITTEE EXHIBIT NO. 11-Continued



COMMITTEE EXHIBIT NO. 12

DES MOINES, IOWA

October 2, 1970

WE WILL COMBAT THIS GROWING FASCISM!ORGANIZE TO CHANGE THE WORLD! Organize To Change The World!The More The REPRESSION --THE GREATER THE RESISTANCE!IT IS RIGHT TO REBEL AGAINST ALL REACTIONARIES!

Again the Fascist authorities of Des Moines unjustifiably harassed the Black Revolutionary Communist Youth by ransacking our apartment while they were not at home (the brothers and sisters were serving the people by assisting with the Free Breakfast Program).

This fascist incident occurred on Friday, morning (October 2, 1970) about 8:30 A.M. Other apartments were raided in the process of the fascists looking for dynamite and blasting caps. Five apartments in total. These degenerates broke out windows, kicked in doors and held 3 sisters by gunpoint as hostages while they searched the apartments (including their children).

About 20 pigs pointing and waving shotguns on the apartment building (including the local (stupid) F.B.I. agents) and the masses trying to intimidate them -- but their efforts were unsuccessful -- the masses showed that they would not be intimidated. The masses of people that gathered around while these fascist attempted to intimidate the Black Communist Youth -- Militantly opposed the fascist action of the Des Moines authorities. Brothers and Sisters begin to shout down the fascist and some exclaimed that "Blood debts to the People" must be paid with Blood".

The fascist also stole the "People's literature" consisting of "Red Books and our "Communist Newspaper -- Mass Line", along with 2 Car-bines (Rifles) and one 270 Rifle. This makes the 2nd time in 3 months that we have been raided in the dumb fascist's so-called search for dynamite and the same guns were taken before.

The fascist imperialists never cease to think that revolution is a conspiracy by a few people, and this is ALWAYS THEIR DOOM. Down with Fascism!

We Communists are not afraid to express our political views and to wage struggle against fascism. Our Politics Are The Politics Of Liberation, (Marxism-Leninism-Mao-Tse-Tung Thought). Our Struggle Is The People's Struggle.

As Chairman Mao Tse Tung has so Correctly said:

"I hold that it is bad as far as we are concerned if a person, a political party, an army or a school is not attacked by the enemy, for in that case it would definitely mean that we have sunk to the level of the enemy. It is good if we are attacked by the enemy, since it proves that we have drawn a clear line of demarcation between the enemy and ourselves. It is still better if the enemy attacks us wildly and paints us as utterly black and without a single virtue; it demonstrates that we have not only drawn a clear line of demarcation between the enemy and ourselves but achieved a great deal in our work."

COMMITTEE EXHIBIT NO. 12--Continued

Page 2

"If they (the fascists) fight, we will wipe them out completely. This is way things are: if they attack and we wipe them out, they will have that satisfaction; wipe out some, some satisfaction; wipe out more, more satisfaction, wipe out the whole lot, complete satisfaction.

"If anyone attacks us and if the conditions are favorable for battle, we will certainly act in self-defense to wipe him out resolutely, thoroughly, wholly and completely (we do not strike rashly, but when we do strike, WE MUST WIN). We must never be cowed by the bluster of reactionaries."

"As far as our own desire is concerned, we don't want to fight even for a single day. But if circumstances force us to fight, we can fight to the finish".

The oppressed peoples and nations must not pin their hopes for liberation on the "sensibleness" of imperialism and its lackeys. They will only triumph by strengthening their unity and persevering in their struggle."

We further feel that the fascist attempts to intimidate us have failed for we intend to continue to disseminate Communist Literature (Mao Tse Tung Thought), support the Revolutionary Struggles of the World against Imperialism, and display our "Red Flag" supporting Red China and praising those whose "Blood" has been dripped for Freedom. Dare to Struggle--Dare To Win!!

Advance Peoples Struggle!

For Obtaining More Revolutionary Literature Contact: Charles Knox
or Mary Rhem
1416 University
2nd Floor

Also: We will be starting Marxist-Leninism-Mao Tse Tung - Study Groupss

For Study Group Information: Contact The Above.

Revolution Is The Main Trend In The World Today.

COMMITTEE EXHIBIT NO. 13

I - Officers of the Omaha Chapter, Black Panther Party. July 1968, when Black Panther Party formed.

President - BOLDEN, Eddie Eugene, M DOB 11 March 45
 Vice President - BOWERS, Veronza, M DOB 4 Feb 46
 Secretary - BOLDEN, Edna Louise F DOB 11 Sept 44
 Treasurer - HOUSE, Rawleigh Bryant M DOB 27 April 47
 Sgt. at Arms - BOOSE, James (NMI) M DOB 5 July 49

II - United Front Against Fascism (UFAF) August 1969-March 1970

Dep. Chairman - POINDEXTER, Edward Allen M DOB 1 Nov 44
 Lt. of Information - RICE, David Lewis M DOB 21 May 47
 Lt. of Education - DAVIS, Louis Jerome M DOB 2 Jan 50
 Defense Captain - PEAK, Frank "Toots" Jr. M DOB 17 July 43
 Lt. of Finance - HOUSE, Rawleigh Bryant M DOB 27 April 47

III - National Committee to Combat Fascism (NCCF) March 1970 - Sept. 1970

Dep. Chairman - POINDEXTER, Edward Allen M DOB 1 Nov 44
 Dep. Minister of Information - RICE, David Lewis M DOB 21 May 47
 Dep. Minister of Education - BRIGHTMAN, Edward Scorpio M DOB 10 Oct 46
 Dep. Minister of Defense - PEAK, Frank "Toots" Jr. M DOB 17 July 43
 Dep. Minister of Finance - HOUSE, Rawleigh Bryant M DOB 27 April 47

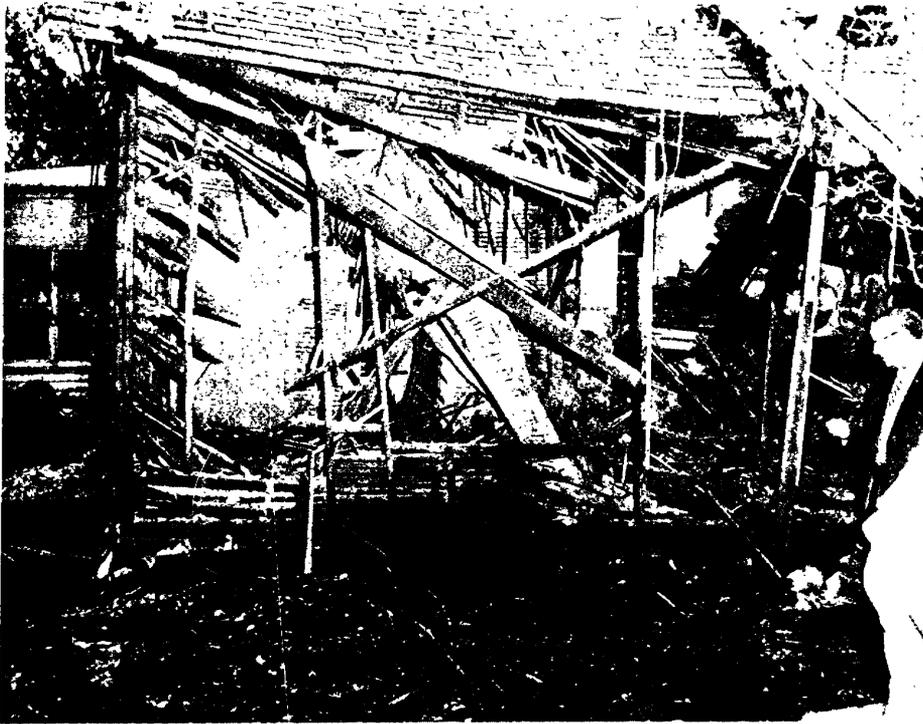
IV - Black Association for Nationalism Through Unity (BANTU)
March 1969 - June 1969, at Technical High School

Chairman - HOUSE, Gary Lynn M DOB 1 July 49
 Dep. Chairman - CECIL, Robert Elmer M DOB 17 April 52
 Min. of Student Affairs - DAVIS, Louis Jerome M DOB 2 Jan 50
 " " " " - GRIFFO, Robert (NMI) M DOB 3 Feb 52
 " " " " - WEST, Robert M 19

COMMITTEE EXHIBIT No. 14



COMMITTEE EXHIBIT NO. 14—Continued



COMMITTEE EXHIBIT No. 14--Continued



COMMITTEE EXHIBIT NO. 14—Continued



COMMITTEE EXHIBIT No. 14—Continued

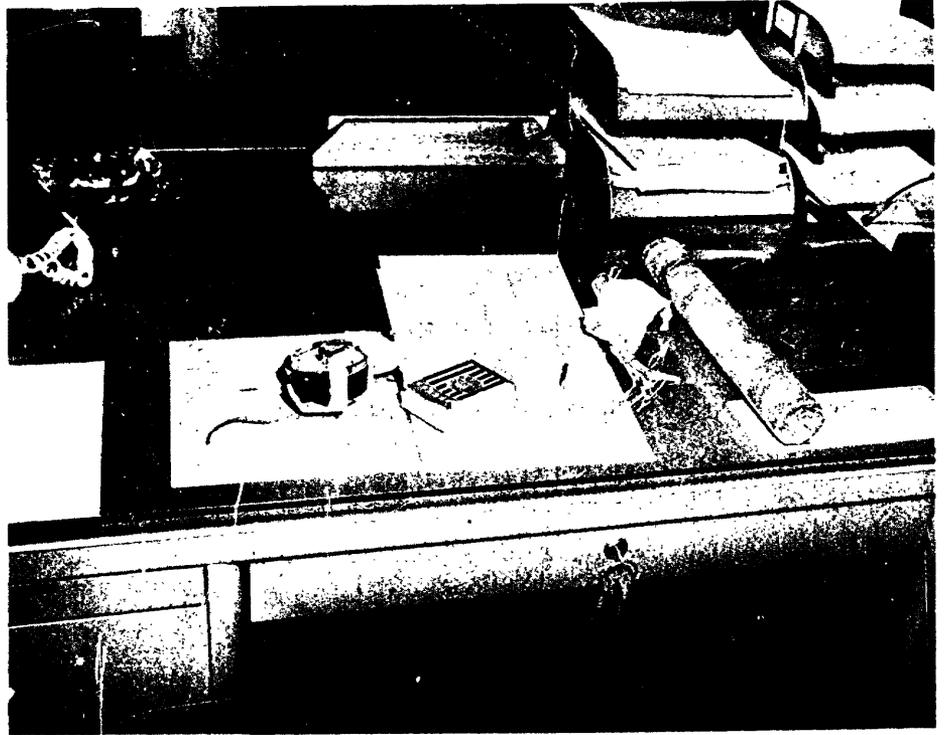


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COMMITTEE EXHIBIT No. 14—Continued



COMMITTEE EXHIBIT NO. 14-Continued



COMMITTEE EXHIBIT No. 15

OMAHA INCIDENTEddie Bolden

- Employed by Omaha OIC as a teacher's aide at \$3,660/yr. salary on June 2, 1969.
- Explosion kills Omaha policeman on August 17, ¹⁹⁷⁰~~1969~~.
- Bolden arrested on suspicion of conspiracy to commit murder on August 23, 1970.
- Bolden suspended by OIC on August 24, 1970.
- Bolden released without being charged on August 26, 1970. Posted \$5,000 bond as a material witness.
- Bolden resigns from OIC, on September 9, 1970.

David Rice

- Employed by Greater Omaha Community Action as a neighborhood worker at \$4,026/yr. salary on February 24, 1969.
- Terminated by COCA Board of Directors on August 11, 1970.
- Explosion kills Omaha policeman on August 17, 1970.
- Rice charged with conspiracy to commit murder on August 23, 1970.
- Federal warrant issued against Rice for unlawful flight to avoid prosecution on August 26.
- Rice surrendered to police on August 27.
- Rice charged with murder and bound over for trial. Court ordered him held without bond, on September 29, 1970.

COMMITTEE EXHIBIT NO. 16

REPORT OF THE BUREAU OF PROPAGANDA TO THE PLENARY SESSION OF THE PARTY

The Bureau accepts the general definition of responsibilities and obligations as well as the organizational structure specified in the addendum to the Party Program and Platform as being a sufficient base from which to develop propaganda and agitation programs.

On the basis of this general definition, the Bureau has developed and submits the following recommendations for specific propaganda action.

The Bureau of Propaganda feels that its first action obligation as well as the first obligation of the Party as a whole will rest with its Press Office in publicizing and propagandizing the existence of the Party and translating the Party program and policy. By means of a carefully planned propaganda campaign this Bureau -- recommends a systematic, constant and continual advancement, clarification and explanation of the Party line and actions while the Party simultaneously consolidates its forces and develops the specific action programs to implement the Party platform.

Since it is not the Party's intention at this time to attract an active membership, the campaign will be geared toward developing the broad support of the community and establishing a degree of reality within the community sufficient to give the Party a meaningful voice and gain the confidence and trust of the masses.

Specifically, the Bureau has worked out various stages to be followed in order to gain maximum advantage from the campaign.

Stage I: In this stage, the Bureau will introduce the Party to the community. Through a multi-leveled attack the Bureau will utilize all means of mass media available to us to intensively publicize and propagandize the existence of the Party and the Party platform and program.

Stage II: When we begin to receive some feedback and reaction to the first stage of the campaign and the existence of the Party is clearly recognized in the community, we will begin Stage II. In this stage specific propaganda will be developed announcing a series of outdoor Party rallies to be held at various points throughout the community.

Stage III: After sufficient propaganda, the Party shall stage a series of outdoor Party rallies in various sections of the community. At these rallies specific points of the program and the directions in which the Party intends to move will be explained. If possible, speakers of national and/or international prominence will be incorporated in the program. Some suggested sights:

COMMITTEE EXHIBIT NO. 16—Continued

Lafayette Park, Arlington Park, Jackson Ave.

Stage IV: At this stage, the Party will be obligated to prove to the community that it intends to act as well as talk. All Bureaus of the Party must therefore be prepared to initiate specific action programs.

The Bureau of Propaganda while continuing its advancement of the Party line will be prepared at Stage IV to initiate and develop the Party's Liberation School for the political and cultural education and orientation of both party and non-party members. All Bureaus should likewise begin implementing their action programs at this stage.

The Research Office of the Propaganda Bureau will stand ready to respond to the needs of any Bureau that requires research in order to carry out specific programs.

COMMITTEE EXHIBIT NO. 17

Results of Interviews and Attempted
Interviews of Black Panther Party
Leaders and Members

The following are reports of interviews or attempts to interview leaders or spokesmen of the Black Panther Party chapters or National Committee to Combat Fascism chapters in Seattle, Indianapolis, Detroit, Milwaukee and Oakland. In each instance Committee investigators identified themselves and explained that the purpose of the contacts was to give Black Panther Party spokesmen an opportunity to furnish information concerning their organization and activities.

On April 22, 1970 Elmer Dixon, Brother of the Defense Captain of the Seattle Black Panther Party chapter was interviewed at Seattle Black Panther headquarters in the presence of several other Black Panther members including a young woman who wrote down in shorthand the questions asked by Committee representatives but not the answers. She identified herself as Alice Green. When the Committee representatives who conducted this interview of Dixon identified themselves, Dixon contacted his attorney, a Philip Burton. Burton telephonically asked the Committee representatives a few questions concerning the intentions of the interview, spoke to Dixon briefly on the phone, and advised Dixon to go ahead with the interview.

Elmer Dixon said the reason the Seattle chapter of the Black Panther Party had decreased in membership was due to a purge necessary to weed out the reactionaries, opportunists and fools in the Party. Dixon said the basic reasons for the members being purged were committing crimes, mistreating the people, and improper explaining of Party philosophy. He added that being arrested or even being convicted does not necessarily prove a person is guilty and does not mean he will be purged from the Party. Dixon said that a lot of people who were arrested claimed to be Panthers and actually are not. He said that the Party tries to investigate such incidents and speak to the people who falsely use the Panther name.

Dixon said that the breakfast program, medical program, and free clothing program of the Party had not been very successful due to a lack of awareness of the people concerning the need and the aims of these programs. He said making them a success is a matter of educating the people. He said that these programs are subsidized through contributions from merchants and citizens; that in many cases the merchants have been very responsive although some of the larger corporations did not make substantial contributions. In one instance stores such as the Safeway chain had been boycotted for this reason. During this boycott the Panther Party tried to make the people aware of the fascist, capitalist nature of the Safeway chain. He said that on no occasions were intimidations or threats made to individuals attempting to patronize the store.

Dixon said that the Party received money from contributions from citizens, from merchants, from sales of the Panther paper, and various other fund raising programs that are put on in behalf of the Panthers. He stated that the Seattle chapter sells approximately 3,000 Black Panther newspapers a week and that the chapter is permitted to keep 12 1/2 cents of the 25 cents selling price. He

COMMITTEE EXHIBIT NO. 17--Continued

said that the Party is able to subsist adequately without many surplus funds. Rather recently they have been having financial difficulties because certain situations have been created by the fascists. He said that the F.B.I. taps Panther phones and in doing this dials long distance numbers that are charged to the Panther telephone bill. Dixon could not furnish any facts to substantiate this statement.

According to Dixon, the Seattle chapter is not currently conducting political education classes because of the small staff of the Seattle chapter and lack of properly oriented members who are capable of educating the people concerning the constant efforts of the fascists to exploit the people. Dixon would not discuss specifically the number of persons considered to be in the Seattle chapter. He did indicate that the average age of the chapter membership was approximately 19 years. Quite a few of the members are recruited from junior and senior high schools and the minimum membership age of the Party has been reduced from 16 years old to 14 years old, according to Dixon.

Dixon said that he is dedicated to the overthrow of the Government by any means. He said he does not think it is possible to work within the framework of the existing Government to create changes. He believes it is impossible to obtain legislation that will help the people because many of the Congressmen and other Government officials have so many stocks and shares of the large corporations of the country that it would be completely against their interests to vote for any legislation that would help the people, because this would mean that they would have to relinquish some of their holdings and stockpiled money obtained by exploiting the people.

Dixon indicated that the medical clinic and the free clothing programs were not very large or very successful at the moment. Plans to expand the medical clinic were contemplated but it currently only serves as a referral service and basic first aid service. Dixon did not comment on how many people make use of these programs at the present.

He views police as a tool of the "fascist, capitalist Government" and their function is to keep people in line so they will not jeopardize the exploitative efforts of the Government. He indicated that there are possibly some police officers who might not be totally opposed to what the Panthers are trying to do and who might be objective when viewing the Panthers. However, he indicated that they had not been spoken with because the Party does not have the time to concern themselves with these individuals. He indicated that the police had only forcibly entered Panther headquarters on one occasion in Seattle. This was during a search for some undescribed stolen property. No further information was obtained from Dixon. Dixon did ask the Committee representatives present during the interview if they represented the fascist Government to which Dixon had been referring. Dixon viewed large corporations as being the forces that exploit and mainly control people and he further indicated that most of these large corporations, etc., are actually controlled by Congressmen and Senators in our Government.

On June 17, 1970 the headquarters of the Indianapolis Black Panther Party was contacted telephonically and a request was made to talk to Deputy Chairman Robert O'Banion and Deputy Minister of Information Donald Campbell. A female answered the phone but refused to identify herself. The female indicated she would inform the leadership of the Committee's interest and would recontact the

COMMITTEE EXHIBIT NO. 17--Continued

Committee investigator if any desire to talk was indicated by the leadership. No such return call was ever received.

On June 21, 1970, telephone contact was made with the Black Panther headquarters in Detroit, Michigan. A female who refused to identify herself answered the phone and indicated in the absence of the leader of that chapter - an individual known as "Malik" - that she could be considered as acting as spokesman for the Party. It was indicated to her that an investigation of the Black Panther Party was then being made in Detroit and the purpose of the telephone call was to afford the leaders of the chapter an opportunity to speak with a representative of the Committee if they so desired. She indicated that she would have to speak with some of the people at the chapter and make a return call to the undersigned. In approximately ten minutes the same unidentified female called back and wanted to know what other chapters had been contacted and if attorneys had been present. This information was supplied to her and she indicated that she did not believe that the Detroit Panther chapter or NCCF branch would be willing to speak with the Committee representative.

On June 29, 1970, members of the National Committee to Combat Fascism were interviewed in the headquarters of NCCF in Milwaukee, located at 2540 No. 3rd St. The individuals interviewed declined to formally identify themselves. One of the individuals who did most of the speaking identified himself as "Brother Jesse" and another one identified himself as "Brother Butch". "Brother Butch" indicated that he had no information to relate to anyone from the pig power structure or any part of the pig power structure. He indicated that if the pig power structure were truly concerned about the activities of the Panthers that they would follow the suit of the Panthers and start feeding needy children instead of carrying on planned genocide against poor black people. He indicated that he would not give any information which would in any way help the pig power structure carry out its planned murder on members of the Black Panther Party. "Brother Butch" indicated that he believes the pig laws are intolerable in this country and the country is becoming a complete fascist state and is attempting to keep all people trapped in the black colonies of the cities. "Brother Butch" indicated that if the Government cared anything about the people it would stop sending missiles and rockets to the moon and start helping needy people. He had no faith or hope in the possibilities of working from within the present Government structure. He considered the Milwaukee Police to be totally useless and corrupt. He stated because of oppression and fascism that has grown and developed since the death of Martin Luther King, that King's slogan "We Shall Overcome" has now by necessity been changed to "We Shall Overthrow". "Brother Butch" indicated that the city of Milwaukee and other cities like Milwaukee were run by the KKK, John Birchers and Eagles.

In Milwaukee, Wisconsin, on June 26, 1970 an attempt was made to interview a former Black Panther Party member. He was contacted telephonically at his home and asked if he would be agreeable to discussing his experiences in the Black Panther Party. He said he is no longer a member of the Black Panther Party but declined to discuss any activities of the Party members for two reasons. The first was that he believed that the only purpose his testifying or speaking to any members of the Committee would serve would be to give Congressmen information that would help them in making laws that would enable the power structure to legally kill Panthers. He also considered it being disloyal to his people and to the black community. The second main reason was that if it were found out that he did supply information to the Committee he "would probably get his brains blown out".

COMMITTEE EXHIBIT NO. 17--Continued

He did indicate, however, that people are getting out of the Party because they are fed up with the fact that the Party is really unable to help the community. This is because it cannot gain support to carry out its breakfast program and other community help plans. It is not able to raise money because of the apathetic sector in the black and white communities and also because of the attacks launched on the Party by the power structure and the "pig" newspapers. He indicated that the breakfast program had been one of the worst things that the Party had ever done. He said it would be better if they had never started them, because of the fact they have been more or less of a failure. He felt that the good thing that the Panthers had done is advocating that political power is obtained through the barrel of a gun. They have scared and shocked a lot of people into becoming aware of the situation that the blacks face, and given thought to subjects they would not normally consider thinking about. He felt that the breakfast program had given the Panthers a bad name and caused arguments and leadership problems. He felt that the Party was still very necessary because of the increasing trend toward fascism and repression in the United States.

On August 26 and 27, 1970 attempts were made to interview Fr. Earl A. Neil, St. Augustine Episcopal Church, Oakland, Calif. Fr. Neil had been identified in the Black Panther Party newspaper as Minister of Religion of the Black Panther Party. Telephonic attempts to contact Fr. Neil at St. Augustine's Church and at his residence met with negative results. Phone messages were left with his secretary indicating who wanted to speak with Fr. Neil and what the purpose of the call was. It was promised the message would be given to Fr. Neil and Fr. Neil would contact the Committee representative. No such return call was received.

On 8/27/70 the Black Panther Party National Headquarters at 1048 Peralta St., Oakland, Calif. was contacted telephonically. A male answered the telephone and was asked to place the representative of this Committee making the call in contact with the person in charge. The individual who answered the phone said he was in charge but said the Committee representative should contact the Black Panther Party attorney to obtain any information. This man said that his name is "William Williamson" and he had no title because he "didn't relate to titles".

COMMITTEE EXHIBIT No. 18

September 28, 1950

National Officers
Black Panther Party
1043 Folsom Street
Oakland, California 94607

Dear Sirs:

A sub-committee of the Committee on Internal Security is conducting an investigation and holding public hearings concerning your organization under authority of the attached resolution.

The Sub-committee wishes to give representatives of your organization the opportunity to submit a statement with respect to the subjects of inquiry set out in the last paragraph of the resolution.

Any statement you submit will be considered for inclusion in the hearing record and should be directed to the Chief Counsel of the Committee on Internal Security.

Very truly yours,

Richardson Preyer,
Chairman, Sub-committee

PLEASE FURNISH RETURN ADDRESS ON ALL CHECKED BLOCK(S).
 RETURNED TO ADDRESSEE (only if required)

Show to whom sent and return when delivered Deliver ONLY to addressee

RECEIPT
 Receipt of the numbered article described below.

REGISTER NO. 221855
 REGISTERED NO. [Signature]
 NAME OF ADDRESSEE (must always be filled in)
 NUMBER OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED 9-28-50
 SIGNATURE DELIVERED (only if required) [Signature]

128-10-7150-11 2-1-50

5049

COMMITTEE EXHIBIT No. 19



BLACK PANTHER PARTY
National Headquarters
1048 Peralta Street
Oakland, Calif.
Photo taken 8/26/70

COMMITTEE EXHIBIT NO. 19-Continued

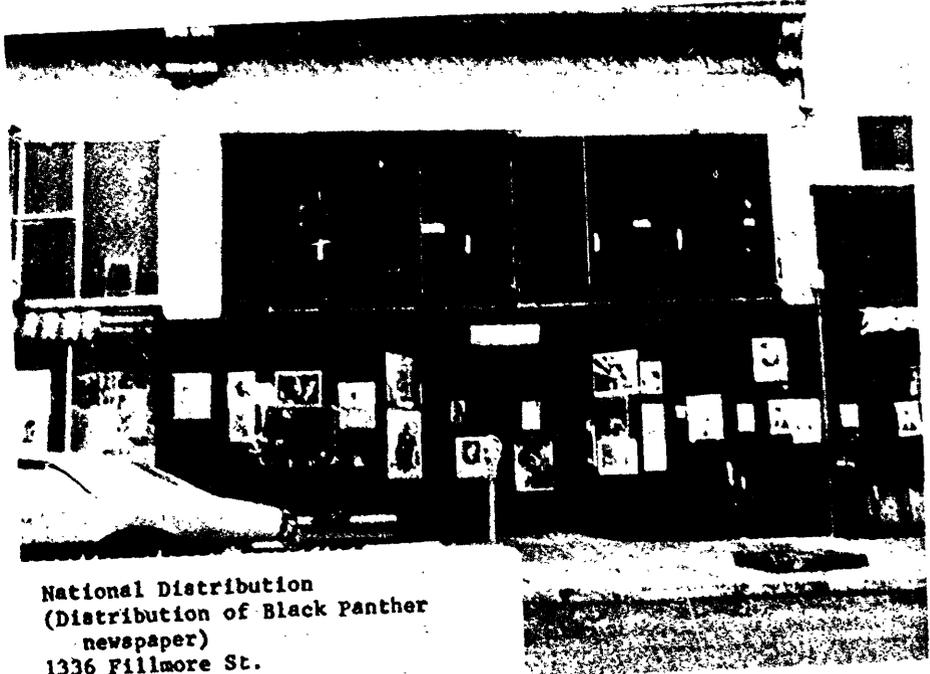


COMMITTEE EXHIBIT NO. 19—Continued



National Headquarters
National Committee to Combat Fascism
3106 Shattuck
Berkeley, Calif.
Photos taken 8/26/70

COMMITTEE EXHIBIT NO. 19.—Continued



National Distribution
(Distribution of Black Panther
newspaper)
1336 Fillmore St.
San Francisco, Calif.
Photo taken 8/26/70

COMMITTEE EXHIBIT NO. 20A

BLACK PANTHER PARTY NATIONAL LEADERS

BIOGRAPHICAL DATA

Andrew Eugene Austin was born on July 28, 1946, in Tampa, Florida.

Kathleen Cleaver, nee Neal was born on May 13, 1945, in Texas.

Leroy Eldridge Cleaver was born on August 31, 1935, in Little Rock, Arkansas.

Emory Douglas was born on May 24, 1943, Michigan. Douglas received an Associate in Arts degree from San Francisco City College and has listed his occupation as "free lance artist".

Judi Douglas, nee Graham, was born on June 29, 1948, in Chicago, Illinois. She is the wife of Emory Douglas.

Raymond "Masai" Hewitt was born on March 12, 1941, in Los Angeles, California.

David Hilliard was born on May 15, 1942, in Mobile, Alabama. He attended McClymonds High School in Oakland, California and has been employed in the past as a longshoreman by the Pacific Maritime Association in San Francisco.

Patricia Sue Hilliard, nee Sparks, was born on August 3, 1944, in California. She is the wife of David Hilliard.

Marian Hilliard was born on March 19, 1941, Montana. She is the wife of Roosevelt Hilliard.

Roosevelt Hilliard was born on January 16, 1937, in Jackson, Alabama. He attended Oakland Technical High School, Oakland, California and dropped out in the ninth grade to join the U. S. Air Force. He received an honorable discharge on September 30, 1957.

Eibert Emcy Howard, popularly known as "Big Man", was born on January 5, 1938 in Chattanooga, Tennessee.

Samuel Lee Napier was born on February 26, 1938, in Tulsa, Oklahoma.

Huey Percy Newton was born on February 17, 1942, in Louisiana. He received an Associate in Arts degree from Merritt Junior College, Oakland, California.

COMMITTEE EXHIBIT NO. 20A—Continued

Melvin David Newton was born December 17, 1937, in Louisiana. He is the brother of Huey P. Newton.

Bobby George Seale was born on October 22, 1936, in Dallas, Texas. He graduated from Berkeley High School, Berkeley, California in June, 1961 and attended Merritt College, Oakland, California intermittently from September, 1961 to June, 1964. He was not re-enrolled because of poor scholastic standing. He enlisted in the U.S. Air Force in March, 1955 and was given a bad conduct discharge in February, 1959. He is married to Artie Seale, nee McMillan.

John Henry Seale was born on September 28, 1939, in Beaumont, Texas.

COMMITTEE EXHIBIT NO. 20B

BLACK PANTHER PARTY LEADERS

ARREST RECORDS

(Minor traffic arrests and cases not adjudicated are omitted)

ANDREW EUGENE AUSTIN

On 6/29/68 Austin was charged with assault with a deadly weapon in Oakland, California. He was sentenced to 18 months' probation, an \$80 fine, and \$20 costs, on a guilty plea.

On 5/31/70 Austin was arrested in San Francisco on a charge of making obscene statements in public. The charge was reduced to disturbing the peace and Austin was sentenced to one day in jail.

LEROY ELDRIDGE CLEAVER

On 1/13/50 Cleaver was sent to the Fred C. Nelles School for Boys, Whittier, California, by the Los Angeles Juvenile Court on a charge of burglary and petty theft. He was paroled in May, 1951.

He was arrested again in October, 1952 on a narcotics and delinquency charge and was placed in custody of the Preston School of Industry, Ione, California. He was paroled in December, 1953.

Cleaver was arrested in Los Angeles on 2/13/54 on a narcotics charge and on conviction was sentenced to 6 months to 10 years in prison. He was paroled on 12/3/56.

On 11/3/57 Cleaver was arrested in Los Angeles for assault with intent to commit murder, assault with intent to commit rape, assault with a deadly weapon, and parole violation. He was sentenced to 6 months to 14 years on four counts to run concurrently with his previous unexpired term. He was paroled on December 12, 1966.

On 5/2/67 he was arrested with Black Panther Party members for participation in the forceful entry of the California State Legislature at

COMMITTEE EXHIBIT NO. 20B - Continued

Sacramento but was released on instructions of the District Attorney.

On 4/6/68 Cleaver was arrested for allegedly participating in the shoot out with officers of the Oakland Police Department. He was charged with 2 counts of attempted murder and 2 counts of assault on a police officer. His parole was revoked and he was returned to prison. On 6/12/68 he was released on \$50,000 bail. He jumped bail and is currently a Federal fugitive on an interstate flight to avoid prosecution charge.

DONALD LEE COX

On 6/5/57 Cox was arrested in Oakland, California for stealing mail sent to charitable organizations. He was a postal employee in Oakland at the time. On 7/11/57 he pleaded guilty to this charge and was given one year probation by U.S. District Court, San Francisco.

On 6/27/68 Cox was arrested in Richmond, California, for curfew violations and carrying a concealed weapon. The curfew charges were dropped and a plea of guilty was entered concerning the concealed weapon charges. Cox received a \$250 fine.

On 4/28/69 Cox was arrested on a charge of battery against a police officer in San Francisco. On 5/16/69 charges were dismissed by motion of the District Attorney.

EMORY DOUGLAS

On 5/7/60 Douglas was arrested in San Francisco on a charge of roaming the streets late at night without visible or lawful business. The charge was dismissed.

On 9/25/60, Douglas was arrested in San Francisco, California for being part of a crowd which failed to disperse on the order of a police officer and for a violation of juvenile probation regulations. He received a sentence of 6 months' probation. On 11/5/60 he was referred to Juvenile Court on a malicious mischief and delinquency charge. He was referred to

COMMITTEE EXHIBIT NO. 20B -Continued

the California Youth Authority and was paroled from the Youth Authority on 11/13/61 and discharged from parole on 6/27/63.

On 5/2/67 Douglas received 10 days in the County Jail, Sacramento, and 2 years' probation for his participation in the Black Panther "invasion" of the California State Legislature in Sacramento on May 2, 1967.

On 5/25/67 he was arrested in San Francisco on charges of threatening with a weapon and disturbing the peace. The charges were dismissed on motion of the District Attorney.

On 8/21/69 he was arrested by the San Francisco Police Department for battery against a police officer. He was given a 1 day suspended sentence and 1 day probation.

On 4/14/70 he was arrested at New Haven, Connecticut for contempt of court and was sentenced to 6 months in jail.

RAYMOND HEWITT

On 9/10/68 Hewitt was arrested in Los Angeles, California for possession of a loaded weapon in a motor vehicle. He received a 90 day suspended sentence, 12 months' probation and a \$100 fine.

On 5/21/69 he was arrested in Los Angeles on a conspiracy to riot charge. The charges were dropped.

He was arrested in Chicago, Illinois on 2/24/69 on a charge of "threat to take plane to Cuba." The charge was dismissed.

DAVID HILLIARD

On January 1, 1968 Hilliard was arrested in Oakland, California for giving false information to a police officer. He received a \$46 fine and 5 days in jail on a lesser charge of failing to obey a signal and failure to possess a driver's license.

On April 15, 1970 Hilliard was held in contempt of court in New Haven, Connecticut and sentenced to two months in jail.

COMMITTEE EXHIBIT NO. 20B - Continued

ROOSEVELT HILLIARD

Hilliard was investigated for assault with a deadly weapon on 9/9/62. He received a \$157.50 fine and 3 years probation.

On 8/11/69 he was arrested in Berkeley, California for possession of narcotics. The charge was dismissed.

ELBERT HOWARD

Howard was arrested on 2/26/67 in Oakland, California for disturbing the peace, profanity and failure to yield to an emergency vehicle. The last charge was stricken and he was found not guilty on the others.

HUEY PERCY NEWTON

On 3/2/63 Newton was arrested for petty theft. The charge was dismissed. On 3/4/64 he was charged with burglary. The charge was dismissed.

On 6/11/64, Newton was arrested for assault with a deadly weapon in Oakland, California. He received a 6 month term in the Alameda County Jail plus 3 years' probation.

On 3/18/66 Newton was arrested for battery against a police officer in Oakland and received 2 years continued probation.

On 5/22/67 Newton was arrested for drawing or exhibiting a firearm or deadly weapon, using profane or obscene language, and displaying a dangerous weapon. He received 5 days in the County Jail on each of the following counts: brandishing a weapon, disorderly person, and possession of a deadly weapon.

On 6/4/67 Newton was charged with resisting arrest in Richmond, California and received a sentence of 60 days.

On October 28, 1967 Newton was involved in an incident in which he was charged with shooting an Oakland Policeman. He was charged with murder, assault with a deadly weapon on a police officer, and kidnapping. As a result of these charges Newton was sentenced to 6 months to 15 years

COMMITTEE EXHIBIT NO. 20B - Continued

for manslaughter. He was released on 8/4/70 when his conviction was overruled on appeal.

BOBBY GEORGE SEALE

On 2/8/55 Seale was arrested for theft and possession of lost property in Los Angeles, California and turned over to Juvenile Court.

On 3/4/58 Seale was arrested in Oakland, California on a charge of investigation concerning a burglary. He was released without a complaint being filed.

On 6/26/58, while in the Air Force, Seale was charged by military authorities with using "disrespectful language to an NCO and being drunk and disorderly in station." He received 6 months confinement and a bad conduct discharge.

On 3/17/66 Seale was arrested for battery on a police officer in Berkeley and received a term of one year probation.

On 5/2/67 Seale was arrested for his participation in an incident in which the Panthers forcibly entered a session of the California State Legislature bearing weapons. As a result of this he received a sentence of 90 days in jail and 3 years probation. His probation from previous sentence was revoked and he received a 5 month term in Alameda County Jail.

On 5/23/68 Seale was charged with bringing firearms into jail and received a 3 year suspended sentence and 3 years probation.

On 3/25/69 Seale was arrested on a charge of conspiracy to violate the Federal Anti-Riot Act as a result of his alleged participation with the "Conspiracy Eight" in the disruption of the 1968 Democratic Convention. He was sentenced to 4 years in jail for repeated counts of contempt of court because of his misconduct during the "Conspiracy" trial in Chicago. On 10/19/70 the conspiracy charges against Seale were dismissed at the request of the U. S. Attorney.

COMMITTEE EXHIBIT NO. 21

The following information concerning the Black Panther Party was included in a speech delivered by Assistant to the Director William C. Sullivan, Federal Bureau of Investigation, on October 12, 1970, at the United Press International Conference, Williamsburg, Virginia.

The vanguard of black extremism today is the Black Panther Party with its demonstrated proclivity for violence. The party was founded in 1966 ostensibly as a self-defense group against police officers. It has, however, been constantly on the offensive in keeping with its battle cry of "off the pigs"—Panther jargon for "kill the police". According to Panther thinking, the police are the first target in the program for "liberation" of the black community and the violent destruction of white America.

The Panther propensity for violence is well documented. On April 21, 1967, four carloads of Panthers, some armed with shotguns, rifles, and sidearms, appeared at the County Administration Building, Martinez, California, to demand an audience with the sheriff in connection with the shooting by police of a young black caught in the act of breaking into a liquor store. On May 2, 1967, some 25 Panthers carrying loaded rifles, shotguns, and pistols invaded the California State Assembly to protest the introduction of a bill outlawing the carrying of loaded weapons in public.

In August, 1967, Panther Minister of Defense Huey Newton in a press interview by "Ramparts" magazine republished in the "New York Times," was asked if he would kill an officer of the law. His answer was an unqualified yes. His intention was underscored two months later when he was involved in the first Panther killing of a police officer and the wounding of another. Newton's conviction in the Oakland officer's death was later overturned and he is presently free on bond pending pretrial hearing in connection with a possible new trial. Eight other police officers have been killed in Panther violence, making a total since 1966 of nine officers killed and 48 wounded at the hands of Panthers.

In 1969 one police officer was killed by a Panther firing a shotgun at point-blank range as the officer lay wounded and helpless on the ground. On August 12, 1970, an Omaha, Nebraska, police officer was literally blasted to death by an explosive device placed in a suitcase in an abandoned residence. The officer had been summoned by an anonymous telephone complaint that a woman was being beaten there. An individual with Panther associations has been charged with this crime.

On September 16, 1970, the New Orleans Police Department attempted to investigate the savage beating of two police undercover agents by Black Panthers. Police were met with gunfire from Panther headquarters and only after returning fire and using tear gas were the police able to enter. Fifteen Panthers were arrested and charged with attempted murder. Many shotguns, rifles, and thousands of rounds of ammunition were recovered by police.

In Toledo, Ohio, on September 18, 1970, a police officer was killed by a Panther member shooting at point-blank range through a police van window. While apprehending the assailant, police were fired on by individuals in Panther headquarters. Armed with a search warrant, police later searched the Panther office and found three rifles, three shotguns, expended cartridge shells, much live ammunition, and some explosive materials. Generally omitted in press accounts was the fact that a judge was on the scene observing police and Panthers alike and issuing a search warrant for police entry into Panther headquarters.

While compiling a lengthy record of violence against authorities, the Panthers claim that they are being victimized by the police. Their attorney claimed, for instance, in December, 1969, that 28 Panthers had been killed by police officers since 1966. This false figure is still publicized by the Panthers despite the attorney's later reduction of the figure to 20. But even that figure is false. Of the 20, 10 were killed in gun battles with police. Of the other 10, four were killed by rival black extremists; two by unknown individuals; one by a store owner in an attempted holdup; one by his wife for consorting with a female Panther; one as a result of barbiturate intoxication, and the tenth, Alex Rackley, allegedly by fellow Panthers, one of whom has been convicted on a murder conspiracy charge in Rackley's death.

Panthers deny association with or responsibility for criminal activities. But, in 1969, alone, some 350 Panthers were arrested for serious crimes such as murder, armed robbery, rape, bank robbery, and burglary. In addition, police have found in Panther custody hundreds of firearms, including machine guns, sawed-off shotguns, rifles, pistols and grenades, as well as thousands of rounds of ammunition.

Hate-type of propaganda of the Panthers has included Panther Christmas and greeting cards depicting scenes of Negro youths asking for guns and explosives for Christmas and conducting violent attacks on police. "The Black Panther," the weekly newspaper with almost 150,000 circulation at present, has carried diagrams and discussions of incendiary and explosive devices and has recommended the use of high-powered weapons against police. In the August 21, 1970, issue of "The Black Panther," a warning was issued to police to walk at night in "threes and fours because twos won't work anymore." The article said the Panthers were ready for the police "with everything from lye to lead."

The overwhelming hatred of this Nation expressed openly by the Panthers is evident in their attempts to secure sympathy and support from abroad. Panthers castigate the United States as an imperialist giant trying to oppress freedom-seeking people around the world. Panthers idolize "Che" Guevara, Fidel Castro, Ho Chi Minh, and Kim Il Sung (of North Korea) as revolutionary heroes. Mao Tse-tung's "Red Book" of revolutionary tactics and goals has been revered for providing an "ideological framework" for the Panther Party. Lately, an International Section has been opened by fugitive Minister of Information Eldridge Cleaver in Algeria which has formally accorded the Panthers status as a "liberation movement." Cleaver and various traveling Panther functionaries have recently visited Asian capitals, including Hanoi. Moreover, Minister of Defense Huey Newton, in the "spirit of international solidarity," has offered the Viet Cong an "undetermined number of troops to assist" in the fight against "American imperialism."

Panther anti-Semitism has led to embracing the Arab terrorist movement in a bitter propaganda campaign which charges that Israel is a tool of the "imperialist" United States. The depth of the alliance between the Panthers and the Arab terrorists is described in a scholarly July, 1970, study of the Anti-Defamation League of B'nai B'rith entitled "The Black Panthers." The fugitive Panther official Cleaver is described as embracing and kissing Al Fatah leader Yasser Arafat in Algiers in late 1969. Cleaver, according to the official Algerian newspaper "El Moudjahid," has also stated that "Zionists, wherever they may be, are our enemies."

In the 57 issues of "The Black Panther" published between June 1, 1969, and July 11, 1970, no less than 50 articles or references of an anti-Zionist or pro-Arab terrorist nature were published. Twenty-seven of these articles appeared in the first 21 issues of 1970. The articles appeared under such bold headlines as "Zionism (Kosher Nationalism) + Imperialism = Fascism," and are frequently illustrated by cartoons depicting "Zionism" as a pig, a characterization usually reserved for policemen.

Speaking in the May 19, 1970, issue of the "The Black Panther," a New York City Panther said:

"We are anti-Zionist expansion in the Arab world and Zionist exploitation here in Babylon (United States), manifested in the robber barons that exploit us in the garment industry and the bandit merchants and greedy slumlords that operate ubi our communities."

The recent justification by Arab guerrillas of their hijacking and destruction of jet airliners as "revolutionary acts" is directly akin to the Panther rationale that its criminal acts are political acts immune from retribution.

COMMITTEE EXHIBIT NO. 21 - Continued

In concluding its recent study of the Black Panther Party, the Anti-Defamation League observed.

"In their all-out support of Al Fatah, the Panthers have attacked Israel with the rhetoric of Arab and anti-Semitic alike..." *
 Despite open espousal of Marxist-Leninist revolutionary acts and goals, despite unprovoked physical attacks on authorities, despite stockpiling of weapons and explosives, and despite the criminal records of Panther leaders and members, Panther cries of repression at the hands of a Government "conspiracy" receive the sympathy not only of adherents to totalitarian ideologies, but also of those willing to close their eyes even to the violent nature of hoodlum "revolutionary acts."

Many individuals - commentators, educators, lawyers, clergymen, and socially prominent figures - have either failed or refused to recognize the primarily lawless nature of the Black Panther Party. This is unfortunate for two reasons: First, emotions have been permitted to prevail over facts. Second, the expressions of sympathy and support for the Black Panthers contribute to an atmosphere of contempt for our Nation's foundation of rule under law rather than to positive steps to improve the quality of our national life. Certainly, the torture-death of Alex Rackley, allegedly at the hands of the Black Panthers, should reveal the criminal character of this group.

In May, 1969, Rackley, an apparently dedicated Panther from New York City, stood before a Panther "kangaroo" court in New Haven accused of being a police informant. Scalded with boiling water and beaten almost beyond recognition, he was judged to be guilty. His body was found by police shortly thereafter in a swamp.

After arrests of individual Panthers by local authorities, the gruesome details of the torture-killing eventually brought a strange reaction from some quarters of the academic community. Referring to the defendants in this case, a prestigious educator in April, 1970, asserted publicly that he was skeptical of the chance for black revolutionaries to receive fair trials anywhere in the United States. While he soon moderated his stand by saying that no disparagement of the entire legal system was intended, the modification went virtually unnoticed in the wake of the publicity given to his first statement.

Prior to the New Haven trial, Panther demonstrations against the courts were a direct challenge to the rule of law. Threats were made that violence would break out in the streets in connection with the trial. The city became tense and uneasy. With good reason, too, for the Panthers were well-armed for a showdown with police, looking apparently for a bloody confrontation to draw attention to the trial. This tension was compounded by a vote at Yale University to close the university for a massive rally in sympathy with the Panther defendants.

Fortunately, in an effort to ward off violence, authorities arranged for sufficient law enforcement personnel, National Guard units, and Federal troops to be ready for immediate use in New Haven during the massive Panther rally on the first weekend of May, 1970. The result was that Panther leaders, to whom the array of force was readily apparent, departed New Haven earlier than planned. The show of force definitely kept the disruption to a minimum of sporadic incidents. Yet, some members of the press gave credit where it did not belong.

Obviously disappointed in the effective preparations to control outbursts of violence at the rally, the Panthers soon were to welcome Yale's hosting of a Panther-sponsored Black Student Revolutionary Conference, May 16-19, 1970. This was no ordinary talkfest. Excluding whites and white press coverage of the proceedings, the Panthers set up workshops on urban guerilla warfare, including such subjects as means of sabotaging public utilities as well as the construction and use of explosive and incendiary devices. The conference discussed techniques of attacks on police. Many of the techniques discussed have been used in unprovoked racially motivated assaults on and murders of law enforcement officials.

The trial of the first Panther defendant began in July, 1970. Efforts of the Black Panther Party to create an emotionally charged atmosphere were to be expected. The potential for violence, however, in this volatile situation was increased by the interaction of several factors. These included the attacks on our court system, the massive rally, the revolutionary conference and diverse forms of sympathy and support from numerous sources. Much of this sympathy and support might have been withheld if those who extended it had examined with objectivity the true character of the Black Panther Party.

During the trial ending in the conviction of the first defendant, courthouse rallies in support of the Panthers were an almost daily occurrence. They were calculated to affect the outcome of the trial, an activity repugnant to the idea of a fair and impartial trial. Nevertheless, the rule of law prevailed through the alertness of law enforcement and disruptions were kept to a minimum. And in a turnabout statement the Panther defense attorney acknowledged at a news conference after his client's conviction that "anybody in a minority group can get a fair trial in this state."

The call of the Black Panthers for positive action in the form of force and violence against white society, especially the police, appears to have stimulated elements beyond the Panther membership. In June, 1970, the FBI furnished information to the Detroit Police Department which enabled them to thwart the plans of a group associated with the Black Panthers, the Black Liberation Army Strike Teams (BLAST), to ambush police. The "officer on the beat" has borne the brunt of the black extremists' attacks on our society. Since January 1, 1970, there have been 190 reported instances of racially motivated attacks against policemen, including 17 ambushes. As a result, 21 police officers have been killed and 159 others have been injured. Police have arrested 351 blacks in connection with the attacks, which include 104 assaults, 54 snipings, at least 7 bombings, and 4 incidents of arson.

During August, alone, there were 23 attacks by black extremists against police. These caused the deaths of 5 officers and injuries to 56 others. The terrorist tactics against police lead to the inescapable conclusion that the inspiration, motivation and techniques employed come not so much from the inflammatory rhetoric of the Black Panther Party as they do from its deliberate planning for such violent acts.

In California a group of black extremists were responsible for the August 15, 1970, murder of a state judge sitting in Marin County. Three of the blacks involved were killed at the time. They were eulogized by the Black Panthers as "courageous revolutionaries." Angela Davis, former University of California instructor who had earlier been given sympathetic treatment in some segments of the press, allegedly purchased the guns that were used in the killing of the judge. She has been publicly avowed communist for some years and is now being sought under the Federal Fugitive Act following indictment for murder in California.

Currently, the Black Panther Party is planning a November, 1970, national convention in the Washington, D.C., area. Called the Revolutionary People's Constitutional Convention, it is to be a gathering of "oppressed people," white and black, for the purpose of rewriting the United States Constitution. Last month, in Atlanta, Georgia, the Congress of African Peoples held a conference attended by 2500 black power representatives from 35 states and 21 nations. Dominated by extremists, the Congress established its objective as the creation of programs to destroy any progress toward integration. The Congress called for the establishment of a World African Party which would emphasize disruptive tactics against white institutions, including the police and the military, and stressed training in skills for engaging police in shoot-outs.

* Earlier in the same speech Mr. Sullivan stated:

In August, 1970, for example, an article in the commando newspaper "Fatah" reported a group of Black Panthers from the United States was visiting Jordan to attend a meeting along with representatives of Communist China and North Korea. Moreover, there has been clandestine travel by black extremists, principally Black Panthers, to the Arab countries of the Middle East.

COMMITTEE EXHIBIT NO. 22

National Conference for a United Front Against Fascism

Toward the end of May 1969, the Black Panther Party announced that it was organizing a conference for a "united front against fascism." They also announced that the conference headquarters would be at the same address as the headquarters of the Black Panther Party, 3106 Shattuck Ave., Berkeley, Calif.

The conference was held during the weekend of July 18-20, 1969. Registration for the affair started on July 17, at St. Augustine's Episcopal Church whose pastor, Father Earl Neil, is well known as the Black Panthers' religious adviser. For the purpose of registration, St. Augustine's was staffed by several Panthers and some of their white supporters. About 2500 persons registered as delegates to the conference. Approximately 85% of the persons who attended the conference were Caucasian.

The conference was convened on Friday evening, July 18 at the Oakland Auditorium. Herbert Aptheker, theoretician of the Communist Party of the United States was the keynote speaker. His speech was reportedly long and dull. One point which the veteran Communist emphasized was the necessity for all persons to unite and reject policies of anti-communism. Such policies, he stated, must be rejected in order to combat fascism. According to Aptheker, "the struggle must be massed and the style must be militancy."

Other speakers at the conference included Black Panther leaders Bobby Seale, Ray "Masai" Hewitt, Don Cox, and Kenny Horston; Communist Party leaders Herbert Aptheker, Archie Brown and Roscoe Proctor. Charles R. Garry, the Panthers' attorney on the West Coast also addressed the conference. William Kunstler, the Panthers' attorney on the East Coast delivered a volatile speech in which he judged the murder of a policeman in Plainfield, N.J., by a mob during a race riot to be justifiable homicide. SDS Interorganizational Secretary Jeff Jones, and SDS National Interim Committee members Noel Ignatin and Bob Avakian were the three principal speakers from that organization. Dr. Philip Shapiro of the Medical Committee for Human Rights, a well known Panther supporter, and Dr. Carleton Goodlett, publisher of the Sun Reporter, West Coast treasurer of the New Mobilization Committee to End the War in Vietnam, and delegate to the communist-oriented World Peace Assembly were also featured speakers.

The main theme of the conference was a plea for unity of all of the organizations engaged in what the speakers called the fight against fascism in America. Most of the major speeches asserted that such fascism was being practiced by the power structure in our society. They charged that the government had launched a campaign of genocide and repression against the Black Panther Party, and had imprisoned, brutalized and murdered its members. The white majority in the audience was told that the only way that they themselves could be saved from the clutches of fascism was to launch an anti-fascist campaign designed to save the Panthers.

This anti-fascist campaign was to be in the form of petitions calling for community control of police. It was this issue which eventually led to a split between the Panthers and SDS. The SDSers indicated an unwillingness to circulate petitions calling for community control of police

COMMITTEE EXHIBIT NO. 22--Continued

UFAF conference - 2

in their own white neighborhoods. Eventually Bobby Seale and David Hilliard denounced SDS as having no revolutionary credibility.

Open animosity between the Panthers and the Progressive Labor Party was evident throughout the conference. On Friday night a group of PL members were distributing anti-conference literature outside the Oakland Auditorium. The Panther security force took action, and a shoving and pushing match ensued which resulted in the Panthers confiscating the PL literature. Later in the evening, SDS helped the Panthers to identify PLers in the audience. They were then evicted from the auditorium.

On Saturday morning PL distributed literature which announced that a special meeting would be held at noon at Lake Merritt to formulate plans for eliminating fascism in America. PL charged that the UFAF conference had been organized by the Black Panther Party and the Communist Party so that they might make unprincipled alliances with evil capitalist politicians. PL denounced the Communist Party and their "rotten bosses in Moscow" as international betrayers of the people of the world because they were waging imperialist aggression against the Chinese people.

The PLers who were attempting to distribute the literature described above, were surrounded by the Black Panther security force and told to leave the area. The Panthers also attempted to confiscate the literature. When the PLers resisted, a fight started and soon the entire groups were fighting. The PLers were beaten, and run down the street with the Panthers in hot pursuit chasing and kicking them. The belligerents withdrew when they noticed that the Oakland fire department was attempting to stop the fight.

The two main results of the conference was the plan for a petition campaign calling for community control of police, and the organization of National Committees to Combat Fascism.

An eyewitness account of the conference, and a complete transcript of the major speeches made during the conference are maintained in committee files.

COMMITTEE EXHIBIT NO. 23

Revolutionary People's Constitutional Convention

The Black Panther Party called a mass rally at the Lincoln Memorial on June 19, 1970 to announce the date and place of a Revolutionary People's Constitutional Convention.

Two preparatory conferences have been held, the first at Howard University in Washington, D. C. on August 8 and 9, 1970. That planning session issued a report published in the August 15, 1970 issue of The Black Panther. Each area reportedly picked a regional representative. Twenty one individuals and six "information committees" were listed in the report as contacts for information regarding donations, benefits or other fund raising activity for the Revolutionary People's Constitutional Convention.

The Plenary Session was held at Temple University, Philadelphia, Pa., on Sept. 4-7, 1970. Its purpose was to "bring all progressive forces together for the Revolutionary People's Constitutional Convention, lay the basis and organize the structure for a Revolutionary People's Constitutional Convention," which, they stated would "convene on November 4, 1970."

(The Black Panther, Sept. 5, 1970.)

Estimated attendance at the Plenary Session ranged from 5000-6000 according to the press. A figure of 15,000 was advanced by Zayd Shakur, the Panthers deputy minister of information for the Northeast."

The keynote speaker was Michael Tabor, one of the Panther 21 awaiting trial in New York on charges of conspiring to blow up New York department stores, police stations and railway works. According to press reports, Tabor urged that "everyone dedicate himself to the proposition that the only good pig is a dead pig."

The highlight of the conference was the speech by Huey Newton from which the press was excluded. Advance copies of Newton's speech revealed that the Panther leader stated that "we will change this society. It is up to the oppressor to decide whether this will be a peaceful change. We will

COMMITTEE EXHIBIT NO. 23-Continued

use whatever means are necessary. We will have our manhood even if we have to level the earth."

Ray "Masai" Hewitt, minister of education, Elbert "Big Man" Howard deputy minister of information, Zayd Shakur, deputy minister of information for the Northeast and Afeni Shakur, one of the New York 21, held a press conference at the close of the 3-day affair. The Panther leaders dubbed the affair a "success." They claimed that over 100 pages of proposals for the Revolutionary People's Convention had been submitted to the convention's leadership including "stipulations for a socialist government." When a reporter asked how the radicals would implement their constitution, Hewitt replied - "The same way George Washington did it."

The date for the Revolutionary People's Constitutional Convention to be held in Washington, D. C. has been set for November 27, 28, 29, 1970 in Washington, D. C. Howard University has been mentioned as a possible location although no definite site has been fixed.

COMMITTEE EXHIBIT NO. 24-A

[The Black Panther, October 24, 1970, page 17]

128 PAGES OF REVOLUTIONARY ART



**WE HAVE TO BEGIN TO DRAW
PICTURES THAT WILL MAKE
PEOPLE GO OUT AND KILL PIGS**

**EMORY DOUGLAS
MINISTER OF CULTURE
BLACK PANTHER PARTY**

Our Minister of Culture, Emory Douglas has a new book in printing to be released in the near future. The title is "We will not hesitate to either kill or die for our freedom."

**WE WILL NOT HESITATE
TO EITHER KILL OR DIE
FOR OUR FREEDOM**

**Revolutionary Art
by Emory Douglas
Minister of Culture
Black Panther Party**



Emory illustrates the essence of revolutionary art, "the people", in pictures as well as gives the Black Panther Party's position on revolutionary art.

COMMITTEE EXHIBIT No. 24-B

<u>NAME</u>	<u>NUMBER OF TIMES SIGNED</u>
Betty J. Carter	3
Harvey Carter	2
Helen H. Johnson	1
Glen De Beal	1
Samuel Napier	19
Carolyn Reuben	1
Virtual Murrell	1
Andrew Austin	25
Mrs. Artie Seale	1
Kenny Horston	1
Sol Levinson	1
Jo Ann Mitchell	1
Dorothy Phillips	2
Shirley Hewitt nee Neely	2
Harold Holmes	8
Rose Mary Gross	5
Lucky Jenkins, Jr.	10
Clarence Terry	2
Ellis White, Jr.	5

COMMITTEE EXHIBIT No. 25

BLACK PANTHER PARTY FINANCES

The following information is the result of the Committee's investigation concerning the financial transactions of the Black Panther Party. It concerns Panther bank accounts, certain significant receipts and disbursements, and Federal tax status. Also included is information from a survey conducted by the Committee of certain law enforcement agencies and information concerning CPUSA attempts to aid the Black Panther Party.

BANK ACCOUNTS

Currently, there are two major active bank accounts of the Black Panther Party. One account involves the operations of the Panthers' national headquarters. The other account reflects the financial operations of the Black Panther Party newspaper, doing business as National Distribution.

The account of the Black Panther Party national headquarters, located at 1048 Peralta, in Oakland, California, was opened on April 29, 1968, with a deposit of \$710.50. It has progressively increased in activity to the present. As of October, 1970, this account reflects total deposits of \$171,943.24, and total disbursements of \$172,302.97, with a current overdrawn balance of \$359.73.

The identities of the original signatories of the account are not available at this time. The authorized signatories as of March 5, 1970 were:

Patricia Hilliard -- Financial Secretary
 Roosevelt Hilliard -- Assistant Chief of Staff
 Judith Douglas -- Deputy Communication Secretary
 David Hilliard -- Chief of Staff

As of June 4, 1970, Judith Douglas was deleted as an authorized signatory.

A check drawn against a New York bank in the amount of \$20,000 was deposited to the National Headquarters account on July 30, 1970. This check was made payable to the Black Panther Party Breakfast Program and was noted as "Representing a gift from an anonymous donor." Committee investigation showed the anonymous donor to

COMMITTEE EXHIBIT NO. 25—Continued

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be Paul Moore III of New York City, currently a resident of Berkeley, California. A telegram was sent to Mr. Moore on October 1, 1970, affording him an opportunity to discuss the matter with a representative of the Committee. The Committee was advised by Western Union on October 5, 1970, that the telegram had been delivered to Mr. Moore. He has not contacted the Committee as of this date.

On August 5 and 6, 1970, nine checks were written against this account totaling \$22,121.16. Since the balance was \$20,038.96, the account was overdrawn \$2,082.20. On August 7, 1970 a check for \$2,082.20 from the National Distribution account was deposited to the Black Panther Party national headquarters account to cover the overdraw. One of the checks written on August 5, 1970 was made payable to CASH in the amount of \$20,000, and was endorsed by Patricia Hilliard, Finance Secretary of the Black Panther Party. Mrs. Hilliard received the \$20,000 in cash and immediately purchased a cashier's check for that amount made payable to Jack G. Blue, County Clerk, with the payer identified as Patricia Hilliard.

Mr. William J. Kelley, Deputy Clerk of Alameda County, furnished the Committee a copy of a receipt showing that the \$20,000 cashier's check purchased by Patricia Hilliard had been used as a portion of the \$50,000 bail posted for the release from jail of Huey Newton, Minister of Defense of the Black Panther Party.

On November 25, 1969, an account identified as Black Panther National Distribution was opened with a \$1,000.00 deposit. The original authorized signatories were Samuel Napier, President; Pauline Napier, Secretary; and Judith Douglas, Secretary. On April 3, 1970, Judith Douglas was dropped from her position; Pauline Napier assumed the new title of "Finance"; Naomi Williams was added as Assistant Secretary; Patricia Hilliard was added as Finance Secretary; and

COMMITTEE EXHIBIT NO. 25—Continued

- 3 -

Samuel Napier retained his position as President. On a subsequent date, not indicated, Pauline Napier was dropped as a signatory; Patricia Hilliard became the National Finance Secretary; Naomi Williams became Secretary of Finance; Phyllis Jackson and Karen Williams were added as Secretaries of Finance, and Samuel Napier remained without title designation.

Since its inception, this account has covered financial activities which relate to the Black Panther Party's newspaper. The greater majority of deposits made to this account are by postal and telegraphic money orders, thus precluding immediate identification of the payor. The postal money orders and some personal checks have varied in amounts ranging from several dollars to \$10.00. They include payment for such items as the purchase of buttons, stickers and posters. Amounts of \$7.50 reflect the yearly subscription rate of the newspaper.

The larger deposits received through telegraphic money orders indicate the assessments by the Black Panther Party for newspapers sent to various local areas for sale. A sampling of such deposits during the period of August 10, 1970 to September 10, 1970, but not necessarily covering all receipts due to bank statement overlaps, reveals the following amounts received from throughout the United States, together with the number of telegraphic money orders involved.

<u>CITY</u>	<u>TELEGRAPHIC MONEY ORDER</u>	<u>AMOUNT</u>
Ann Arbor, Mich.	1	\$ 20.00
Baltimore, Md.	2	1,435.00

COMMITTEE EXHIBIT NO. 25—Continued

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<u>CITY</u>	<u>TELEGRAPHIC MONEY ORDER</u>	<u>AMOUNT</u>
Birmingham, Ala.	1	\$ 40.00
Boston, Mass.	2	1,590.00
Charleston, S. Car.	1	51.25
Chicago, Ill.	7	4,192.00
Cincinnati, Ohio	2	312.25 ¹
Cleveland, Ohio	3	524.50
Columbus, Ohio	1	44.00 ²
Compton, Calif.	3	2,475.00
Dayton, Ohio	3	669.00
Denver, Colo.	1	149.00
Detroit, Mich.	1	1,000.00
Flushing, N.Y.	2	3,720.00
Indianapolis, Ind.	1	75.00
Jamaica, N. Y.	4	9,470.40
Little Rock, Ark.	5	290.75
Los Angeles, Calif.	2	1,000.00
Milwaukee, Wis.	3	300.00
Minneapolis, Minn.	1	125.00
New Haven, Conn.*	2	585.75
New Orleans, La.	3	804.00

¹ One telegraphic money order and one personal check signed by Michael Williams, Valley Liberation Front, 808 Medosh Ave., Cincinnati, Ohio

² Personal check signed by Kenneth Anderson, 1091 East Main, Columbus - BPP member.

COMMITTEE EXHIBIT NO. 25—Continued

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<u>CITY</u>	<u>TELEGRAPHIC MONEY ORDER</u>	<u>AMOUNT</u>
Newpor. News, Va.	1	\$ 12.50
Philadelphia, Pa.	5	5,414.60
Portland, Ore.	2	259.38
Seattle, Wash.	2	600.00
Toledo, Ohio	3	802.50
Washington, D. C.	1	972.00
Wilmington, Del.	4	925.00
Winston Salem, N. Car.	<u>3</u>	<u>909.00</u>
Total Cities = 30	72	\$38,758.88

The cost of printing the newspaper was billed to the Black Panther Party by the Howard Quinn Co., a printing establishment in San Francisco. The following amounts were paid by Black Panther Party checks on the dates noted:

August 5, 1970	\$4,558.55
August 12, 1970	6,895.70
August 19, 1970	6,336.45
August 26, 1970	6,052.20
Printing Cost, August 1970 =	\$23,842.90

September 2, 1970	6,226.29
September 9, 1970	5,663.90
September 16, 1970	6,144.89
September 23, 1970	5,624.50

Printing Cost, September 1970 = \$23,695.58³

³ The Committee also ascertained that during the months of December 1969 and January 1970, the Black Panther Party published 9 editions of their newspaper, comprising 856,000 copies, at a total printing cost of \$34,297.00.

COMMITTEE EXHIBIT NO. 25—Continued

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Air freight shipping charges for the newspaper billed by various shippers show a total Black Panther Party expenditure of \$14,399.03 for the four week period of July 17, 1970 to August 16, 1970, and a total of \$16,676.91 for the two week period of August 30, 1970 to September 13, 1970.

It should be noted that the aforementioned printing and shipping expenses do not necessarily reflect the total expenses for the services involved. The Committee's investigation revealed that on occasion a portion of these expenses were paid by the Black Panther Party with a number of small checks endorsed to the business in question, with the balance due paid by a check drawn against the Black Panther Party account.

Since the inception of this account in November, 1969, its financial turnover has shown a progressive increase. Records to date reveal that as of October of this year, covering a period of the previous 11 months, the Black Panther Party has deposited to this one account \$447,817.29 while disbursing \$429,267.27, with a current balance of \$18,550.02.

A third account of the Black Panther Party, identified as the Lodge Association account was opened on July 28, 1969. The signatories were Robert L. Bay, President, and Karen Williams, Secretary. On November 10, 1969, Karen Williams was replaced by Shaila Hampton as Secretary. Karen Williams later became the Secretary of Finance for the Black Panther Party National Distribution account.

COMMITTEE EXHIBIT NO. 25—Continued

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During November of 1969, cash withdrawals were made from the account by Bay, Williams, and Hampton totalling \$3,769.60, leaving a balance of \$17.28. For the next 8 months overall activity was slightly over \$1,000.00. During July 1970 the account was closed by the bank due to inactivity with a balance indicating an over-draw of \$1.23. The one year activity of this account showed total deposits of \$13,101.31 and total withdrawals of \$13,102.54.

Two other bank accounts, identified as Black Panther Party bail fund accounts, in San Francisco, California, were utilized with Dr. Phillip Shapiro as a signator. One, a checking account was closed due to non-payment of service charges. The other, a savings account, has shown no activity since December 26, 1969. It has a current balance of \$39.57. An attempt was made to interview Dr. Shapiro on August 26, 1970; however, he refused to discuss this matter.

RECEIPTS

(1) On May 7, 1970, the National Headquarters of the Black Panther Party received a radiogram from Peking, China, signed by Frank Coe. The text of the telegram stated:

"Wish send you and Huey Newton about \$17,000 from estate of late Anna Louise Strong. Cable me collect, address for receiving check and copy of her will of which I am executor."

(signed) Frank Coe.
One Thai Chi Chan;

Anna Louise Strong, an American who spent most of her life writing books and articles praising the Communist way of life, died on March 28, 1970, of a heart attack in Peking, China, where she had spent the last 12 years of her life.

COMMITTEE EXHIBIT NO. 25—Continued

- 8 -

Miss Strong's membership in the Communist Party and her work on behalf of international communism has been the subject of sworn testimony by at least four witnesses in testimony before the House Committee on Un-American Activities.

Elizabeth Bentley, a member of the Communist Party and admitted participant in a Soviet espionage ring from March 1935 until October 1938, appeared before the House Committee on Un-American Activities on July 31, 1948. Miss Bentley's testimony concerned Communist espionage groups within the United States Government. She identified Frank Coe as a member of the "Silvermaster" espionage group.⁴ Frank Coe also appeared as a witness before the Committee in 1948. He denied that he had ever been a member of the Communist Party, or that he had belonged to the Soviet espionage group.⁵ On August 19, 1964, Senator Karl Mundt revealed that Frank Coe was then a resident of China.⁶

(2) On March 5, 1970, Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, in testimony before the House Subcommittee on Appropriations stated with regard to the Black Panther Party that:

"Upper echelon New Yorkers reportedly are giving legal defense fund benefits for the Black Panther Party. According to articles in the January 16, 1970, editions of the New York Times and the New York Post, the wife of composer-director Leonard Bernstein gave a cocktail party for the Black Panther Party in her home. More than \$10,000 in cash and pledges was collected for the Black Panther Party which was attended by the Bernsteins and guests, including film director Otto Preminger, Mrs. Peter Duchin, wife of the orchestra leader, and Mrs. Sidney Lumet, wife of the film director. Included among the pledges was one by Bernstein himself who promised to donate the proceeds of his next concert, a sum he indicated would be in four figures."

⁴ Hearings Regarding Communist Espionage in the United States Government, July 31, 1948, p. 517.

⁵ Hearings Regarding Communist Espionage in the United States Government, August 13, 1948, pp. 915-927.

⁶ Congressional Record, August 19, 1964, pp. 19752-19758.

COMMITTEE EXHIBIT NO. 25—Continued

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Mr. Abraham Friedman, attorney for Leonard Bernstein, was interviewed by a Committee investigator concerning this reported fund raising for the Black Panther Party. Mr. Friedman stated the gathering at Bernstein's home was a meeting organized by Felicia Bernstein, wife of Leonard Bernstein, for the purpose of raising funds solely for the legal defense of the Panthers. Mr. Friedman supplied the Committee's investigator with a copy of a prepared statement by Leonard Bernstein setting forth the purpose of the January 14, 1970 meeting.

At least one individual who was present at this fund raising affair hosted by the Bernsteins later expressed reservations as to the worthiness of his contribution to the Black Panther Party. Otto Preminger, film director, when interviewed on March 27, 1970 by the Detroit Michigan News about the purpose of the Bernstein meeting, stated he had made a financial contribution to the Black Panther Party before he learned of their aims, and added that he would make no future offerings for the Panthers' cause.

Mr. Hoover, in further testimony before the Subcommittee stated:

"A \$15,000 donation to the Black Panther Party was made in December 1969 by a member of the Committee of Returned Volunteers (CRV), the protest group formed by former Peace Corps members.

Many contributions also have been obtained from individuals, particularly small businessmen who have been pressured to make "donations" to the Black Panther Party for its so-called community projects."

Mr. Hoover also noted that:

"Negro entertainer Dick Gregory, in a public speech on December 10, 1969, stated that he sent \$1,500 to the Black Panther Party, and further commented that it had been reported that the Union Theological Seminary of New York City is considering plans to pledge seminary stocks and bonds in the amount of \$400,000 to be used as bail bond for three of the 'Panther 21'."

COMMITTEE EXHIBIT NO. 25--Continued

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(3) On June 26, 1970, a Committee investigator interviewed a Mr. Victor Harding in his law office in Milwaukee, Wisconsin, concerning an alleged contribution of \$5,000 to the Black Panther Party in Boston, Massachusetts. It reportedly was made by his daughter, Katherine B. Harding, DOB: April 4, 1945. Harding acknowledged she is his daughter, and stated that she had sufficient funds that such a contribution to the Panthers was possible. He further indicated that his daughter had expressed her support of the Black Panther Party and, on one occasion, borrowed \$5,000 from him which she supplied as bail for a group of Black Panthers. Harding also stated that his daughter resided at 262 Western Avenue, Cambridge, Massachusetts.

According to additional information obtained by Committee investigation, Katherine Harding handles finances for the Boston Chapter of the National Committee to Combat Fascism, headquartered at her residence, and is their Minister of Information. On April 6, 1970, she purchased a British Enfield rifle and ammunition in Medford; and did in fact contribute \$5,000 to the Black Panther Party during January of 1970.

A check dated May 28, 1970 in the amount of \$600 drawn upon the HMM Publishing Company, Inc., of Chicago, Illinois, was deposited to the Black Panther Party National Headquarters account. This check was made payable to Jean Genet, was endorsed by him, and counter-endorsed by Patricia Hilliard of the Black Panther Party. The HMM Publishing Co., Inc., is a business enterprise of Hugh Hefner of Playboy magazine. The \$600 check constituted a "turn-down" payment to Genet, in that an article he wrote on the Black Panther Party was, for some unknown reason, not published by Playboy magazine.

COMMITTEE EXHIBIT NO. 25--Continued

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Jean Genet, was interviewed by Liberation News Service during April, 1970. He was described in the published interview as an "incorrigible criminal and unrepentant burglar and social deviate." During the course of the interview, Genet stated that he had on a previous visit to the United States been in Chicago, Illinois, and admitted that on both occasions he had entered the United States illegally, because he could not get a visa. One of Genet's visits was to Chicago, Illinois, during the 1968 Democratic convention. He participated in the related demonstrations on August 27, 1968, and was described as making the most violent anti-United States speech during an art show at the Coliseum.

(4) On August 1, 1968, the Catholic Archdiocese of Baltimore, Maryland awarded grants of \$82,000 to nine neighborhood community organizations to be used for the purpose of "bringing about changes that will eliminate the causes of poverty." One such group receiving an \$8,000 grant from the fund was identified as the Annapolis Community Development Program. It was incorporated on May 2, 1968, with Genevieve W. Beary of Annapolis, Maryland designated as its resident agent and member of the Board of Directors. The principal office of the corporation was located at St. Augustine Catholic Church in Annapolis. The \$8,000 check was made payable to the Project and Mrs. Genevieve W. Beary, its Chairman.

This \$8,000 grant was deposited in an account of the Annapolis Community Development Program on August 5, 1968, with Mrs. Beary designated as one of the signatories. On February 6, 1969 the balance of this account, \$4,836.48, was transferred to a new account under the name of Brotherhood For the Protection of the Poor. Two of the account signatories, Elijah Boyd and

COMMITTEE EXHIBIT NO. 25--Continued

- 12 -

Robert Ford, were known members of the Black Panther Party. On February 23, 1969, this account was closed out by a withdrawal of \$3,500.48 by Boyd and Ford. The money was used to bail out nine members of the Black Panther Party who had been arrested the previous day.

There was no official accounting of any of the expenditures to the Archdiocese nor were activity reports ever submitted for review by the Annapolis Community Development Program. An official of the Catholic Archdiocese of Baltimore was interviewed by an investigator of the Committee concerning the use of the grant. The official stated that once the grant of \$8,000 was made to Mrs. Beary the Archdiocese lacked control or authority over use of the allocated funds. He did state, however, that it was not the Archdiocese's intent that the money go to the Black Panther Party.

(5) On September 30, 1970, check number 820 in the amount of \$12,000, drawn on the Black Panther Party national headquarters account, was made payable to Martin Kenner who subsequently deposited the \$12,000 in a New York Bank account. Kenner, a member of the executive committee of the New York Committee to Defend the Panthers and former leader of SDS, was arrested at Columbia University on May 22, 1968, during a confrontation with police. He was charged with conspiracy to commit murder, riot, and inciting to riot.

On October 27 of this year Martin Kenner; Black Panther Party member Donald Cox; Yippie leader Jannifer Dohrn, sister of the fugitive Weathermen leader Bernardine Dohrn; and Dr. Timothy F. Leary, hallucinatory drug

COMMITTEE EXHIBIT NO. 25--Continued

- 13 -

advocate and escaped fugitive from a California prison, went to Cairo, Egypt where they were denied entrance visas. All were reported to have asylum. Prior to boarding the plane to Algeria, Martin Kenner allegedly told a newsmen "I will not hesitate to kill Richard Nixon or anyone else who stands in the way of freedom."

TAXES

During the period of August 3, 1970 through August 30, 1970, 12 checks totaling \$12,292.70 were converted to cash from the National Distribution account. From September 2, 1970 through September 30, 1970, 15 checks totaling \$11,740 were converted to cash from this account. These checks were endorsed and cashed by Karen Williams, Phyllis Jackson, and Patricia Hilliard.

These withdrawals are significant in that the Black Panther Party to date has never filed any Federal tax forms required of employers. The expenditures from the National Distribution Account do not reflect the issuance of any payroll checks for employees of the Black Panther Party. Since the inception of the Black Panther Party in 1966, the organization has neglected to file with the Internal Revenue Service Form 1120, U. S. Corporate Income Tax Return; Form 941, Employer's Quarterly Federal Tax Return; and Form 940, Employer's Annual Federal Unemployment Tax Return.

On September 2, 1970, the Chairman of the House Committee on Internal Security directed a letter to the Commissioner of the Internal Revenue Service requesting (1) what obligation the Black Panther Party has to file returns, and, (2) if such obligation exists, what steps have been taken by Internal Revenue Service to enforce the obligation.

COMMITTEE EXHIBIT NO. 25--Continued

- 14 -

On October 14, 1970, the Committee was advised by Commissioner Thrower that the Black Panther Party "has not established exemption from Federal income tax with this Service," and further noted that the Black Panther Party has raised the issue "that the organization is a political party claiming that it is not liable for filing income tax returns." Commissioner Thrower also advised Chairman Ichord "that the Black Panther Party and its principals are currently under a full scale investigation by the Service," and "that any tax obligation for which the organization may be found to be liable will be strictly enforced."

SURVEY

In a survey conducted by the Committee in twenty-five cities where the Black Panther Party is presently active, it was reported that nineteen of the groups are barely solvent, five are seriously in debt, and only one is considered in good financial condition.

The principal source of fund raising for these groups was reported to be the sale of the Black Panther newspaper. Other sources of funds were noted as follows:

<u>CITIES</u>	<u>SOURCE</u>
7	member's contributions
11	speeches by Panther leaders on college campuses
10	"passing the hat" at public gatherings (one \$500 collection was noted)
8	church contributions
7	unnamed political organizations

COMMITTEE EXHIBIT NO. 25--Continued

- 15 -

<u>CITIES</u>	<u>SOURCE</u>
2	college groups
5	burglaries and/or robberies
2	extortion
1	sale of narcotics

COMMUNIST PARTY, USA

The Communist Party, USA, began an active campaign in March of 1970 to raise money for the Black Panther Party legal defense and bail funds. Prominent leaders of the Communist Party attended the Emergency Conference to Defend the Right of the Black Panther Party to Exist, held March 7 and 8, 1970, in Chicago, Illinois.

Various officials and prominent members of the Communist Party who were sponsors of, and/or in attendance at, the two-day conference were:

Claude Lightfoot, Chairman of the Illinois Communist Party

Herbert Aptheker, National Committee member of the Communist Party

Danny Queen, former head of the Illinois Communist Party Youth Commission

Dorothy Hayes, Illinois Communist Party

Angela Davis, self-proclaimed Communist Party member

Charlene Mitchell, former Communist Party Presidential candidate

William L. Patterson, New York official of the Communist Party

Ishmael Flory, Illinois Communist Party

Sylvia Kushner, Illinois Communist Party

Franklin D. Alexander, Los Angeles Communist Party

COMMITTEE EXHIBIT NO. 25--Continued

- 16 -

Frances Gabow, Illinois Communist Party

Jay Shaffner, Illinois Communist Party

Jack Spiegel, Illinois Communist Party

Irving Sarnoff, District Council, Communist Party of Southern California

During the course of the conference it was indicated that the people must be informed of the "campaign of repression" being launched by the United States Government against blacks and the "fascist police state" that is evolving in the United States. It was recommended that people through education, leaflets, etc., must be convinced that their preservation is synonymous with winning the battle against repression. The theme recommended by the Emergency Conference was that if the people cannot save the Panthers, then they cannot save themselves.

Subsequent to this conference, a mailing dated September 1970, was distributed by the Continuations Committee of the Emergency Conference to Defend the Right of the Black Panther Party to Exist. It announced an "End Genocide Week" which was to be observed from September 26, 1970 through October 4, 1970 on behalf of the Black Panther Party, and that this appeal would be in the form of a petition to the United Nations. The Committee also solicited funds from recipients of the letter stating: "Funds are absolutely necessary to make this a successful campaign. We must have your help." Signers of the letter were Ossie Davis, actor; Dick Gregory, comedian; and Angie Dickinson. Sponsors noted on the letterhead include a number of officials of the Communist Party, USA.

COMMITTEE EXHIBIT NO. 26

BLACK PANTHER PARTY

3106 Shattuck Avenue (Formerly: 3246 Magnolia St., Oakland, Calif.)
Berkeley, California

<u>1968</u>	<u>RPP</u>	<u>Credits</u>	<u>Debits</u>	<u>Balance</u>
Apr		\$2283 70	\$289 00	\$1994 70
May		9863 54	7941 44	3916 80
Jun		7882 72	11004 03	795 49
Jul		2975 92	3667 02	104 39
Aug		2875 40	1807 39	1172 40
Sep		2316 26	3204 81	283 85
Oct		3165 33	2412 83	1036 35
Nov		1565 31	2804 93	296 73
Dec		3244 59	2356 31	1185 01
<u>TOTAL (4 thru 12, 1968)</u>		<u>36172 77</u>	<u>34987 76</u>	
<u>1969</u>				
Jan		606 35	1495 68	295 68
Feb		910 60	526 60	679 68
Mar		1400 90	1956 14	124 44
Apr		373 15	386 59	111 00
May		2010 13	1899 01	222 12
Jun		1147 48	962 59	407 01
Jul		276 85	453 33	230 53
Aug		1747 06	1765 52	212 07
Sep		5214 73	5419 00	7 80
Oct		891 15	671 05	227 90
Nov		2096 80	2276 63	48 07
Dec		12908 79	4102 02	8854 84
<u>TOTAL (1969)</u>		<u>29583 99</u>	<u>21914 16</u>	
<u>1970</u>				
Jan		2103 02	10580 87	876 99
Feb		2540 84	2038 74	879 09
Mar		11921 29	10970 33	1830 05
Apr		6918 48	4880 07	3868 46
May		9849 32	7557 63	6160 15
Jun		3274 43	7360 64	2073 94
Jul		36464 22	18796 37	19741 79
Aug		17728 88	30736 91	6733 76
Sep		15386 00	22479 49	<u>359 73</u>

171945 24 15302 97

COMMITTEE EXHIBIT NO. 26-Continued

Account # 0105 021331 (Opened April 29, 1968 with a \$710.50 deposit).
 Wells Fargo Bank
 Emeryville, California

AuthorizedSignatoriesTitleAs of March 5, 1970

Patricia Hilliard	Financial Secretary
Roosevelt Hilliard	Asst, Chief of Staff
Judith Douglas	Deputy Communication Secretary
David Hilliard	Chief of Staff

Address:

3106 Shattuck Avenue
 Berkeley, California
 Phone: 465-5043

Business designation: NoneAs of June 4, 1970

Patricia Hilliard	Financial Secretary
Roosevelt Hilliard	Asst, Chief of Staff
David Hilliard	Chief of Staff

Business designation:

None

COMMITTEE EXHIBIT No. 26-Continued

CORPORATION LODGE ASSOCIATION by its duly authorized officers, hereby establishes a B 141
 COMMERCIAL SAVINGS account with WELLS FARGO BANK ("Bank") and it is agreed that said account and all deposits and withdrawals made in connection therewith shall be subject to applicable state and federal banking laws and regulations, to Bank's By-Laws and all present and future amendments thereto, and to all regulations, rules and provisions now or hereafter adopted by Bank with respect thereto.

Bank is hereby authorized to:

- MAIL all statements, notices and vouchers to the address of the undersigned above on Bank's records
- HOLD said statements, notices and vouchers until called for by the undersigned; provided that if they are not called for within 60 days after the availability thereof Bank may, at its option, mail or deliver them to the address of the undersigned above on Bank's records.

Bank is hereby released from any claim, demand or liability arising out of the loss or non-receipt of any statement, notice or voucher mailed or delivered as herein authorized. Depositor agrees to examine carefully all statements, notices, or vouchers, and to notify Bank of any errors or irregularities promptly, and to bring suit within 180 days after said statements, notices, or vouchers have been made available to depositor.

Patricia Hilliard AND David Hilliard
AUTHORIZED SIGNATURE AND TITLE AUTHORIZED SIGNATURE AND TITLE

ADDRESS 3106 Shafter Blvd.

TAX I.D. NO. Beckhol Dy TELEPHONE 465-5047
3-5-68 945-0143

Patricia Hilliard (NAME USE ONLY)
NAME REPRESENTATIVE/ACCOUNT WITH US SINCE ACCOUNT ARRANGED FOR BY
 OPENED BY Patricia Hilliard AMOUNT APPROVED BY Patricia Hilliard

Rock Panther Party ACCT. NO. 0105-021331
(TITLE OF ACCOUNT)

AUTHORIZED SIGNATURES	TITLE
<u>Patricia Hilliard</u>	<u>General Secretary</u>
<u>David Hilliard</u>	<u>Chief of Staff</u>
<u>David Hilliard</u>	<u>Chief of Staff</u>

6/4/70

OFFICIAL CHECK

BANKERS TRUST COMPANY
NEW YORK

401- 341444 ^{L-103}₂₁₀

Represents a gift from an
anonymous donor

DATE

July 23, 1970

AMOUNT

***\$20,000.00**

Twenty 20000 AND 00 CTS

AUG 09 1970
PAY TO THE ORDER OF

****Black Panther Party Breakfast Program****
Black Panther Party
3106 Shattuck Avenue
Berkeley, California 94704

BANKERS TRUST COMPANY

NON NEGOTIABLE
PHOTOCOPY OF
ORIGINAL CHECK

A. T. Pickard
AUTHORIZED SIGNATURE

⑈ 341444 ⑈ ⑆ 0210 ⑆ 0103 ⑆ 00 ⑆ 07004012 ⑈

⑈ 0002000000 ⑈

COMMITTEE EXHIBIT NO. 27

5087

COMMITTEE EXHIBIT No. 27 - Continued

*Blackie Posthum Party Building Program
Blackie Posthum Party
Patricia Hilliard*

NON NEGOTIABLE
COPY OF
CHECK

11-21
WELLS FARGO BANK, N.A.
SAN FRANCISCO, CA.

JL 29 70 838 0550

11-31
NCH
19
FIRST NATIONAL CITY BANK
NEW YORK, N.Y.

U.S.C.

WELLS FARGO BANK
SAN FRANCISCO, CA.

9 2

9.61

COMMITTEE EXHIBIT No. 29

WELLS FARGO BANK

NEW

Patricia Hilliard
PATRICIA HILLIARD

EMERYVILLE OFFICE • EMERYVILLE, CALIFORNIA 94608

NO. 29246

1048 PERALTA ST

August 5

71

1048 PERALTA ST

***** Jack E. Blue, County Clerk ***** 20,000.00

NEGOTIABLE

Patricia Hilliard
11/11/85

CASHIER'S CHECK

⑆011052⑆0005 500000⑆

EMERYVILLE OFFICE • 3850 SAN PABLO AVENUE • EMERYVILLE

WELLS FARGO BANK

PAY TO THE ORDER OF

CASH

DISC. 18%
8-5

Twenty thousand and 00/100

⑆0105⑆02133⑆1

Patricia Hilliard

⑆011052⑆0005 500000⑆

⑆000200⑆

COMMITTEE EXHIBIT NO. 30

August 31, 1970

Mr. Neil Wettermen:

This deposit consisted of two Cashier's checks: one in the amount of \$20,000.00 - payable to Jack G. Blue, County Clerk - and drawn ~~xxx~~ on Wells Fargo Bank - Emeryville Office, 3850 San Pablo, Emeryville, Calif. and the other in the amount of \$30,000.00 - payable to Jack G. Blue, County Clerk - drawn on the Wells Fargo Bank - Crown Zellerbach Office, Market at Sansome, San Francisco, California.

JACK G. BLUE, County Clerk

Wm. J. Kelley, Deputy Clerk

OFFICIAL RECEIPT OF COUNTY CLERK OF ALAMEDA COUNTY
OAKLAND, CALIFORNIA

Date	Receipt No.	Document No.
Aug. 5, 1970	C-30096	41266
RECEIVED FROM	<i>Victoria Holliday</i>	
IN	<i>People vs. Newton</i>	
FOR: "E" _____ Jury Fees and Carfare	\$	
"F" _____ Deposit on Plans and Specifications		
(NOTE: Plans and Specifications MUST be returned for later than _____ or deposit forfeited)		
"G" _____ Deposit in Exchange of Plurc of Trial		
_____ Deposit of Filing or Copying Fee		
_____ Estimated Cost of Clerk's Transcript		
_____ Estimated Cost of Reporter's Transcript		
_____ Miscellaneous Trust Receipts		
9120 _____ State fines Trust fund-pen. assessment		
"H" _____ Deposit in Lieu of Bail	\$	20,000
_____ Deposit in Court		
_____ Cash	Checks	TOTAL
		\$
		50,000

JACK G. BLUE, County Clerk BY *Wm. J. Kelley* Deputy

COMMITTEE EXHIBIT No. 31

MAY

ZCZC NFB3682 SGZ0463 S4C0271

URSF WL CNSX 031

PEKING 51 7 1832

LT

NATIONAL HEADQUARTERS BLACK PANTHER PARTY

BOX 2967 CUSTOM HOUSE

SANFRANCISCO

WISH SEND YOU AND HUEY NEWTON ABOUT SEVENTEEN THOUSAND DOLLARS
FROM ESTATE LATE ANNA LOUISE STRONG STOP CABLE ME COLLECT
ADDRESS FOR RECEIVING CHECK AND COPY OF HER WILL OF WHICH
I AM EXECUTOR

FRANK COE 1 THAI CHI CHANG

COL 2967 1

COMMITTEE EXHIBIT No. 32

COUNTER DEPOSIT SLIP

ACCOUNT NUMBER
 0105 021331

DEPOSITED IN
WELLS FARGO BANK
 NATIONAL ASSOCIATION

DATE 7-1-70

NAME Black Panther Party

ADDRESS _____

LIST CHECKS BY BANK NUMBER	CURRENCY	DOLLARS	CENTS
COIN			
CHECKS			
1-103	1	16,000	---
	2		
	3		
	4		
TOTAL OF CHECKS LISTED ON REVERSE			
TOTAL DEPOSIT		16,000	---

#0105021331

THE ROYAL BANK OF CANADA N° 051645
HASSAU, N.P. (Bermuda Islands)

SEARCH 10/20/70 1-103 210

PAY TO THE ORDER OF Henry Newton U.S. \$ 16,000.00

EXACTLY SIXTEEN THOUSAND U.S. DOLLARS

HE TO A. Lumber MANAGER

BANKERS TRUST COMPANY J. A. Mullings ACCOUNTANT
 NEW YORK, N.Y.

FORM 442 (4-67) 1:0210001031:0101013073

COMMITTEE EXHIBIT No. 33

DEPOSITED IN
WELLS FARGO BANK
 NATIONAL ASSOCIATION
 COUNTER DEPOSIT SLIP

ACCOUNT NUMBER

0	1	0	5		0	2	1	3	3	1
---	---	---	---	--	---	---	---	---	---	---

DATE 8/19/70

NAME Clark F. Hill, Jr.

ADDRESS _____

SIGN HERE FOR LESS CASH RECEIVED _____

CURRENCY	DOLLARS	CENTS
CASH		
CHECKS	4000	
TOTAL OF CHECKS LESS ON ADVISE		
SUB TOTAL		
LESS CASH		
TOTAL DEPOSIT	4000	

DA: 108 (10/00)-225

⑆0105021331⑆

THE ROYAL BANK OF CANADA No 051929

NASSAU, N. P. Bahamas

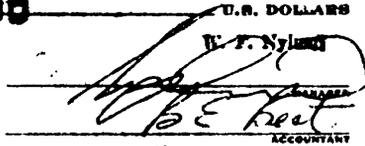
PAY TO THE ORDER OF Huey P. Newton
1 - 100
210

\$ 4 000.00

EXACTLY US\$ 4 000.00

U.S. DOLLARS

RE TO W. F. Nylund
BANKERS TRUST COMPANY
 NEW YORK, N.Y.


 ACCOUNTANT

FORM 6002 (6-67)

⑆0210⑆0103⑆01⑆01013073⑆

COMMITTEE EXHIBIT NO. 33-Continued

02/15/81

02/15/81

Henry F. Newton
Patricia H. Wilson

COMMITTEE EXHIBIT NO. 34

OCT 14 1970

CP:A:K

Honorable Richard M. Ichord
Chairman, Committee on Internal Security
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

This is in response to your letter of September 2, 1970, requesting certain information concerning the tax liability of the Black Panther Party. You specifically inquire whether the organization has any obligation to file returns and, if so, whether steps have been taken to enforce the obligation. You also ask whether the organization is exempt from filing returns and, if so, the grounds forming the basis for the exemption.

The organization and its principals are currently under a full scale investigation by the Service. Concerning the question of tax liability, the organization has not established exemption from Federal income tax with the Service. However, its representatives have recently raised the issue that the organization is a political party claiming that it is not liable for filing income tax returns.

We have this matter under active review and, concurrently, are continuing our investigative activity on the organization's principals and also with respect to any employment tax for which the organization may be liable.

I appreciate your giving me the opportunity to inform you of the Service's action in this matter, and want to assure you that any tax obligations for which the organization may be found to be liable will be strictly enforced.

With kind regards,

Sincerely,

(Signed) Randolph W. Throver
Commissioner

Account # 027110 2125 (Opened November 25, 1969 with a \$1000.00 deposit)
 Bank Of America (Fillmore-Post Branch)
 San Francisco, California

Authorized Signatories

Title

As of November 25, 1969

Samuel Napier
 Pauline Napier
 Judith Douglas

President
 Secretary
 Secretary

} 1 signature required for draw.

Address:

1336 Fillmore Street
 San Francisco, California
 Phone 922-6322

Business designation:

Newspaper

As of April 8, 1970

Samuel Napier
 Pauline Napier
 Naomi Williams
 Patricia Williard

President
 Finance
 Asst. Secretary
 Finance Secretary

} 1 signature required for draw.

Address:

1336 Fillmore Street
 San Francisco, California (Phone: 922-6322)

Business designation:

National Distribution

As of (undated)

Samuel Napier
 Patricia Williard
 Phyllis Jackson
 Naomi Williams
 Karen Williams

(Not designated)
 National Finance Secretary
 Secretary of Finance
 Secretary of Finance
 Secretary of Finance

} 1 signature required for draw.

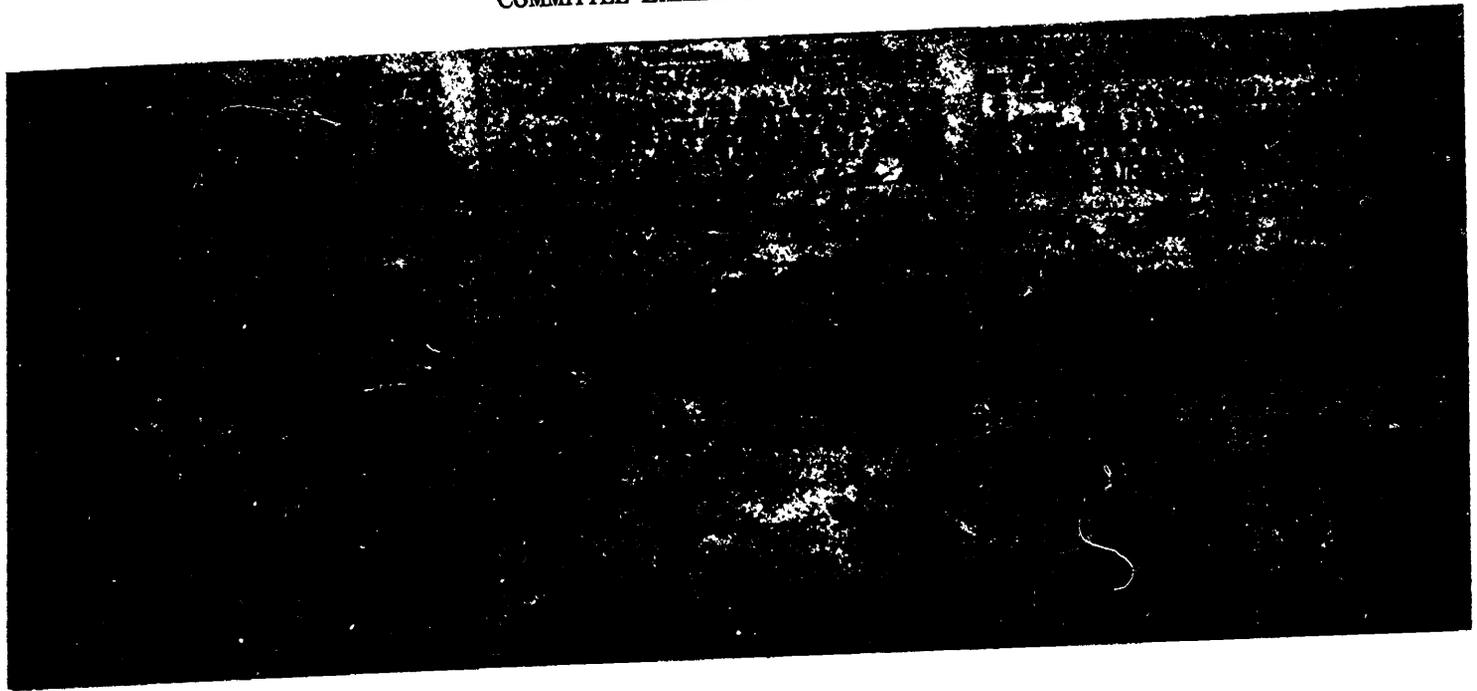
Address:

1336 Fillmore Street
 San Francisco, California

Business designation:

National Distribution

COMMITTEE EXHIBIT No. 35—Continued



6100

COMMITTEE EXHIBIT No. 35—Continued



COMMITTEE EXHIBIT NO. 36

BLACK PANTHER PARTY
 1336 Fillmore Street
 San Francisco, California

<u>1969</u>	<u>BPP</u>	<u>Credits</u>	<u>Debits</u>	<u>Ser.Chg.</u>	<u>Balance</u>
Jul		\$235 00	\$108 00		\$127 00
Aug		560 33	766 89	1 04	19 40
Sep		3510 85	3536 30	1 47	92 48
Oct		2330 80	2913 06	2 67	7 55
Nov		4376 85	4364 85	2 27	17 28
Dec		196 00	26 00	1 39	185 89
	<u>TOTAL (1969)</u>	<u>\$11909 83</u>	<u>\$11715 10</u>	<u>\$8 84</u>	
<u>1970</u>					
Jan		\$141 89	\$265 18	\$ 89	\$61 71
Feb		556 12	841 12	99	275 72
Mar		122 00	320 32	1 31	76 09
Apr		(None)	15 50	83	59 76
May		371 47	120 00	75	310 48
Jun		(None)	310 48	40	40 00
Jul		(None)	(None)	83	1 23 00
	<u>TOTAL (1970)</u>	<u>\$1191 48</u>	<u>\$1372 60</u>	<u>\$6 00</u>	
	<u>GRAND TOTAL</u>	<u>\$13101 31</u>	<u>\$13087 70</u>	<u>\$14 84</u>	<u>1 23 00</u>
Account closed July, 1970, revoking 123 Service Charge.					



COMMITTEE EXHIBIT NO. 37

Statement of Leonard Bernstein

This is to set the record straight about the widely publicized and much misunderstood meeting held in my home on January 14th. I want to do it clearly and unequivocally so that no one can fail to understand its purpose.

On that evening a group of interested citizens met at my apartment to hear the lawyer and others involved with the defense of the twenty-one Black Panthers now awaiting trial discuss the problem of civil liberties and to help raise funds for their legal expenses. (Because of our long interest in civil rights, Mrs. Bernstein and I have, over the years, held a number of such meetings in our home to discuss similar problems involving other groups.)

Those present included responsible members of the black community as well as concerned citizens from a variety of walks of life, all of whom share common interest on the subject of civil liberties and equal justice under our law.

It is not easy to discern a consistent political philosophy among the Black Panthers, but it is reasonably clear that they are advocating violence against their fellow citizens, the downfall of Israel, the support of Al Fatah, and other similarly dangerous and ill-conceived pursuits. To all of these concepts, I am vigorously opposed, and will fight against them as hard as I can.

I have believed all my life that civil liberties are the heart and core of our democracy. The greatness of our country comes from the fact that every citizen is entitled to the same rights as every other citizen. If we lose this equality before the law, we lose everything.

(more)

COMMITTEE EXHIBIT NO. 37--Continued

-2-

As an American and as a Jew, I know that religious liberty and civil liberty go hand-in-hand. Destroy one and you endanger the other. I know that my basic concern must be to fight for the survival of our democratic principles. If we deny these Black Panthers their democratic rights because their philosophy is unacceptable to us, then we are denying our own democracy.

I want to reiterate that the purpose of this meeting at our home was to listen to a lawyer and a Panther representative explain what they felt were legal injustices in the upcoming trial of the twenty-one Panthers. The question as to whether the accused Panthers are guilty or innocent will be decided by the courts.

The only concern at our meeting was civil liberties. Therefore, it was in this context only that my wife invited a group of interested citizens to our apartment to help raise funds - not for the Panther Party - but specifically for legal expenses in connection with the defense of the twenty-one Panthers now awaiting trial.

January 30, 1970

COMMITTEE EXHIBIT No. 38

JEAN GENET

Genet entered the United States illegally during March of 1970 to lend support to the Panther movement. His travel resulted from his meeting with Black Panther Party members earlier in Paris, France. Upon his arrival in this country, Genet admitted that following the Paris meeting he came to the United States "immediately and secretly," since the United States Consul refused to "give [him] a visa." Upon his arrival in the United States, Genet appeared on numerous occasions with leaders of, and in behalf of, the Black Panther Party. He appeared on college campuses of Yale, Stoney Brook, Columbia, and City College of New York, in addition to attending sessions of the trial of national Black Panther Party chairman Bobby Seale in New Haven, Connecticut.

As a result of his illegal entry into the country, Genet was notified on April 30, 1970, when his whereabouts was ascertained, to appear at the District Office of Immigration and Naturalization Service at Hartford, Connecticut, on May 6, 1970. On May 1, 1970, before a May Day gathering in New Haven, Elbert Howard, Deputy Minister of the Black Panther Party, read a prepared statement of Genet's in which he leveled charges of racism against the United States. Genet then stated that he had received a letter from the United States Immigration and Naturalization Service ordering him to appear for an interview. Genet stated he intended to "ask the Black Panther Party what to do about the letter." Genet did not appear before officials of the Immigration and Naturalization Service as ordered, but instead fled the country for Canada on May 2, 1970, and then returned to France on May 7, 1970.

COMMITTEE EXHIBIT NO. 40

CONTINUATIONS COMMITTEE OF THE EMERGENCY CONFERENCE
To Defend the Right of the Black Panther Party to Exist

33 Union Square West • New York, N. Y. 10003 • Room 907 • Telephone: (212) 989-6099

*** GIVE A WEEK TO END GENOCIDE - - - SEPTEMBER 26 through OCTOBER 4, 1970

SPONSORS*

- DR RALPH O ABERNATHY
- FRED SCLC
- FRANK ANGLIN JR
- ATTORNEY CHICAGO
- DR HERBERT APFHEKER
- BRUNNEN WARE COLLECT
- LEON BEVERLY
- WELLSFARREN NEAR OFFICERS
- CHICAGO
- ANN BRADEN
- 800P 4100 SULLY
- MON JULIAN BOND
- ATLANTA GA
- REV CURTIS COOPER
- BLACK METHODISTS FOR
- CHURCH MEMBERSHIP N Y
- RICHARD CRILEY
- CHURCH TO DEFEND BILL OF
- RIGHTS CHICAGO
- AJ EVANOFF
- VICE PRES DISTRICT 88
- CHARLES GARRY
- ATLANTA GA
- DR CARLTON GOODLET
- MEMPHIS MO
- LESTER GRANT
- YEMASSEE ORGANIZATION N Y
- AUBREY GROSSMAN
- ATTORNEY
- FATHER BILL HOGAN
- CHICAGO
- BOY INNIS
- NATIONAL CORE
- FLD SEANEOY
- ATTORNEY NEW YORK
- MIDWEST ECONOMIC
- MIDWEST ANTI-DETENTION
- CAMP COMMITTEE
- PROF BARBARA LEVINSON
- POLYTECHNICAL INST, DULUTH N. Y.
- MRS LUCY JEAN LEWIS
- BLACK METHODISTS FOR
- CHURCH MEMBERSHIP CHICAGO
- LINDOLN O LYNN
- NEW YORK
- OSBIE LOPEZ
- LATIN AMERICAN DEFENSE
- ORGANIZATION
- REV CALVIN MARSHALL N Y
- JOHN PAPPADEMOS
- PRES AMERICAN FEDERATION OF
- TEACHERS CHICAGO
- WILLIAM L PATTERSON
- COMMISSIONER OF
- RACE LIBERATION CPUSA
- CLEVELAND ROBINSON
- SEC - PRES DIST 88
- REV ALBERT SAMPSON
- NATIONAL STAFF DCILC
- IRVING SARNOFF
- L S REECE COUNCIL
- MODJESKA SIMPINS
- COLUMBIA SOUTH CAROLINA
- DORIS TURNER
- VICE PRES LOCAL 1088
- REV C T VIVIAN
- CHICAGO
- MARY HAYS WEIG
- JOURNALIST N Y C
- LIVINGSTON WINGATE
- NY GREEN LEAFUS
- DR GEORGE WILEY
- EX DIRECTOR NATIONAL
- WELFARE RIGHTS
- DR NATHAN WRIGHT
- N Y STATE UNIVERSITY
- REV CHARLES YERDES
- NEW YORK CITY

September, 1970

Dear Friend:

Enclosed is a petition to the United Nations to End Genocide.

We are sure that you agree that such a petition is both necessary and timely and that you will join the effort to collect at least one million signatures.

The petition campaign was a mandate from the Emergency Conference to Defend the Right of the Black Panther Party to Exist held last March in Chicago. The Continuations Committee is now in the process of carrying through this mandate, we have set up an office, petitions have been distributed throughout the country and a brochure will be available in two weeks.

FUNDS ARE ABSOLUTELY NECESSARY to make this a successful campaign, we must have your help. Please send us your contribution in the enclosed self-addressed envelope. If your organization, your union, your church or your club is willing to help with the campaign please solicit sizable contributions from them. The success of this petition campaign depends on your help in collecting signatures and funds.

We are asking all organizations and individuals to set aside an extended week - SEPTEMBER 26 through OCTOBER 4 - to collect signatures, we hope that you will be a major part of the "END GENOCIDE WEEK". If you need more petitions please let us know.

Please let us hear from you immediately. Make your checks payable to: EMERGENCY CONFERENCE COMMITTEE. Thank you for your prompt and meaningful support.

Very truly yours,
EMERGENCY CONFERENCE COMMITTEE

Osbie Davis *Angie Dickerson* *Dick Gregory*
Osbie Davis Angie Dickerson Dick Gregory

* DENOTATIONS FOR IDENTIFICATION ONLY
PARTIAL LIST OF SPONSORS
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5111

APPENDIX B

THE GENERAL COUNSEL
POST OFFICE DEPARTMENT
WASHINGTON, D.C. 20260

JAN 7 1971

Mr. Donald G. Sanders
Chief Counsel
Committee on Internal Security
U. S. House of Representatives
Washington, D. C. 20515

Dear Mr. Sanders:

This is in response to your letter of October 28, 1970 inquiring whether we have considered the provisions of 18 U. S. Code 1461 dealing with crime-inciting matter with respect to the Black Panther Party newspaper, and whether we believe such provisions enforceable against the publishers of this newspaper.

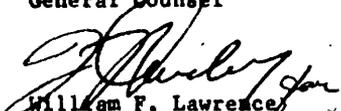
We believe that the above-mentioned provisions of section 1461 should be enforceable, particularly by criminal action, when supported by proper evidence. An opinion in the case of Manual Enterprises, Inc., et al. v. Day, Postmaster General, 370 U.S. 478 (1962) written by Mr. Justice Brennan, with whom the then Chief Justice and Mr. Justice Douglas joined, raises considerable doubt as to whether the Postmaster General could "employ any process of his own to close the mails to matter which, in his view, falls within the ban of that section" (id. at 519).

Expression which is "of a character tending to incite arson, murder, or assassination" would appear to involve constitutional considerations similar to those related to expression advocating treason, insurrection, or forcible resistance to U. S. laws (18 U.S. Code 1717). Accordingly we believe that application of section 1461 should be supported by evidence similar to that required under 18 U.S. Code 1717.

In cases where there were such evidence, we would likely view criminal action as the most effective enforcement procedure, particularly in light of the Manual Enterprises case. We have not had occasion to recommend such enforcement action with respect to publications by the Black Panther Party.

Sincerely yours,

DAVID A. NELSON
General Counsel


By: William F. Lawrence
Assistant General Counsel
Mailability Division

APPENDIX C

[Referenced in footnote on page 4846.]

DECEMBER 1, 1970.

Mr. ROBERT F. TYSON,
*Office of Economic Opportunity,
State Office Building,
300 Fourth Street,
Des Moines, Iowa*

DEAR MR. TYSON: The House Committee on Internal Security has been conducting an investigation into the origin, history, organization, character, objectives, and activities of the Black Panther Party. Enclosed herewith for your information is a copy of the Resolution, adopted by the Committee on October 8, 1969, authorizing that investigation and a copy of the Committee Rules of Procedure.

Pursuant to the enclosed resolution a duly constituted subcommittee of the House Committee on Internal Security held hearings on October 6-8, and 13-15, 1970, to receive evidence on Black Panther Party activities in, *inter alia*, Des Moines, Iowa. During those hearings certain testimony was received pertaining to the administration of various Office of Economic Opportunity programs in the State of Iowa. It has recently come to our attention that you have made public remarks which might be considered as divergent from the testimony received by the Committee. It is the desire of the Committee to put in finality a record which is fair and complete with respect to the matters under inquiry. This letter is to afford you the opportunity to voluntarily appear as a witness before the subcommittee to testify concerning the administration of OEO programs in Iowa, with regard to the allocation of funds which have, or may have, directly or indirectly, inured to the benefit of the Black Panther Party, and to refute testimony taken under oath from other witnesses.

This letter is not a summons. However, if you do desire to accept this invitation, please communicate your affirmative decision to the Chief Counsel of the Committee, along with the date you would prefer to appear and testify. We will attempt to arrange a date and time which is mutually convenient. If a reply of acceptance is not received on or before 10 days after receipt of this letter, it will be concluded you do not wish to appear. The Chief Counsel is located in Room 309, Cannon House Office Building, Washington, D.C.

Sincerely yours,

RICHARDSON PREYER,
Member of Congress.

Enclosures.

cc: Hon. Donald Rumsfeld, Sam Cornelius (Reg. Dir. OEO, K.C.).

IOWA STATE OFFICE OF ECONOMIC OPPORTUNITY,
Des Moines, Iowa, December 14, 1970.

HON. RICHARDSON PREYER,
*Member of Congress,
Committee on Internal Security,
House of Representatives,
Washington, D.C.*

DEAR CONGRESSMAN PREYER: This letter is in response to your kind invitation received December 7 to appear voluntarily before your subcommittee with regard to allocation of Office of Economic Opportunity funds and the Black Panther Party in the Des Moines area.

The only knowledge I have of testimony presented to the Committee is from two or three newspaper reports. My answer to reporters in one

instance disagreed with testimony reported in the Des Moines Register.

This report concerned testimony by Clive DePatten of Des Moines, who was quoted as testifying he was employed at that time by OEO at Soul Village in Des Moines. My reply to reporters was based on inquiries which indicate that DePatten has never been employed by the Office of Economic Opportunity nor by Greater Opportunities, Inc., the Des Moines-based community action agency which receives OEO funds.

It is my understanding that DePatten in October was a Concentrated Employment Program (CEP) trainee at Soul Village in Des Moines. CEP is funded directly to the City of Des Moines by the U.S. Department of Labor. Soul Village is under the auspices of the United Black Federation and is funded mainly by the Maytag Foundation. Management of the center I understand is provided by the YMCA. If DePatten testified that he was employed by OEO, he apparently was mistaken since it appears he has not been associated with any program administered by OEO.

I certainly am interested in knowing about anything improper that may develop in the administration of any OEO programs in Iowa so that it may be reported promptly to proper federal authorities.

I appreciate very much the desire of your committee to put in finality a record which is fair and complete with respect to the matters of inquiry. However, since I have no information, aside from that reported above in regard to DePatten, concerning testimony before the Committee, it appears that my appearance would be an unprofitable use of the valuable time of the distinguished members of your Committee.

Sincerely,

ROBERT F. TYSON, *Director.*

cc: Governor Robert D. Ray, Hon. Don Rumsfeld.

In the above-quoted letter of Mr. Tyson, declining the invitation to appear before the subcommittee and testify, is a reference to a newspaper report concerning testimony of Clive De Patten. The report quoted De Patten as testifying he was employed by OEO at Soul Village in Des Moines. In his letter Mr. Tyson pointed out that De Patten was a trainee at Soul Village in Des Moines, a Concentrated Employment Program, which is funded by the United States Department of Labor and that De Patten had not been associated with any program administered by OEO.

The committee staff has carefully reviewed the record of Mr. De Patten's testimony and has found no testimony by him indicating his employment by any OEO-funded project. Committee investigator Richard Shaw, while testifying on November 17 (see page 4961), stated that De Patten was working under the Concentrated Employment Program (CEP) operated by the city of Des Moines and funded by the United States Department of Labor. There is, therefore, no discrepancy between testimony contained in the hearing record and De Patten's employment record as set forth in Mr. Tyson's letter.

Set forth hereafter is an article which appeared in the October 22, 1970, issue of the *Des Moines Register*. The news account clearly stated that De Patten told "newsmen in Washington, D.C., that he is [was] employed by the U.S. Office of Economic Opportunity (OEO) in the work-training program at Soul Village." Tyson's letter states, "If DePatten testified that he was employed by OEO, he apparently was mistaken since it appears he has not been associated with any program administered by OEO."

This interpretation of the facts was challenged by Rep. William J. Scherle (Iowa) who is also a member of the House Committee on Education and Labor, which oversees the Office of Economic Opportunity. Representative Scherle pointed out that CEP, where De Patten is employed, is an adjunct of OEO under the Economic Opportunity Act, Title I, section B. In addition both Mr. Tyson and Iowa Governor Robert Ray have a representative on the Comprehensive Area Manpower Programs (CAMPS) Board. This board has authority to veto any CEP program which is not conducted to its satisfaction.

[Des Moines Register, October 22, 1970]

Calls Judge Racist; Gets Six Months

By Veryl Sanderson
(Register Staff Writer)

AMES, IA. — Clive De Patten, former Des Moines Black Panther, Wednesday was sentenced to six months in jail and fined \$500 for contempt of court here.

De Patten appeared in Municipal Court on a charge of disturbing the peace filed Monday evening by Iowa State University campus police.

Municipal Judge John McKinney imposed the sentence after De Patten refused to remove his hat in court and called McKinney a racist.

"It was an on-going thing," Judge McKinney said. "De Patten refused to take his hat off. He called the court a fascist court and me a dishonorable judge and racist."

De Patten and Steven A. Green, 19, of 1719 Twelfth St., were arrested Monday night in the Memorial Union on the ISU campus for distributing material without permission.

Campus authorities said the two were handing out the "People's American Daily News," which lists itself as the "first revolutionary daily newspaper of the American working class."

Green and De Patten described themselves as revolutionaries, authorities said.

Both were free Monday night on \$25 appearance bail. Authorities said Charles Knox, who formed the Black Revolutionary Communist youth group in Des Moines, paid their bail. Knox is the former head of the Des Moines chapter of the Black Panthers.

A plea of innocent was entered Wednesday for De Patten and Green on the disturbance charge after they said they



CLIVE
DE PATTEN

REPORTS HE QUIT PANTHERS

De PATTEN ---

Continued from Page One

wanted to "waive their pleas." Trial was set for 1:30 p.m. Nov. 13.

De Patten was taken into custody and is being held in the Story County jail at Nevada to serve the six-month contempt sentence. Green is still free on bond.

De Patten, 19, of 1517 Seventeenth St., earlier this month testified on Black Panther activities before a U.S. House internal security subcommittee. He said he had disassociated himself from the Panthers. The Des Moines chapter has disbanded.

Job Controversy

Meanwhile, the agency in Des Moines which pays De Patten's salary finally has been found.

De Patten told newsmen in Washington, D.C., that he is employed by the U.S. Office of Economic Opportunity (OEO) in the work-training program at Soul Village.

Robert Tyson, Iowa director of OEO, denied De Patten had ever received OEO funds.

Then officials said De Patten was paid by the United Black Federation. Federation officials denied this.

A check of the Concentrated Employment Program (CEP) records shows that De Patten is enrolled in that agency. CEP is operated by the City of Des Moines and is funded by the U.S. Department of Labor.

Purpose of the program is to provide on-the-job training for minority group members.

De Patten is training at Soul Village as a counselor, according to CEP records.

APPENDIX D

PAGE 10 BERKELEY BARS MAY 30-JUNE 3 1969

THE PEOPLE OF BERKELEY PASSIONATELY DESIRE HUMAN SOLIDARITY, CULTURAL FREEDOM AND PEACE.

Berkeley is becoming a revolutionary example throughout the world. We are now under severe attack by the demons of despair, ugliness and fascism. We are being strangled by reactionary powers from Washington to Sacramento.

Our survival depends on our ability to overcome past inadequacies and to expand the revolution. We have not done enough to build a movement that is both personally humane and politically radical.

The people of Berkeley must increase their combativeness; develop, tighten, and

toughen their organizations; and transcend their middle-class, ego-centered life styles. We shall resist our oppressors by establishing a zone of struggle and liberation, and of necessity shall defend it. We shall create a genuine community and control it to serve our material and spiritual needs. We shall develop new forms of democratic participation and new, more humane styles of work and play. In solidarity with other revolutionary centers and movements, our Berkeley will permanently challenge the present system and act as one of many training grounds for the liberation of the planet.

1 WE WILL MAKE TELEGRAPH AVENUE AND THE SOUTH CAMPUS A STRATEGIC FREE TERRITORY FOR REVOLUTION.

Historically this area is the home of political radicalism and cultural revolution. We will resist plans to destroy the South Campus through University-business expansion and pig assaults. We will create malls, parks, cafes and places for music and wandering. Young people leaving their parents will be welcome with full status as members of our community. Businesses on the Avenue should serve the humanist revolution by contributing their profits to the community. We will establish cooperative stores of our own, and combine them within an Avenue cooperative.

2 WE WILL CREATE OUR REVOLUTIONARY CULTURE EVERYWHERE.

Everyone should be able to express and develop himself through art—work, dance, sculpture, gardening and all means open to the imagination. Materials will be made available to all people. We will defy all puritanical restraints on culture and sex. We shall have media—newspapers, posters and leaflets, radio, TV, films and skywriting—to express our revolutionary community. We will stop the defiling of the earth; our relation to nature will be guided by reason and natural things respected. The civilization of concrete and plastic will be broken and natural things respected. We shall set up urban and rural communes where people can meet for expression and communication. Many Berkeley streets bear little traffic and can be grassed over and turned into people's parks. Parking meters will be abolished and we will close areas of downtown and South Campus to automotive traffic. We shall celebrate the holidays of liberation with fierce dancing.

3 WE WILL TURN THE SCHOOLS INTO TRAINING GROUNDS FOR LIBERATION.

Beneath the progressive facade of Berkeley's schools, students continue to be regimented into accepting the existing system. The widely-celebrated integration of the schools is nothing in itself, and only perpetuates many illusions of white liberalism. The basic issue is creating an educational system in which students have real power and which prepares the young to participate in a revolutionary world. Students must destroy the semite dictatorship of adult teachers and bureaucrats. Grading, tests, tracking, demotions, detentions and expulsions must be abolished. Pigs and narcs have no place in a people's school. We will eliminate the brainwashing, finger-mal-cutting mass production of junior cogs for tight-ass America's old age home war machine. Students will establish independent educational forms to create revolutionary consciousness while continuing to struggle for change in the schools.

8 WE WILL BREAK THE POWER OF THE LANDLORDS AND PROVIDE BEAUTIFUL HOUSING FOR EVERYONE.

Through rent strikes, direct seizures of property and other resistance campaigns, the large landlords, banks and developers who are gouging higher rents and spreading ugliness will be driven out. We shall force them to transfer housing control to the community, making decent housing available according to people's needs. Coordinated housing councils will be formed on a neighborhood basis to take responsibility for rents and building conditions. The housing councils will work with architects to plan for a beautiful community. Space will be opened up and living communes and revolutionary families will be encouraged.

9 WE WILL TAX THE CORPORATIONS, NOT THE WORKING PEOPLE.

The people cannot tolerate escalating taxes which are wasted in policing the world while businessmen are permitted to expand their profits in the midst of desperate social need. Berkeley cannot be changed without confronting the industries, banks, insurance companies, railroads and shipping interests dominating the Bay Area. In particular, University of California expansion which drives up taxes should be stopped and small homeowners should no longer pay property taxes. We will demand a direct contribution from business, including Berkeley's biggest business—the University, to the community until a nationwide assault on big business is successful.

10 WE WILL DEFEND OURSELVES AGAINST LAW AND ORDER.

America's rulers, faced with the erosion of their authority in Berkeley, begin to take on the grotesque qualities of a dictatorship based on pure police power. We shall abolish the tyrannical police forces not chosen by the people. States of emergency, martial law, conspiracy charges and all legalistic measures used to crush our movement will be resisted by any means necessary—from courtroom to armed struggle. The people of Berkeley must arm themselves and learn the basic skills and tactics of self defense and street fighting. All oppressed people in jail are political prisoners and must be set free. We shall make Berkeley a sanctuary for rebels, outcasts and revolutionary fugitives. We shall attempt to bring the real criminals to trial; where this is impossible we shall implement revolutionary justice.

11 WE WILL CREATE A SOULFUL SOCIALISM IN BERKELEY.

The revolution is about our lives. We will fight against the dominating Berkeley life style of siffance, selfishness, and social apathy—and also against the self-indulgent individualism which masquerades as "doing your own thing." We will find ways of taking care of each other as comrades. We will experiment with new ways of living together such as communal families in which problems of income, child care, and housekeeping

4 WE WILL DESTROY THE UNIVERSITY UNLESS IT SERVES THE PEOPLE.

The University of California is not only the major oppressive institution in Berkeley, but a major brain center for world domination. UC attempts to kill radical politics and culture in Berkeley while it trains robots for corporations and mental soldiers to crush opposition from Delano to Vietnam.

Students should not recognize the false authority of the regents, administration and faculty. All students have the right to learn what they want, from whom they want, and in the manner they decide; and the right to take political action without academic penalty. We will build a movement to make the University relevant to the Third World, workers, women and young people searching for human values and vocations. Our battles will be conducted in the classrooms and the streets.

We will shatter the myth that UC is a sacred intellectual institution with a special right to exist. We will change this deadly Machine which steals our land and rapes our minds, or we will stop its functioning. Education can only begin when we're willing to close the University for what we believe.

5 WE WILL STRUGGLE FOR THE FULL LIBERATION OF WOMEN AS A NECESSARY PART OF THE REVOLUTIONARY PROCESS.

While the material oppression of women varies in different classes, male supremacy pervades all social classes. We will resist this ideology and practice which oppresses all women. As we struggle to liberate ourselves, many of the problems of inequality, authoritarianism and male chauvinism in the Berkeley movement will be overcome.

We will create an unfettered identity for women. We will abolish the stifling masculine and feminine roles that this society forces on us all. Women will no longer be defined in terms of others than themselves—by their relationships to men and children. Likewise, men will not be defined by their jobs or their distorted role as provider. We seek to develop whole human beings and to bring together the most free and beautiful aspects of women and men.

We will end the economic oppression of women: job discrimination, the manipulation of women as consumers, and media exploitation of women as sexual objects.

We demand the full control of our own bodies and towards that end will establish free birth control and abortion clinics. We will choose our own sexual partners; we will eliminate the demeaning hustling scene in Berkeley which results from male chauvinism and false competition among men and among women. We will not tolerate harassment in the parks, streets, and public places of Berkeley.

We will resist all false concepts of chivalry and protectiveness. We will develop self-reliance and the skills of self defense. We will establish female communes so that women who so choose can have this free space to develop themselves as human beings.

We will end all forms of male supremacy by ANY MEANS NECESSARY!

6 WE WILL TAKE COMMUNAL RESPONSIBILITY FOR BASIC HUMAN NEEDS.

High-quality medical and dental care, including laboratory tests, hospitalization, surgery and medicines will be made freely available. Child-care collectives staffed by both men and women, and centers for the care of strung-out souls, the old and the infirm will be established. Free legal services will be expanded. Survival needs such as crash pads, free transportation, switchboards, free phones, and free food will be met.

7 WE WILL PROTECT AND EXPAND OUR DRUG CULTURE.

We relate to the liberating potential of drugs for both the mind and the body politic. Drugs inspire us to new possibilities in life which can only be realized in revolutionary action. We intend to establish a drug distribution center and a marijuana cooperative. We recognize the right of people to use those drugs which are known from experience to be harmful. However, as a loving community we shall establish drug information centers and free clinics. We will resist the enforcement of all drug laws in our community. We will protect people from narcs and burn artists. All drug busts will be defined as political and we will develop all necessary defense for those arrested.

are mutually shared. Within the Berkeley movement we will seek alternatives to the stifling elitism, egotism, and sectarianism which rightly turns people away and creates organizational weakness. We have had enough of supposed vanguards seeking to manipulate mass movements. We need vanguards of a new type—people who lead by virtue of their moral and political example; who seek to release and organize energy instead of channeling or curbing it; who seek power not for themselves but for the people as a whole. We firmly believe in organization which brings out the leadership and creativeness existing in everyone.

12 WE WILL CREATE A PEOPLE'S GOVERNMENT.

We will not recognize the authority of the bureaucratic and unrepresentative local government. We will ignore elections involving trivial issues and personalities. We propose a referendum to dissolve the present government, replacing it with one based on the tradition of direct participation of the people. People in motion around their own needs will become a decentralized government of neighborhood councils, workers councils, student unions, and different sub-cultures. Self-management in schools, factories, and neighborhoods will become commonplace. Locally chosen "people's mediators" will aid those desiring to settle disputes without referring to the illegitimate system of power.

13 WE WILL UNITE WITH OTHER MOVEMENTS THROUGHOUT THE WORLD TO DESTROY THIS MOTHERFUCKING RACISTCAPITALISTIMPERIALIST SYSTEM.

Berkeley cannot be free until America is free. We will make the American revolution with the mass participation of all the oppressed and exploited people. We will actively support the 10-point program of the Black Panther Party in its attack colony; all revolutionary organizing attempts among workers, women, students and youth; all Third World liberation movements. We will create an International Liberation School in Berkeley as a training center for revolutionaries.

WE CALL FOR SISTERS AND BROTHERS TO FORM LIBERATION COMMITTEES TO CARRY OUT THE BERKELEY STRUGGLE.

These committees should be small democratic working groups of people able to trust each other. We should continually resist the monster system; our emphasis should be on direct action, organizing the community, and forming a network of new groups. Together as a Berkeley Liberation Movement, the liberation committees will build people's power and a new life.

Sisters and Brothers,
Unite for Survival,
Resist and Create,
Fight for a Revolutionary Berkeley,
With your Friends, your Dope, your Guns,
Form Liberation Committees,
Carry Out the Program,
Choose the Action and Do It,
Set Examples and Spread the Word:

POWER TO THE IMAGINATION ALL POWER TO THE PEOPLE

PROGRAM WRITTEN BY SEVERAL BERKELEY LIBERATION COMMITTEES,
FOR MORE INFORMATION CALL 540-3818 or 853-5642 or 540-2804 ←

APPENDIX E

NOVEMBER 13, 1970.

To : Members of Committee on Internal Security :

Claude Pepper, Fla.

Edwin W. Edwards, La.

Richardson Preyer, N.C.

Louis Stokes, Ohio

John M. Ashbrook, Ohio

Richard L. Roudebush, Ind.

Albert W. Watson, S.C.

William J. Scherle, Iowa

From : Richard H. Ichord, Chairman.

Re : Committee hearings—Black Panther Party.

On April 15, 1970, I appointed a subcommittee consisting of Richardson Preyer as Chairman, John Ashbrook and myself to hear testimony in connection with the investigation of the Black Panther Party. An authorizing resolution in regard to the investigation and hearings is attached for information.

A series of hearings were held on October 6-8 and October 13-15, 1970, in connection with the investigation of the Black Panther Party. Since the House recessed on October 14, some of the members were not available to attend the October 15 hearing. On October 13, I therefore, reconstituted the subcommittee to conduct hearings on October 15. The reconstituted subcommittee consisted of Claude Pepper as chairman, William J. Scherle, and myself.

We contemplate that it will be necessary to hold additional hearings in connection with the Black Panther Party investigation. This memo is to confirm the continuing appointment of the subcommittee consisting of Richardson Preyer as chairman, John Ashbrook and myself to conduct such hearings in pursuance of the attached resolution. This subcommittee will be authorized to perform any and all acts in connection with the investigation and hearing which the Committee as a whole would be authorized to perform.

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