

# THE CAROLINA INDIAN VOICE

PEMBROKE, N. C.

"Building Communicative Bridges  
In A Tri-Racial Setting"

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## THE OPTIMISTIC CYNICS BY KAREN CORONADO & WM. RICHARD MATHIS

## Little Miss Lumbee Morgan Brittany Hunt Keeps Busy Schedule

## BUSINESS BRIEF

**THE TRIAL OF HATCHER AND JACOBS: WEEK 1**  
09-26-88: The trial of Hatcher and Jacobs opened today in Raleigh. As we predicted, there are two trials in progress: one inside the courtroom and one inside the arena of public opinion.

Assistant Attorney John Bruce, government prosecutor, handed out a press release saying prosecutors would not comment on the trial until a verdict was reached. Meanwhile, defense attorneys of the Christic Institute South started using a media coordinator to schedule interviews after each day's court.

The government obviously wants to keep the issues down to one: did Hatcher and Jacobs take hostages at the Robesonian or not. Defense attorneys want the issues to include why Hatcher and Jacobs acted as they did. To explain their actions, defense attorneys want to discuss drug trafficking, alleged corruption and associated violence in Robeson County.

Right now, it looks like Hatcher will be explaining his actions on his own. U.S. District Judge Terrence Boyle denied a continuance of the trial until mid-October when William Kunstler, Hatcher's attorney, can be present. Kunstler is currently busy in New York defending someone accused of shooting at law officers.

Hatcher had two other attorneys on his case, Stephanie Moore of the Center for Constitutional Rights (Kunstler's organization) and Barry Nakell of the University of North Carolina law school. However, by the end of the day, they were no longer on the case.

First, the judge ordered Ms. Moore to participate in the trial as Hatcher's attorney. Ms. Moore protested saying she had worked with the Center for only eight months and had never tried a case.

The judge retorted that Ms. Moore had filed papers on Hatcher's behalf and that she would not be allowed to withdraw from the case. Ms. Moore pleaded that she had represented Hatcher only on issues presented to the 4th U.S. Circuit of Appeals. She stated she would not participate in the trial and when the judge again said he would not allow her withdrawal, she turned her back and walked to the rear of the courtroom.

The judge then ordered a break and afterwards allowed Ms. Moore to withdraw after Hatcher said he would accept her only as an assistant to Kunstler. Nakell withdrew from the case when the judge gave him the choice of either representing Hatcher during the trial or not continuing his participation as "local counsel."

Hatcher responded during the day by standing-up and calmly saying that he was not acting as his own attorney and had been denied the lawyer of his choice.

Jury selection began later in the day with 35 prospective jurors being questioned. The judge excused 9 because of opinions they had formed about the case. Most of the excused thought the two were guilty. One fellow from Zebulon claimed Indian ancestry and was excused for having a favorable opinion of the two.

9-27-88: Nine Blacks and three whites will make-up the jury and defense and prosecution attorneys exchange allegations of racial discrimination in selecting the jury.

One of Jacobs' attorneys, Bob Warren, argued for the prosecutor to explain why he had eliminated four Blacks and an Indian and a person claiming Indian heritage from prospective jurors.

Prosecutor Bruce argued that he shouldn't have to explain his eliminations because the defense would have to prove that the two were members of an identifiable minority. Bruce charges Hatcher is not Indian and that he believes Hatcher's birth certificate shows him to be white.

This is not the first time the government has claimed Hatcher is white. When the government released a fugitive poster for Hatcher, it listed his race as white. What is interesting about Bruce's objection and charges is that he did not address Jacobs' ethnic background and that he argued Hatcher was not entitled to be tried by identifiable minority members.

But, Hatcher was not the only one asking the prosecution to explain its dismissal of six potential jurors; it was the attorneys for Jacobs. In other words, prosecutor Bruce should have aimed his objections at Jacobs' attorneys and not Hatcher who was not making the motion. It is rather ironic that the government has reasoned that Hatcher and Jacobs would have been more justified in directing their actions towards the alleged threat makers yet in court directs its own attacks towards Hatcher, basically a by-stander in the procedures, as opposed to the proper target which would have been Jacobs' attorneys.

U.S. Attorney Bruce also argued the defense was guilty of reverse discrimination for having eliminated ten whites as potential jurors. In the end, the judge ordered Bruce to explain his motives for eliminating the six because: -one felt the courts discriminated against Indians in the past.

-one because she taught disruptive students and might identify with the defendants.

-one for being a university professor and a member of the NAACP.

-one for having been acquitted of an armed robbery and who might identify with the defendants.

-one for not revealing the facts about a previous arrest. Judge Boyle questioned potential jurors as to whether they were willing to consider a Defense of Necessity and if they would be prejudiced against Hatcher because he was representing himself. In response to the latter, Hatcher responded that he was not "appearing on behalf" of himself and that the judge was denying his "constitutional right to representation" of his choice.

One juror asked if a mistrial could be declared because Hatcher didn't have an attorney. The judge responded that was a matter of law which didn't concern the jury.

Lawyers for individuals subpoenaed by the defense attempted to quash the subpoenas. The judge will rule later.

9-28-88: The judge called the defendants' Defense of Necessity "fatally flawed." He said "The necessity defense is not available to private citizens who take vigilante action. The perpetrator of the harm has to be the object of the action. Under your construction (the defense's interpretation of the law), they would have been justified in taking over a kindergarten class or a TV station. But you cannot randomly choose innocent persons to take action against."

If a potential juror had said that, the judge would have dismissed him for prejudice. Yet here is a judge who

seemingly consented to allow a Defense of Necessity to be used who is openly stating that it is "fatally flawed." Does this mean his objectivity and ability to conduct a fair trial is now "fatally flawed?"

In his opening argument, prosecutor Bruce told jurors that the Robesonian takeover "was roughly analogous to an armed robbery, but rather than money, the object was publicity." He went on to deny the importance of other issues and told the jurors, "Don't let anyone distract you from the issue here. No one else is on trial here but Eddie Hatcher and Timothy Jacobs. We urge you to keep your eye on the ball and not let anyone distract you."

Surely, Bruce is as aware as we that the government is also on trial for how it handles this case as well as for the manner in which it has handled allegations of corruption in Robeson County. He also has to know that local and state official stand accused of corruption.

It is also interesting to note that Bruce acknowledges that Hatcher and Jacobs were seeking publicity and not personal gain. He just doesn't want jurors to know why they were seeking publicity.

But defense attorneys for Jacobs wanted jurors to know why the two were seeking publicity. Defense Attorney Bob Warren told the jurors the defense expects "to show you how cocaine has corrupted law enforcement in Robeson County, how poor people without jobs were offered quick money to sell cocaine under the protection of law enforcement."

Warren added that "some evidence includes killing by law enforcement officers, usually when the person was in jail and unarmed. We expect the evidence to make it difficult to believe that Robeson County was a part of the United States on February 1 because of the lawlessness and corruption there."

Prosecution witnesses began testimony with five Robesonian employees (at the time of the incident) testifying about the trauma they experienced as a result of the Feb. 1 event.

Wednesday morning we attend a question-and-answer session with Hatcher's mother, Thelma Clark, in the lounge of the student center at Pembroke State University.

The crowd numbers over a hundred and Ms. Clark faces them alone at a microphone on a slightly raised stage. While the majority of the crowd is Indian and seemingly sympathetic to her cause, there are a couple of angry white students who exorcise the hostage taking and the hostage takers.

One of the white students wants to know why Hatcher felt justified in his actions. The other wanted to know would this mean whenever someone has a complaint that taking over the Robesonian would be the thing to do.

Ms. Clark attempted to explain the fear Hatcher had felt in the dangerous environment of Robeson County. She said she had not walked in his shoes and couldn't fully know the terror he had experienced. But she also believed Hatcher would be able to tell of the terror and his knowledge of drugs and corruption. She invited the angry students to attend the trial and hear directly what Hatcher has to say about his actions.

9-29-88: Defense attorney Lewis Pitts invited the judge to "pull up a chair at the government's table." This came after Judge Boyle interrupted a question by prosecutor Bruce about a newspaper article about drug trafficking.

Bruce was questioning R.L. Godfrey, reporter for the Robesonian about an article which quoted another U.S. Attorney as saying "there is a perception among drug dealers (in Robeson County) that they can operate at will" and had started to ask when the article was written when the judge interrupted, saying "Do you want to open up that area?" In other words, the judge was telling the prosecution if it opened up questions about drugs in Robeson County, the defense would be able to do the same. To defense attorneys, it sounded like the judge was trying to warn the prosecution not to open up the issue so the defense couldn't use the issue in its defense.

Pitts accused the judge of "participating as a member of the prosecutorial effort." The judge responded by threatening defense attorneys with contempt of court. He had threatened them the day before when Pitts had continued arguing a motion after the judge had ordered a recess and was leaving the courtroom.

Eric Prevatte and Robesonian reporter Mike Mangiameli testified that Hatcher stated he had no intentions of harming anyone. Mangiameli also testified that "Anybody that said they were sick he (Hatcher) let out within the first couple of hours. He said Blacks, Indians and the people with health problems will get to go."

The question for today has to be how much the judge will allow defense attorneys to present evidence regarding drugs and corruption. Based upon today's actions by the judge, we are rather cynical he will allow as much as the defense would like but remain optimistic defense attorneys will be able to convince him to allow as much evidence as they have.

9-30-88: The headlines for the Robesonian blares: "Witness: Not 1 charge of corruption proved."

The witness in question is Robesonian reporter Mike Mangiameli who testified that "there's not one charge they (Hatcher and Jacobs) have raised that has been proved." Most of you might recognize Mangiameli as being the reporter who covers the sheriff's department and has written several articles since Feb. 1 which attempt to show how wonderful a sheriff and district attorney we have.

Mangiameli also said "there are hundreds of thousands of dollars in fraud in Robeson County: all created by (local activists) and the Eddie Hatcher fan club." In other words, there is no fraud among law enforcement and elected officials in Robeson County; it is just with local activists claiming cops and politicians are corrupt.

Robesonian editor, Bob Horne, testified that Hatcher felt his life was in danger. During the siege, Horne said he felt "somewhat sympathetic" with the defendants because of their demands for an outside investigation. "I wanted to see a thorough investigation that would clear the air once and for all," he said. He also admitted to having called the defendants "The conscience of the county." Prosecutor Bruce eventually called Horne a hostile witness and asked him if he realized that members of his newspaper staff didn't share his opinions of the hostage-taking and of Hatcher and Jacobs.

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The reigning Little Miss Lumbee Morgan Brittany Hunt, has made numerous personal appearances. She has appeared at the Miss Lumbee luncheon, the Miss Lumbee Pageant, the Lumbee Homecoming parade and reception.

She was a special guest at the opening night of "Strike at the Wind," the Miss NC Sweetheart Pageant in Hamlet, the West Lumbee continuation of the IEA program and the Pigeonland Watermelon Festival.

Morgan appeared at Southside-Asheville School for the end of summer school, the NC Welcome

Center's 20th anniversary celebration, the N.C. Shrimp Festival at Sneads Ferry, Miss Fairmont Farmers Day Pageant.

She has performed at several schools during Indian Heritage Week including Perikton, Rex Rennert, Southside and Union Elementary.

Other appearances include the Miss NASO pageant at PSU, the Miss Guilford County Indian Princess Pageant and she attended the Farmers Day parade.

Morgan is the five year old daughter of Johnny and Demetrius Hunt of Rowland. She is looking forward to an off-year as Little Miss Lumbee 1988.

## FLEETWOOD FAMILY FUN DAY



Furman Locklear is shown with his prize winning black fish.

Fleetwood Homes of Pembroke held their company picnic Saturday, September 24, 1988 at the N.C. Indian Cultural Center for their employees and families. Approximately 500 people attended the event.

The day began at 6 a.m. with a fishing tournament. Furman Locklear won the \$75 cash prize with an 8 lb black fish.

Lunch was served at 12 noon. Fried chicken, barbecue, hamburgers, hot dogs and many picnic

dishes were served. A pudding delight was served for dessert.

A carnival followed the lunch with several games and rides with prizes to the winners.

A two-man sack race took place in which adults and children were partners. Employee Tom Locklear and his daughter were first place winners receiving a \$50 cash prize.

The final event of the day was raffle with approximately 30 prizes. Terry Chavis was the winner of the grand prize, a 19-inch color t.v.

## ROBESON COUNTY FAIR HAPPENINGS

**ROBESON COUNTY FAIR BATTLE OF THE BANDS**  
Robeson County Fair and Rock 101 Radio Station are sponsoring Battle of the Bands. Preliminaries will take place Monday, October 10, 1988, and Finals are to be held on Tuesday, October 11, 1988. For more information, contact Johnny Lee at (919)738-1478 or (919)738-1764.

**ROBESON COUNTY FAIR HOME & FAUN EXHIBITS**  
Make your plans now to exhibit home and farm items at the 42nd Annual Robeson County Fair from October 10th through October 15th, 1988. Registration will take place Saturday, October 8th, and Sunday, October 9th, with perishable baking products to be accepted on Monday morning, October 10th. For more information, call Robeson County Agricultural Extension Office at (919)738-8111.

**ROBESON CO. FAIR COMMERCIAL BOOTH SPACE**  
All organizations and businesses interested in securing commercial booth space in EXHIBIT building or on the fairgrounds contact Charles Ivey at (919)738-1106 or (919)739-2931. The 42nd Annual Robeson County Fair will take place October 10th through October 15th, 1988.

**ROBESON COUNTY FAIR NON-COMMERCIAL BOOTH SPACE**  
Non-commercial booth competition is open to organizations and groups in Robeson, Bladen and Scotland Counties. There is no charge for non-commercial non-selling booth space. Reservations for booths may be made by calling Bruce Jobe at (919)738-8131. The 42nd Annual Robeson County Fair will take place October 10th through October 15th, 1988.

## SAMPSON PROMOTED BY CP&L

Anthony Sampson of Lumberton has been promoted by Carolina Power & Light Co. to a traveling maintenance foreman at its W.H. Weatherspoon plant.

He began working for CP&L in 1978 as helper in Weatherspoon's generation department. He had been a senior maintenance mechanic prior to his promotion.

Sampson, the son of Edward and Shirley Sampson, graduated from Lumberton High School in 1973.

He and his wife, the former Helen Scott, also of Lumberton, have three children: Mark, 14; Heather, 9; and Ashlee, 6.

## PEMBROKE JR. HIGH SCHOOL NEWS

When school opened at Pembroke Junior High School, there were several new faces among the faculty.

Ms. Neacie Boykin will be teaching 9th grade English. She previously worked at Robeson Community College. She received her BA degree from Shaw University in Raleigh. Ms. Boykin and her husband live in Lumberton. They have one daughter, Dacia.

Ms. Mary Jones, a graduate of St. Andrews Presbyterian College, with a BA degree in Business Administration, will be teaching computer. Ms. Jones is married to Darrell Lewis Jones and the couple reside in Laurinburg.

Ms. Denise Locklear comes to Pembroke Junior High with certification in match (6-9). She will be teaching 8th grade science. She is married to Michael Locklear. They have two children, Gabriel Mical and Dustin Joel. The Locklears live in Rennett.

Ms. Joyce McDuffie, a resident of Lumberton, will be teaching typing and Career Exploration (Environmental Lab). She has certification in business education from Pembroke State University and masters degree in Prevocational Education from East Carolina University. Joyce is married to Jerome McDuffie. They have one daughter, Melody.

## KEN SPIVEY TO SPEAK AT ROBESON COUNTY FGBMFI DINNER OCT. 11

Lumberton-Kenneth B. (Ken) Spivey of Conway, SC who serves as president of the Grand Strand Chapter of the Full Gospel Business Men's Fellowship International, will be the speaker at the MEN'S ONLY dinner meeting of the Robeson County FGBMFI Chapter Tuesday, October 11.

The meeting begins at 6:30 p.m. at the Eastern Shore Seafood Restaurant on the 211 Bypass in Lumberton. Men will order from the menu.

The Full Gospel Business Men's Fellowship International is a worldwide organization which considers itself an outreach arm of the church. It seeks to reach all men for Christ and inspire them to greater Christian service.

Spivey, who was born in Whiteville, moved to Conway at an early age. He graduated from Conway High School, attended The Citadel, and served in the U.S. Navy.

He has been in the insurance business for 32 years in Conway where he has been actively involved in the community. He is a S.C. field representative for FGBMFI.

Spivey and his wife, Annie Lou, are charter members of Conway's Trinity United Methodist Church where he has served as a member of the Administrative Board and president of the Men's Sunday School Class. They are parents of two children, Gloria and John. The latter died at the age of 18, and his illness and death had a profound effect on Spivey's life as well as many others.

Spivey says, "I like many other church members, was doing all of the right things we are expected to do as good citizens in our communities and our churches, but I did not have a personal relationship with Jesus Christ. I had headknowledge of Jesus Christ, but not heart knowledge."

Spivey says he was "born again" in 1978, healed and baptized in the Holy Spirit.

Men are invited to hear his testimony Oct. 11.

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INDIAN VOICE

