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government cannot be given any credit for eliciting from Hood and Washington the information used to prosecute the Charlotte Three.

THE FACTS

WHAT EXACTLY WAS THE ROLE OF FEDERAL AGENTS IN THE LAZY-B PROSECUTION?

The picture, while not absolutely clear, is obvious enough, especially when we realize that almost all the evidence showing federal involvement came from the federal agents themselves — the very ones who were, and continue to be, so interested in putting Jim, T. J. and C. P. away.

Here is a basic outline of the federal involvement in the Lazy-B case:

(1) In 1970, Hood and Washington (the two state witnesses) were arrested during a period of racial unrest in Oxford, N.C., with the dynamite and guns in their car. According to a former U.S. attorney, within hours they were in the U.S. Attorney's office in Raleigh, N.C., being asked to give evidence against Jim Grant and others.

(2) In 1971, after their release on bond, flight from the country, and recapture, Hood and Washington were again imprisoned in N.C. Federal Alcohol, Tobacco, and Firearms agents Noel and Walden began interrogation Hood and

JUDGE SAM ERVIN TURNS DOWN DEMAND FOR NEW TRIAL

Washington. The two witnesses gave them a number of statements, including one concerning the Lazy-B.

(3) Noel and Walden notified the state authorities about the Lazy-B statement and provided them with copies.

(4) Hood and Washington refused to testify in an case, state or federal, unless given protective custody and a sum of money. N. C. officials notified federal agents that N. C. had no provisions for protective custody or cash payments. After extensive negotiations in Washington, D. C. and Raleigh, N. C., federal officials — headed by then assistant Attorney General Robert Mardian — agreed to provide the necessary custody and cash. All documents available indicate that this agreement included any state prosecution, including the Lazy-B trial.

(5) Alcohol, Tobacco and Firearms (ATF) agent Noel was the only officer, state or federal, who appeared before the state grand jury which indicted the Charlotte Three.

(6) When state prosecutor Moore wanted Hood and Washington at the Lazy-B trial, he called up federal ATF agent Noel and requested their presence. Noel produced them.

(7) ATF agent Noel testified that he helped prosecutor Moore prepare for the trial.

(8) Both Noel and Walden were present and assisting the prosecution in the Lazy-B trial. Walden went out to get the bank

card used against the defendants as rebuttal evidence.

(9) Noel delivered the \$3,000 payments from the U. S. Justice Department to Hood and Washington five days after the Lazy-B trial. One month later he gave them \$1,000 each from Treasury Department funds. The Treasury Department document concerning these payments listed one of the reasons for the payments as a reward for testimony in the Lazy-B trial.

(10) According to Joe Europa of the Charlotte police department, the state relied entirely on the federal officers to produce the testimony of Hood and Washington, which was the only real evidence in the case. The Charlotte police officer supposedly in charge of the case, Earl Fesperman, didn't even show up for the trial.

In the face of this evidence — all of it produced under oath from officers very hostile to Reddy, Grant, and Parker — Judge Ervin chose to find that the actions of the federal officers, Noel and Walden, had nothing to do with the Lazy-B trial, and, that even if they did, the state couldn't be held responsible for them.

CONSEQUENCES AND IMPLICATIONS

The defense by this action (Ervin's decision) is thus effectively barred from access to federal files and records relating to the investigation, and federal investigating officials and their supervisors are shielded against any accountability for their

investigatory actions by having apparently "passed the ball" on to state officials.

But at what point of federal involvement in a so-called "local" case does federal "investigation" become, in fact, federal prosecution through state officials? Without the possibility of review of the entire investigatory and prosecutorial process it is clearly impossible to say at just what point the actual decision to prosecute was made and who made it.

Yet we feel that these are questions which it should be possible to ask. We feel further that if the part played by federal investigative agencies in "local" trials is allowed to remain unknown, and to be a "secret" that is kept from the jury and the defense, then these agencies have, in fact, been empowered to act as a secret police force, accountable to no one but their superiors and protected from any possible review or challenge to their activities. Such a situation would be a clear abuse of their intended power.

WHAT CAN WE DO?

We have decided, therefore, to ask for a hearing before the House Judiciary Subcommittee on Courts, Civil Liberties and the Administration of Justice, in order to request that they conduct a special investigation into the possible abuse of federal investigatory powers in the Lazy-B case. We will also ask that the Subcommittee draft a

bill, to be presented to Congress, which would protect future defendants against the abuse of such power.

The name of the Chairman of the Subcommittee on Courts, Civil Liberties and the Administration of Justice is ROBERT W. KASTENMEIER. PLEASE WRITE TO HIM and tell him how important you feel it is that a hearing be granted on the question of the possible abuse of federal investigatory powers in the Lazy-B case. Mention the facts, that federal agents of both the Alcohol, Tobacco and Firearms Division of the Treasury Department took part in the Lazy-B investigation, gathered evidence, paid witnesses (with approval for payment coming from such a high authority as Robert Mardian, then head of the Internal Security Division of the Justice Department), and participated in the trial itself;

yet that they (and the State) were allowed to conceal the full extent of their participation, apparently on the grounds that such information would have been immaterial to the jury.

Help us insist that the full extent of federal participation in local trials is not an "immaterial" matter, in any case, to any citizen.

The address is:

Mr. Robert W. Kastenmeier, Chairman, Subcommittee on Courts, Civil Liberties and the Administration of Justice, U.S. House of Representatives, Washington, D. C.

RIGHT TO WORK news

KNIGHT IN SHINING ARMOR

By Reed Larson

Education makes a people easy to lead, but difficult to drive; easy to govern, but impossible to enslave.

— Lord Brougham (1828)

It's impossible not to be impressed and, indeed, unsettled by Leon Knight when he latches onto the subject of compulsory unionism and education.

The former president of the faculty association at North Hennepin Community College in suburban Minneapolis is an unabashed liberal, both politically and philosophically, an officer of the Minnesota Democratic Party, and a member of the party's "liberal" wing.

As a college instructor, he also is unremittingly dedicated to the idea that his duty as an educator is to provide his students with the academic tools necessary to make their own decisions. "...In education, and particularly in higher education," Knight says, "the idea of academic freedom, the idea of the dissident person, the idea of the person who marches to a different drum, is very precious.

"And yet, unionism is coming in and saying I must march to that drum."

Knight doesn't claim that union organizers actually try to interfere in the classroom. The problem is more subtle, and more serious. "They don't come and mess with me very much. But if they can determine not what I teach in the classroom, but whether I teach at all, that is the ultimate threat to academic freedom."

It's that threat — that union officials will gain control of education by turning the teaching profession into a closed "union shop" (a stated goal of the National Education Association) — which Knight and his colleagues hope to counter with a new organization, Concerned Educators Against Forced Unionism (CEAFU).

A division of the National Right to Work Committee, CEAFU has but a single goal — to oppose subservience to the NEA, American Federation of Teachers, American Association of University Professors, or any other group which would make an educator's continued employment depend on his or her willingness to support that group.



FLORENCE, S.C. — Giving the "Black Power" salute, Herman Finley of Florence astride his trusty horse, "Spirit", leads about 3,000 marchers through the city streets here to protest the shooting death of a black man by a white policeman. The marchers walked about one mile to the city-county complex where black leaders spoke to the crowd.

Lives Of Jailed Haitian Refugees In Danger

Haitian refugees in Florida prisons for criminals (Manatee Jail, Bradenton and Hardee Jail, Wauchila) are being fed four slices of bread a day — nothing else! — and are never allowed out of their cells for exercise. Rev. Jacques Mompremier, who heads the Haitian Information Center in Miami and visited the refugees on October 30, warned that the prison conditions gravely endangers the refugees' health.

The Haitians are part of a group of 81 refugees previously imprisoned in Immokalee, Florida. In protest against the oppressive conditions there, 75 of them went on a hunger strike

on October 1, shortly after one of the refugees, William Isidor attempted to commit suicide, third Haitian to try. Admitting that he was out "to break the strike," Miami Immigration Service Director Edward Sweeney on October 7 sent some of the refugees to detention facilities 2,000 miles away in Port Isabel, Texas, and others to the Bradenton and Hardee, Florida jails.

In a statement on the refugees' plight, Dr. Paul Lehmann, Chairman of the American Committee for Protection of Foreign Born, declared:

"After having twice risked their lives, first in conflict with the Duvalier regime and then in voyaging across 800 miles of ocean over-crowded and flimsy sailboats, these Haitian refugees, the Pilgrims of today, are in danger of finding "asylum" here by being carried out of prison in a coffin — the same fate as Turenne Deville's, who committed suicide in a Miami jail on the eve of his scheduled deportation to Haiti in March 1974!

"It is high time that Attorney General Edward Levi intervened to rectify this travesty of justice