



INSIDE-OUT

Same Struggle - Same Fight!

no.4 VVAW-WSO Newsletter for Prisoners Sept '74
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Dear Brothers and Sisters,

This newsletter is both brief and by itself. There is no September issue of Winter Soldier to send out--when the time came to take the paper in to be printed, we didn't have the necessary money. Our plans now are to have the paper printed around the middle of September (if we can get the money together by then), so the October issue should be in the mail sometime around the 20th of September.

We have also reached the point where this newsletter will be printed--there are too many copies going out to continue with this mimeographed form. The first printed issue will be in the mail along with the next Winter Soldier, but knowing that many of you expect the paper around the first of each month, we felt it important to explain why the paper was not there.

In the past we have said that this newsletter is yours; in the last issue we asked for comments on methods and tactics of control used in the US prison system. We have gotten a number of responses which will appear in the next issue of this newsletter. As always we look forward to your comments and contributions. In unity there is strength, and we hope to help provide a vehicle for that unity to grow until the people are victorious.

In Continuing Struggle,

The National Collective,
Vietnam Veterans Against the War/
Winter Soldier Organization

Attica Memorial Week

On September 3 the trials of four of the Attica Brothers begin in Buffalo, New York. In all there are 61 brothers indicted; on a variety of counts, they face a total of somewhere over 67,000 years in prison. Meanwhile, the real criminals associated with Attica are nominated to be vice-president of the United States--the four brothers now on trial are charged with murder as a result of the tactics of the Rockefeller goon squads.

The story of Attica is familiar; on September 9, 1974, 1,280 prisoners took over D-Yard and held it for four days. On the morning of September 13, under direct orders of Governor Nelson Rockefeller, the storm troopers moved

in and murdered 38 men, 10 of them hostages. Five leaders of the Rebellion, seen alive after the attack, were later found dead. All-white grand juries eventually handed down the indictments; not one of the storm-troopers was charged.

What made Attica unusual--after all, prisoners are being murdered daily in prisons all over the country: Robert Forsythe in McAlester and Whitey Hurst from Leavenworth are just two of the more publicized examples. If we believe the straight media, the number of people who were killed at Attica make it remarkable. But there is a more important point: the reason for the massacre at Attica came from fear. Neither the prison administration nor the government of the state could deal with 1,280 unified brothers, people who had overcome the many devices (such as racism) used by administrators to keep people apart. The Brothers were united against one enemy--the system of repression--and understood that other differences were secondary.

Just as important was the message of Attica for oppressed people all over the country where the same murders are going on in the prison ghettos--Tyron Guyton in Oakland or Clifford Glover in New York City, or the hundreds of daily police atrocities which are buried on the back pages of any major city newspaper. In those cases, as in similar cases around the country, the people are fighting back through unifying, through coming together to put a stop to the repression which is coming down.

The Attica Brothers, too, are fighting against the system which will be no more able to crush them in the courts than it was able to silence them with guns. The Attica "Fair Jury Project" showed the bias of the Erie County Jury pool (Erie County is where the trials will take place)--women were underrepresented by 68%, Blacks by 34%, and young people (ages 21-29) by 84%. A statistician testified that the chances of women being so underrepresented by accident was one in a billion, billion, billion. The judge was finally forced to throw out 95% of the Jury pool--some 100,000 names. At least the chances of the Brothers having representative juries have increased.

The Attica Brothers, and the people around the country who work in their support, are struggling for more than just a few improvements at Attica prison. In the words of one of the Brothers, "Our cry goes far beyond these realms. In effect what can happen is 'the placing of the cart before the horse.' What good is having TVs in our cells, tasty foods, programs, conjugal visits, etc is we are still coming in with 25 years? When our freedoms are still deprived? When as a class we are considered 3rd or 4th class citizens? No, the changes have to go back further than concentrating on the criminal justice system. And even further than when police place handcuffs on a person. The changes must be focused upon the road from which the horse and cart came from, and where it leads. Reform cannot do that."

ATTICA
MEMORIAL
RALLY

SEPT 14, 1974 in
Buffalo, N. Y.



FREE ALL
POLITICAL
PRISONERS

Leavenworth Brothers Trials Begin!

The trials of the Leavenworth Brothers began on July 29th in Wichita, Ks. Six prisoners are facing trial on charges stemming from the rebellion which occurred in Leavenworth Federal Penitentiary on July 31, 1973, as prisoners lashed out at their oppression and the inhuman conditions they were forced to put up with day after day. Currently on trial are 4 black brothers -- Odell Bennett, Jessie Evans, Alf Hill and Alfred Jasper -- who have been charged with assault and riot. They were also charged with murder, conspiracy to riot, and mutiny, but these charges were dropped due to lack of evidence. Jesse Lopez and Armando Miramon, two Chicano brothers, will face trial on charges of kidnapping when the current trials are completed.

In the courtroom on July 29th, the scene of an incredibly repressive and racist display opened before the eyes of America. In the midst of more than 30 Federal Marshalls, extreme security precautions, and continual harassment, the four Leavenworth Brothers entered court and heard the judge deny motions for delaying the trial and their challenge of the jury panel. In other early court proceedings, Odell Bennett removed himself from the courtroom saying, "I do not wish to dignify these railroad proceedings with my presence." For the next few days, however, Bennett was brought into the courtroom, despite his protests, and each day he demanded to be removed. During one statement, Bennett made a motion that Judge Theis disqualify himself because of racial prejudice. Bennett stated that Theis had made a reference to him as a "boy." Theis refused the motion and said he was sorry for using the word "boy," but said that it is a term commonly used when referring to racial minorities. Another brother, Alfred Jasper, began this trial with no attorney (his attorney recently had surgery and could not be present to represent him). The judge refused to grant a delay in the trial because Jasper was not represented, so Jasper also removed himself from the court saying, "I do not have the attorney of my choice, therefore, I do not wish to participate in this frame-up."

On the third day of proceedings, jury selection began. Out of the 92 prospective jurors, only 3 were Black and no other national minorities were represented. Two prospective Black jurors disqualified themselves, saying that a lifetime of racial oppression and experiences involving Blacks unjustifiably accused would prevent them from being partial. The third Black juror stated he could be impartial regardless of race, but at the first opportunity, the government used one of their challenges and the young Black man was dismissed. Thus, an all white jury of 8 men and 4 women, with an average age of 45, was empaneled.

Following jury selection, the government began to present their case -- a case filled with conflicting testimony. Witnesses against the brothers included government informers and prison officials. An example of the contradictions in these witnesses' testimony is the wide variety of stories that appear in disciplinary reports and written statements prepared at different times. One guard told the FBI that he saw Jasper shouting insults at guards; in a report filed by this same guard 2 weeks later, he reported that Jasper had assaulted a guard, threatened guards, and rioted. (This witnesses admitted that he had talked with prison officials about the rebellion between filing these reports). Eyewitness testimony was just as conflicting. A guard, Hobson, testified that he saw Alf Hill with a pipe in his hand, striking Ronald Teare, another guard. Hobson said he took the pipe from Hill and rescued Teare. Earlier in the government's case, guard Dale Groover stated that he had seen Jessie Evans with the pipe and that he had pulled Teare to safety and away from Evans. Groover made no mention of Hill being present. Also, it was revealed in testimony that the prison maintained a "hot list," which is a list of those prisoners

who are politically active in fighting the oppression of the prison system. All of the six indicted brothers are on this list.

The defense has spent much of its time calling witnesses who are/were Leavenworth prisoners. They have testified about the conditions in Leavenworth prior to the rebellion. They stated that the atmosphere had been extremely tense and that prisoners were upset over the recent death of a prisoner who died as a result of inadequate medical care. The testimony of these witnesses also proved that the Brothers were nowhere near the place of the rebellion when the uprising broke out. It also became clear that defense witnesses were testifying under extreme duress. Lester Pickens (a Leavenworth prisoner) stated that he was in fear for his life because a prison official had warned him to stay out of trouble, or "the same thing that happened to the four niggers going to trial will happen to you." Other defense witnesses remarked that they had received similar threats warning them not to testify.

And so, this trial continues. But what we have here is not a trial for a few assault charges, but a persecution of these brothers who have been deeply involved in struggling for their basic human rights and an end to the exploitation and oppression of prison life. These Brothers are not guilty of anything other than resisting a system which treated them as something less-than-human and refused to allow them the dignity of being men. An up-date on the trial will be included in the next issue of Winter Soldier, but we feel that this trial is a very important event in the growing prison movement. The heroic struggle of the Leavenworth Brothers should be an example to us all.

Special Program Numbers can be removed from DD-214's

For all of you veterans, you may be aware that your DD-214 form carries on it a Special Program Number (SPN), or Special Designator Number (SDN) if you were in the Air Force, in paragraph 11-C of the 214 form. This number is a special code which gives the reason for discharge, and it appears on all DD-214's even if you received an honorable discharge. Many employers have complete listings of the SPNs and if you have what they consider to be an unfavorable SPN, you will be discriminated against and may be unable to find jobs. These SPNs are just another tool of the military as it oppresses and non-judicially punishes G.I.s and vets for the rest of their lives. If you would like to find out the meaning of your SPN, we have a listing of what the numbers mean. Also, the Dept. of Defense recently decided that since SPNs had been exposed, it would not be a good idea to continue their presence on the 214 form. So, if you would like to obtain a new DD-214 form which does not have the SPN listed on it, you should write to the following branch of service that you were in: Army - Commander, Army Reserve Components Personnel and Administration Center, 9700 Page Blvd., St. Louis, MO 63132; Navy - Chief BUPERS (Pers. - 38), Dept. of the Navy, Washington, DC 20370; Air Force - Military Personnel Center, DPMDR, Randolph AFB, Texas 78148; Marines - Commandant, USMC, MSRB-10, HQ USMC, Washington, DC 20380. Your name, service, Social Security number, dates of service and a copy of your old DD-214 should be included with the request for a new DD-214. You should be aware, however, that even though you can get a "clean" DD-214, your #201 file will still have the reason for discharge contained in it, but the 201 file is not supposed to be as readily available to people as is the DD-214.