



Capital District Coalition Against Apartheid and Racism

Box 3002 - Pine Hills Station

Albany, New York 12202

A Project of the Social Justice Center

April 1991 Newsletter



Next General CD-CAAR Meeting

Thursday, April 25, 1991 - 7:00 to 9:00 p.m.

Albany Public Library, Washington Ave., Albany, New York

How many Rodney Kings are there in Albany?

(Rodney King was the man brutally beaten by Los Angeles police)

Video: Interview with local victims of police abuse

Discussion: Police brutality issues locally...

Responses to police brutality in other communities...

The need for a civilian review board...

Report: Upcoming community conference (May 18, 1991) on crime and the criminal justice system (see flyer inside)

10 Year Anniversary Committee - Do you remember September 1981? If you remember and would like to get involved planning a ten year celebration, **we need your help.** If you haven't been involved for a long time this is the perfect time to get involved again. If you don't remember September 1981, if you've never been involved, this is the perfect time to get involved for the first time. In other words, we need you to work on planning our 10th anniversary celebration. Committee report and future planning at the April meeting. If you can't make the meeting but want to work on this historic event, call Pat Trowers-Johnson, 463-4486.

AMERICA LAGS IN AID TO NAMIBIA

The international community has begun marshalling resources to help Namibians confront the poverty, underdevelopment and racial injustice that is the endowment of apartheid colonialism.

Namibian President Sam Nujoma flew to New York in June to meet with possible financial donors. Namibian officials arrived with detailed proposals for \$810 million in assistance over the first three years of independence.

Partnership

The resulting pledges, some \$360 million in grants and loans, were welcomed by Namibian Foreign Minister Theo-Ben Gurirab as a "good first step." But Eastern Europe, Central America and the Persian Gulf are putting heavy demands on Western treasuries, and the chances of finding additional money for Namibia appear slim.

Additional assistance is coming from Christian and secular non-governmental

organizations in Europe and North America.

American Episcopalians, for example, are providing funds to Anglican Namibians for the reconstruction of the Odibo education and health care center.

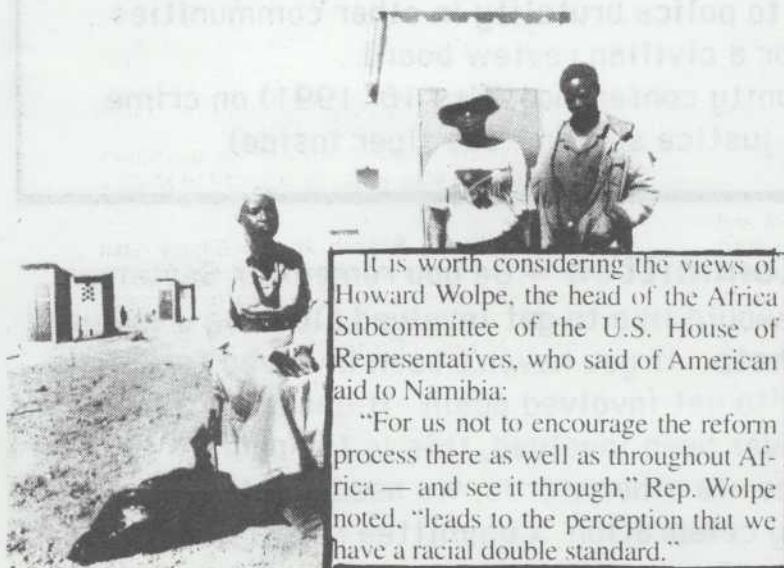
U.S. Role

Many United States citizens have assumed that their government, a vocal champion of democracy around the world, would be a leading provider of assistance to Namibia. Sadly, however, the world's newest nation appears to be at the bottom of Washington's priorities.

For this critical first year of Namibian independence, the Bush administration had originally budgeted just \$500,000. Concerned Congressional leaders eventually increased Namibia's funding to \$10 million. But even this amount is scheduled to drop to just \$7.8 million in 1991. — **A BILLION A DAY IN THE GULF**



WRITE:
THE SENATE
WASHINGTON, DC. 20510
THE HOUSE
WASHINGTON, DC. 20515



It is worth considering the views of Howard Wolpe, the head of the Africa Subcommittee of the U.S. House of Representatives, who said of American aid to Namibia:

"For us not to encourage the reform process there as well as throughout Africa — and see it through," Rep. Wolpe noted, "leads to the perception that we have a racial double standard."

Homeless Namibians at a government squatter camp outside the capital city of Windhoek. The government provides land and toilets. The people must build their own homes.

South African Ties

Compounding Namibia's economic difficulties is its continuing financial and political entanglement with the former colonial ruler, South Africa. A year after independence the country still relies on South Africa for most imports, technical services and expertise, and even its currency. At independence, for example, all of Namibia's banks were headquartered in South Africa, and South African companies still own a great deal of Namibia's natural resources and land.

Moreover, the South African government is demanding that Namibia repay over \$280 million in loans raised by the colonial authorities during the illegal occupation — in effect demanding that the oppressed defray the cost of their own oppression.

Lawyers seek federal probe of alleged Albany police brutality

□ Cite four cases as indicating a pattern of abuse by law enforcement officers in the city.

By Catherine Clabby

Staff writer

ALBANY — Two local attorneys who represent clients with pending federal suits alleging police brutality in Albany want the U.S. Justice Department to investigate what they maintain is a pattern of police misconduct here.

Attorneys Terence Kindlon and Mark Mishler are seeking probes in light of Attorney General Richard Thornburgh's recent order that a national review of police brutality cases be undertaken. Thornburgh's order followed the national uproar that accompanied reports on the brutal police beating March 3 of a black motorist filmed by an unseen observer in Los Angeles.

Albany Police Chief John Dale on Tuesday said the attorneys have every right to write whomever they wish, but repeated his oft-stated view that his department has adequate means to investigate such complaints internally.

"I have the utmost confidence in the internal affairs unit," he said. The chief and Mayor Thomas M. Whalen III have conceded that the perception of police brutality exists here, particularly among the city's black community, but insist that it is unfounded.

In two letters addressed to several federal officials, including an attorney assigned to the Justice Department in Washington, Kindlon and Mishler note four cases they have filed in federal court that allege police brutality. Three plaintiffs in the cases are black; one is white.

"We feel that these cases are terribly important and that it's our responsibility to put them immediately in front of the attorney general," he said.

They single out two present officers and one retired officer named in three of the cases in one letter, saying, "We believe that there is a pattern of brutality by certain police officers that rises to a level of being a violation of the federal civil rights law."

The cases cited in the letters include the following:

● Robert Butler of Albany is suing the city for \$7.3 million, contending that he was riding a bicycle in September 1989 in Arbor Hill when he was cut off by an unmarked police car and knocked to the ground. He alleges that he was beaten by several officers on the street, in a car and at Division 2 headquarters.

● James Lunday of Albany is suing for \$7.13 million and alleges that Kenneth Sutton and other officers in May 1989 kicked and beat him and subjected him to "vile, obscene and racist language" after Lunday refused to identify himself to undercover officers while waiting for his girlfriend outside a city restaurant.

● Daniel Amlaw, a former city resident, is suing for \$7.13 million. He contends that in October 1989 he was assaulted and falsely arrested after he expressed impatience with officers frisking a woman at the downtown bus station with whom he planned to share a cab.

● McKinley Branch Jr., an Albany man who was suspected of dealing drugs to a 14-year-old, is seeking \$4 million in damages and contends that he was driving on North Swan Street in November 1989 when he was pulled over by three police officers in an unmarked vehicle. He claims that an officer struck him on the head with a flashlight and stomped on his back, and that he was assaulted at the Division 2 headquarters.

Despite repeated phone calls Tuesday to the civil rights division of the Justice Department, a spokesman could not be reached to explain whether the cases could qualify for federal scrutiny as part of the review.

Even Fred LeBrun agrees...

(excerpt from column in Albany Times Union, April 4, 1991)

Kindlon's right about prosecutor

The time is ripe, one might even say over-ripe.

For years and years, as long as I've been in this town, stories have bubbled up like an endless sulphuric spring concerning elements in the Albany Police Department being insensitive to the black community. Not everyone in the department, of course, but then "insensitivity" is putting a happy face on those whose names have cropped up again and again involving straight-out violation of civil rights and bare-knuckles physical abuse.

In the streets, in the bus station. Defendants showing up the next day in court looking much the worse for wear. Black defendants. A pattern emerges, or at the very least, the perception of a pattern, and that perception has reached such a level of general acceptance that Albany County District Attorney Sol Greenburg really has no choice.

He should do what defense attorney Terence Kindlon calls for, and ask the governor for a special prosecutor to clear the air. For his office's sake, a nervous city's, and especially for the credibility and morale of the Albany Police Department.

The need for thorough, impartial scrutiny hinges on specific charges against four officers concerning James F. Lunday, a black man who allegedly was beaten while in custody two years ago. He was charged with disorderly conduct, resisting arrest and assault, which has become depressingly consistent as a police response — note the deplorable Los Angeles brutality case. All charges were dismissed in city court, and now the city and certain officers are the object of a \$7.1 million lawsuit.

But the civil suit is not the point; those happen all the time. There is the considerable matter of criminal activity here, and then of lying about it and others wearing a badge swearing to those lies. The idea that such behavior could go on without official reprimand, without the severest accountability, goes to the heart of making sure there are those watching the watchers. . . .

Help For Police Abuse Victims

POLICE ABUSE COUNSELING AVAILABLE AT THE URBAN LEAGUE

Police abuse counseling and assistance with filing police abuse complaints are now available at the Urban League office, 93 Livingston Avenue in Albany every Tuesday and Thursday from 3:00 to 5:00 p.m. Individuals may call the League at

463-3121 or the Center for Law and Justice at 427-8361.

Deborah Williams-Muhammad, specialist with the Region IV Crisis Prevention Unit of the New York State Division of Human Rights and Reverend Hank Johnson representing the Center for Law and Justice will be available to provide assistance.

South Africa

A talk to hear:

'Taking Apartheid Apart'

Chris Hani, member of the A.N.C. National Executive and the South African Communist party will be speaking in various locations in the U.S. on a tour sponsored by the People's Weekly World. This leader in the struggle to bring down apartheid will discuss the situation in South Africa today. The closest locations where he will appear are as follows:

New York City, April 30, 7:30 Symphony Space, Broadway and 95th St. \$10.00

Boston, May 2, 7:30 Cathedral Church of St. Paul, 138 Tremont St. \$3.00

New Haven, May 5, 4:00 p.m. Immanuel Baptist Church, 1324 Chapel St. \$ 20.00 (including South African buffet.)

For more information, call (212) 807-0170.

A talk we protested:

On Tuesday, March 25, members of CD-CAAR demonstrated in protest against Tamsanqa Linda, former mayor of Port Elizabeth township in South Africa and apartheid collaborator. His tour was sponsored by the ultraconservative John Birch society. Linda claimed he didn't know what the Birch society stood for and went on to call for the lifting of sanctions against the white regime. Merton Simpson, co-chair of CD-CAAR, told the press, "He's just one of many puppets that the apartheid structure produces."

A move we object to:

The International Olympic Committee is rushing to admit South Africa into the Olympic games in time for some participation in the 1992 games. Several IOC members are planning to meet with F.W. DeKlerk about the lifting of the ban. South Africa has been banished from the Olympics for more than twenty years in keeping with the United Nations call for a sports boycott of the apartheid regime. The anti-apartheid movement, both in South African and internationally has always contended that there can be no normal sports in an abnormal society. Until apartheid is abolished that continues to be the case.



Police Abuse
in Los Angeles
not an isolated
incident.....
Business as usual
in Albany

Several years ago, when Jesse Davis, a psychiatric patient, was shot to death by Albany Police who were called to quell a disturbance, there was a public outcry for the creation of a police civilian review board. After months of demonstrations, the city agreed to a community police relations board with very limited powers. Now that board, disbanded and later reinstituted by the mayor, is nothing but a community police public relations ploy. Racial harassment by the police remains a reality in the city. **A police civilian review board is needed now more than ever.**

Currently there are four lawsuits pending against the Albany City police for abuse, brutality and racial harassment. The two attorneys representing the complainants have asked the U.S. Justice Department to investigate a pattern of police misconduct in the city. Over the years there has been a recurring list of police names whenever allegations of police abuse arise. There is a widespread mistrust and fear in the African American community of the Albany police. **A federal examination of police abuse cases is long overdue.**

In one of the four lawsuits against the Albany police for brutality, a call has been made for a special prosecutor. In this case the possibility for impartial judgment by the D.A.'s office is in more question than usual. In one of the cases, that of James Lunday, the Albany District Attorney's office unsuccessfully prosecuted a case against Lunday. Now that same office is investigating the charges of police brutality being brought by Lunday. **Governor Cuomo must call for special prosecutor in this case if justice is to be served.**

A Pizza?

The response to our membership drive has been terrific. Over 100 people have sent in their dues. We couldn't continue the work without your continuing support. Many thanks.

But we would like to remind those who have not yet sent their dues that time is running out. Upon receipt of your dues, you will be sent a much coveted membership card and you will continue to receive the newsletter. The dues are only \$5.00 for a whole year. A movie, Chinese take-out, two packs of cigarettes in a machine, one small grocery bag of junk food, a pizza, and on and on - all cost more. And the five dollars you give to CD-CAAR goes directly to organizing anti-apartheid and anti-racist work including the printing and mailing of this newsletter. This could be the best five dollars you spend this year. Enough said. Membership form below:

Tear off and mail (Please print clearly)

Capital District Coalition Against Apartheid and Racism
A Project of the Social Justice Center of Albany
Box 3002 Pine Hills Station, Albany, New York 12203

Enclosed is \$ _____ Yearly dues are \$5.00 More is great!

Name _____

Street _____

City _____ State _____ Zip _____

Capital District Coalition
Against Apartheid and Racism
Project of the Social Justice Center
33 Central Avenue
Albany, New York 12210

Non-Profit
Organization
US POSTAGE
PAID
PERMIT NO. 509
Albany, NY

Important meeting date
Thursday, April 25, 1991
Albany Public Library, 7-9p.m.

**Capital District Community
Conference
on Crime and Criminal Justice**

presented by
Center for Law and Justice, Inc.

Saturday, May 18, 1991 - 8:30 a.m. to 5:00 pm.
Empire State Plaza Convention Center
Albany, New York

For complete details

on this conference,

see flyer inside.

**"Education,
Mobilization,
and Change"**



Capital District Community Conference on Crime and Criminal Justice

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Center for Law and Justice, Inc.

**Saturday, May 18, 1991 - 8:30 a.m. to 5:00 pm.
Empire State Plaza Convention Center
Albany, New York**

**"Education,
Mobilization,
and Change"**



The **Center for Law and Justice, Inc.** is a non profit, tax exempt, community - based organization that works closely with other community organizations and groups to reduce the devastating impact of crime and criminal justice policy on disenfranchised communities, particularly the poor, Blacks, Latinos, youth and women. These communities are more likely to be victimized and treated unfairly throughout the criminal justice system. The criminal justice system's response to crime in those communities is not working; its focus on the arrest, prosecution and incarceration of people of color only intensifies the problems faced by these communities.

The Center believes that it is time for the people of these communities to recognize the peril - and to mobilize against crime and against inequities in the criminal justice system that exacerbate the impact of crime.

(over for more details about the conference)

Capital District Community Conference on Crime and Criminal Justice "Education, Mobilization and Change"

Name: _____

Organization: _____

Address: _____

Telephone: _____

Will you need day care? Yes___ No___ Number of children ___ Ages _____

Will you need transportation? Yes___ No___

Are you interested in becoming a member? Yes___ No___

Workshop choices: Rank in order of preference (list is on back)

A___ B___ C___ D___ E___

Registration must be received by May 10, 1991

There is no charge for this conference. However, a donation of \$5.00 a person would be appreciated. Donations are tax deductible.

Return this form to: **Center for Law and Justice, Inc.**

Pine West Plaza, Building 2

Washington Avenue Extension

Albany, New York 12205

(Telephone (518) 427-8361)

**Capital District Community Conference
on Crime and Criminal Justice
"Education, Mobilization and Change"**

Center for Law and Justice, Inc.
Pine West Plaza Building 2
Washington Avenue Extension
Albany, New York 12205 (518) 427-8361

Conference Schedule and Program

8:30 - 9:00 Registration

Session 1

9:00 - 10:15 Welcome - Merton Simpson, Co-Chair

Capital District Coalition Against Apartheid and Racism

Keynote - Elombe Brath, Chairman

Patrice Lumumba Coalition, N.Y.C.

10:30 - 12:00

Community Forum and Speakout

"Bias in the Criminal Justice System"

Coordinated by Deborah Muhammad

New York State Division of Human Rights

Lunch -Live Music - Cultural Displays and Sales

Session 11

1:30 - 3:30 Educational Workshops

A. "The Criminal Justice System at Work"

B. "Our Children and Justice-The Forgotten Issue"

C. "How to Complain and Be Heard"

D. "The Color of Our Prisons"

E. "Women in the Criminal Justice System"

Session 111

3:45 - 5:00 Summary and Agenda Setting

**"Reclaiming our Lost Generation - Setting a
Community Agenda"**

Brief Description of Workshops:

Workshop A: The Criminal Justice System at Work

The fictionalized story of a young African American male apprehended for possession of a felony amount of drugs will be presented. Representatives from the police, prosecution, legal defense, the courts, the prison system and parole will describe how their agencies would respond.

Workshop B: Our Children and Justice-The Forgotten Issue

Panelists will discuss how the Family Court mandate of acting "in the best interests of the child" can be reconciled with the requirements of justice, particularly for children of color and the poor. Two recent proposals for changes in the juvenile justice system will be examined: the prosecution of more juvenile crimes in adult criminal court, and the development of community care to replace residential placements.

Workshop C: How to Complain and Be Heard

Experienced advocates for victims and the accused will reveal how to bring complaints about the police and lawyers.

Workshop D: The Color of Our Prisons

Well over three-quarters of New York State prisoners are African American or Latino. This workshop will focus on the impact of incarceration on their communities and implications for future generations.

Workshop E: Women in the Criminal Justice System

Three topical issues will be discussed: the prosecution of women who use drugs during pregnancy; clemency for battered women who are incarcerated for killing their batterer; the criminal justice system's response to domestic violence and the treatment of female victims, particularly rape victims and battered lesbians.

The Capital District Coalition Against Apartheid and Racism, a project of the Social Justice Center of Albany, is one of the co-sponsors of this conference. We strongly encourage all our members to take part in this opportunity to discuss the impact of crime and the criminal justice system on disenfranchised communities and to join in this effort to empower community people to develop an agenda for change.