

## **EXCELLENT INTERVIEWS WITH RICHARD BROWN & CLAUDE MARKS --(kudos from Kiilu)**

**From this week's edition of the San Francisco Bay View:**

### **Legacy of torture: the war against the Black Liberation Movement**

#### **Eight Black Panther veterans charged in 34-39-year-old cases based on torture**

by Wanda Sabir

Last week when I was speaking to Richard Brown, who was enjoying his well-earned retirement, we spoke about his friend and comrade John Bowman, who'd been tortured back in 1973. Brown was looking forward to both the screening Sunday, Jan. 28, at 12 noon of "Legacy of Torture: The War Against the Black Liberation Movement" at the Roxie Cinema, 16<sup>th</sup> and Valencia, and the celebration of Bowman's life at 3 p.m. at the Center for African American Art and Culture, 762 Fulton St. at Webster in San Francisco.

At the preview screening of the work-in-progress last October, Ray Boudreaux and Hank Jones were on the panel, and Richard Brown was in the audience. This Sunday they were all going to be at the theatre and the memorial. Now they are all in jail. But the show, said filmmaker Claude Marks of the Freedom Archives, will go on. The gathering, just a day after the protest against the war, is yet another opportunity to develop a plan for action.

The war at home against liberated Africans is obviously still going strong.

When I saw the unedited cut of the film last year at East Side Cultural Center during the Black Panther Party's 40<sup>th</sup> anniversary weekend, I was stunned at the audacity of this government to trample the rights of its citizens with impunity. Hadn't they learned that even one's enemy has rights?

Having assailed the Black Panther Party in 1968 as "the greatest threat to the internal security of the United States," Federal Bureau of Investigation chief J. Edgar Hoover used any and all methods in the FBI's arsenal to dismantle the operations of an organization developed to "serve the people."

The Black Panther Party for Self-Defense was a youth movement. The five men profiled in the film – Ray Boudreaux, John Bowman, Richard Brown, Hank Jones and Harold Taylor – were in their 20s in 1971 when they were accused of killing a police officer in San Francisco's Ingleside Station.

In 1973, 13 Panthers were captured in New Orleans. Several of them were subjected to the brutality of torture, including beatings, electric shocks with cattle prods, hot water-soaked blankets and plastic bag asphyxiation, many of the same forms of torture used at Abu Ghraib and Guantanamo.

They captured Jalil Muntaqim and the now deceased Albert "Nuh" Washington in 1971 in San Francisco. Herman Bell was captured in New Orleans. Ruben Scott was tortured so badly in New Orleans that he made accusatory statements. He later recanted and helped to expose the brutalities committed in New Orleans, but he appears to still be a government witness.

Fast forward to 2005: 34 years later each man is called before a state grand jury on the same charges. Of course, they all refused to cooperate and were thrown in jail. They were later released when the grand jury expired Oct. 31, 2005. The men were warned that "it wasn't over." In June of 2006 they were served with a DNA subpoena during the early morning hours. Richard Brown said they swabbed the inside of his mouth.

There they were: FBI and policemen standing on the Panther veterans' doorsteps – some of these officers the same men who were present during their tortures in New Orleans. John Bowman, who died just last month, told attorney Soffiyah Elijah that he'd never had a good night's sleep since. All the trauma came back.

When I asked Richard Brown if he was worried about the open-ended prosecution spread over 36 years now, he said: "I was named as a participant in 1971 in the murder case. All Panthers were targeted. If we were doing something constructive, we were singled out. They killed Bunchy Carter, arrested and imprisoned Geronimo. It was just our turn. We were next on the list."

When asked where the case was now, Brown laughed. "As far as I'm concerned, they don't have a case. They are going forward. They plan to indict us, convict us and sentence us. They've been telling us this for the past three years: 'Don't get comfortable, because we're coming after you.'

"Thirty-six years if they had any kind of case, they would have arrested us by now. I haven't been officially charged."

“Yes, this case bothers or worries me because they never let the fact that they didn’t have a case stand in their way. They can come up with something tomorrow – evidence they found, people that have a hundred years’ sentence that they will let go home if they testify correctly. They can come up with this.

“They can just manufacture a case. They do that. If they want us, they can come up with something to take to the DA. It’s a different time now. They don’t want to go to trial with nothing, hoping that racism will pull them through.”

Tuesday, as the president was about to give his State of the Union address, these men, now known as the Grand Jury Resisters – Ray Michael Boudreaux, 64, of Altadena; Richard Brown, 65, of San Francisco; Harold Taylor, 58, of Panama City, Fla.; Harold Taylor, 58, of Panama City, Fla.; and Henry Watson Jones, 71, of Altadena; plus other former Panthers connected to the case by “new evidence,” were arrested all across the country and charged with conspiracy and the murder of the Ingleside policeman and a series of other unsolved cases from 1968 to 1973.

Also indicted are Jalil Muntaqim (Anthony Bottom), 55, and Herman Bell, 59, former Black Panther Party members who are eligible for parole in New York, as well as Francisco Torres, 58, of New York City and Richard O’Neal, 57, of San Francisco. Ronald Stanley Bridgeforth, 62, was still being sought.

In 1971 people who remain unknown to this day raided the FBI offices in Media, Penn., and stole files exposing the Bureau’s illegal operations against Black revolutionary organizations like the Black Panther Party and the Nation of Islam and other progressive organizations and movements. Detailed accounts of the systematic attack on Black leaders and Black organizations came out in public hearings hosted by Sen. Frank Church, D-Idaho. This was the first public disclosure of the U.S. government’s Cointelpro (Counter Intelligence Program), and it forced the FBI to “agree” to dismantle this illegal activity.

“All these guys (arrested) are in their 50s and 60s and 70s. The (government) is sending a message to the young people: ‘Don’t even think about joining any liberation movement,’” said journalist Kiilu Nyasha, also a Black Panther veteran.

The Black Panther Party was formed to make Black communities safe from police brutality, yet the government aggression never ceased. Cointelpro intensified, government agents infiltrated the organization and created or encouraged internal differences to the point of using the dissent to destroy individuals and the effectiveness of the movement that the Party was building.

Richard Brown said that when he joined the Party, “he and his comrades didn’t expect to live,” so they didn’t fear death. At 22, he’d always been an advocate for Black people and knew then and now that through “unity we could do anything.”

“The village looked out for us,” he said. In “Legacy of Torture,” Brown said that he wasn’t going to help the government prosecute him because they disrupted his life hurt his family, cost his friends their reputations and even employment opportunities. “They are the guilty ones and they should be investigated, not the other way around. I’ve been contending with this for over 30 years.

“In light of what’s going on presently with the chief justice sanctioning our president’s use of evidence gotten through the use of torture, that’s technically saying they can go back and take the evidence they obtained through torture, arrest us and convict us behind tainted information.” In the film the men spoke of how the New Orleans police told them to sign the statements that the agents wrote if they wanted the pain to stop.

### **Interview with Richard Brown**

Wanda Sabir: When did you start traveling around the country on speaking tours about what happened?

Richard Brown: “We started talking about this when people didn’t believe the government was capable of doing something like this and, because it was primarily happening to Black people at that time, it was overlooked and not believed. We feel if the American public is educated, they will demand it stop.

“I would like those guilty of torture brought up on charges. They said it was illegal way back in 1973 at the Church Commission when they found they’d violated the Panthers’ civil rights over 300 times: They were guilty of unconstitutional acts, guilty of torture, guilty of coercion, guilty of lying and passing false information to get people to lie on different folks, and manufacturing evidence, even to the point of assassination and murder. It happened to Fred Hampton and Mark Clark, Bunchy Carter.

“It was all a part of that Cointelpro program they had to annihilate the Black Panther Party. We feel education is the best way to bring this to an end.”

WS: “Legacy of Torture” director Claude Marks said you hadn’t really talked about what happened to you prior to making this film. Given what you said, it was understandable, since no one believed your stories anyway.

RB: "Actually, when they broke us up, they literally broke the Party up. Many of us went to different parts of the country. I stayed in touch with most of them over the phone. Someone like John Bowman, who was a part of the family, he and I saw each other over the years, but we rarely spoke of the torture.

"We went on with our lives and continued to serve the people the best that we could. I went off into community-based organizations to do as much as I could for my community and for my people. I just continued with the teachings and the principles that brought us to the Party. We honestly didn't actually talk to each other before they came back for us in 2005 this crap all over again. We thought they'd finished back in the '80s.

"They just swooped on us all over the country one day and arrested us and tried to make us go before a grand jury and testify, and we decided independently of one another that we were not going to do that. We were all held in contempt of court and arrested, actually locked up. They took us away from family and spirited us around the country, and no one was able to communicate with us.

"I was locked up for quite some time: six weeks. My attorney didn't know where I was. They kept moving me around."

WS: The right to a telephone call is not true?

RB: "They didn't give me a phone call. People have to be approved beforehand to receive calls. My attorney wasn't able to get through. What you have to do is contact them beforehand, pay a fee to get them on a so-called system. What you'd have to do is write them to contact the phone company and pay a fee so they could receive calls from the jailhouse. Not being able to get a letter out, I wasn't able to tell them.

"It was part of a technique to put more pressure on me."

Brown has been a community activist his entire life. He worked for the Ella Hill Hutch Community Center in the Fillmore, the same area of San Francisco he grew up in. He worked at Ella Hill Hutch for almost 20 years in housing and employment, in criminal justice and as an advocate for the people in the community. He was able to continue "for Black people in the Fillmore what I was doing in the BPP serving the people."

He said of his friend Bowman: "John grew up in this area, also on McAllister Street. He touched a lot of people's lives – an organizer, a warmhearted person everyone could relate to. He could educate and motivate. He was a great man."

WS: Seems like all of you are great men – to be able to live through that. The reenactment in the film of the torture scenes, while not literal, is enough to make one imagine the horror and pain. It's one thing to imagine it; it's another thing to go through it. Sometimes it's not physical but psychological. People have been going through psychological and physical torture ever since slavery.

When that was happening to you, did you think you'd live through it?

RB: "I didn't actually get tortured there in New Orleans at that time. Three of us were tortured: John Bowman, Ruben Scott and Harold Taylor. They arrested me and I was about to be taken to New Orleans, but (the case) was thrown out of court when the evidence acquired through torture was found inadmissible.

"I was fortunate that time. The greatest torture is psychological torture. But I've been beaten while handcuffed. That's so common for Black folks I don't even call that torture. It's the MO for police to deal with Black people in that manner. When they focus on you and try to break you, that's a torture tactic. Police jumping on you while you are handcuffed and outnumbered was ordinary, even typical behavior."

WS: Obviously it didn't stop you from doing the work. How does one, given the legacy of torture and the potential for it to reoccur, continue to serve the people? It seems like you'd be terrified of the harassment, knowing that if you continued they could come after you. Anytime you could get assaulted or killed.

RB: "During the time the Black Panther Party was started and we saw the oppression of our people coming down on us, nearly everyone decided we were in it for the long run. None of us expected to live. That's an unfortunate thing to say, yet, given the time, none of us saw an actual future. Once you make up your mind that you are going to go forward regardless – you do. No matter what they did to us, we were determined not to stop.

"I wasn't actually doing anything except serving the people."

WS: How old were you when you joined the BPP?

RB: "I was a little older, at 22. The average age was 17 or 18. They were very young people, some as young as 15 to 16. I

found out about it on the news coverage of Oakland.

"I was doing things in San Francisco – not to the extent of the BPP, but I love Black people, I love my community and I continue to care about people. My level of consciousness was pretty high, so when the Panther Party came along with the kind of spirit I had, the kind of nature I had, it was a perfect vehicle. So we started the Black Panther Party in San Francisco."

WS: You started it?

RB: "Actually, I was there. Dexter and some other people started it."

WS: I grew up in San Francisco a member of the Nation of Islam. The mosque was on Fillmore and Geary.

RB: "We had several offices on Fillmore Street, on Ellis and Eddy. We'd see a bigger space and move. We were all over Fillmore."

WS: Did the Panther Party and Nation do any organizing around any issues?

RB: "Not politically. There was an overlap. We supported each other."

WS: I found that out at the 40<sup>th</sup> anniversary. A lot of people I knew in the Nation were former Panthers. You said you loved Black people. I presume you were raised in a home that was African centered?

RB: "Yeah, to a certain extent. I was raised by a single mother, as my father was killed when I was 4 years old. I had a lot of help from the community. I had uncles who took the place of my father. Back then, there was a community. The village looked out for all of us and helped raise all of us.

"Because of that, because I grew up in an environment where people cared about one another, I grew up to care about people also. Growing up in a Black community, it was natural I'd grow up caring about Black people. That's the way I see it: unity and love for Black people.

"I grew up in a different time. I know who we truly are, what we are capable of and what we have accomplished. To see what's going on nowadays kind of hurts me. The violence that's going on, particularly with the youth, that's really disturbing. I do all I can to try to put an end to that, to let them know that that is not who we are or where we should be headed."

WS: Do you think the violence is a symptom of something larger?

RB: "Of course. It's a symptom of racism and slavery. We've been conditioned to not unite, to not love one another. They took our culture, our language, our religions, everything. Employment, the lack of employment, the educational system the young people have to put up with, the bombardment with media violence: the movies that they watch, the music that they listen to it's all a part of the problems that youth grow up with.

"It will turn around and go forward again."

WS: What are the lessons that have come out of the prolonged harassment with the government? What are the lessons you'd like to share with someone doing political organizing work for African or Black liberation?

RB: "We all get tired. You get exhausted, yet you can't give up. You will be successful. If I die tomorrow, as far as I'm concerned I have been very successful serving my people with my comrades over the years."

WS: When you look at the legacy of Cointelpro, which now is called Homeland Security, and the laws have been codified under the USA Patriot Act I and II, how, with Cointelpro, the letters, the tapped phone calls, the infiltration creating an environment where people couldn't trust each other and black folks were already having trouble trusting each other –

RB: "Conditioned not to trust each other."

WS: Yes, exactly right – coming over on those slave ships. My question is how do you establish trust, maintain trust, in light of a situation where we know this government does not want African people to come together. What can you do to establish trust, or do you just do your good work and don't worry about it?

RB: "Do your good work and don't worry about it. The Black Panther Party started out with just a few people. San Francisco was a small operation. Sometimes you have to just start with yourself and people see what you are doing, and once they trust you, you build from there.

"It's very hard to get Black people to do anything together and to stay together for a long time, but it can be done. The Panther Party proved that it can be done. Other organizations have proven that. You don't have to be my blood brother; you can be my extended family.

"We have the foundation to be able to overcome the barrier of not being able to trust each other. Somehow over the years Black people have somehow overcome, worked together and made progress. In our time, we have to pull it together and go forward in order to not die here."

### **Interview with Claude Marks**

Director Claude Marks says his film, "Legacy of Torture," examines the increasing legislative legitimacy over the past 30 years that gives the United States the right to torture people.

"We saw last year in the contested public space between Bush and other forces when they chose essentially to carve out a space for themselves to redefine what torture was, so that water boarding is considered harsh treatment but (is now) a legitimate form of interrogation, and that's only one example," he said.

"Of course, the U.S. government, some of that – you can tell what kind of pressure they are under with Abu Ghraib, with Guantanamo. I think what the film tries to do is to say that this type of physical abuse and violation of people's human rights has been happening in the United States all along, particularly in prisons, with the retaking of Attica very substantially documented – the level of torture and treatment of people, including targeted assassinations of some of the leaders of that prison rebellion that took place in 1971 in New York.

"It's also true that these people in this film, former members of the Black Panther Party, when they were arrested, were tortured. This set of government violence against the Black Movement takes place in the context of Cointelpro and attempted to wipe out the leadership of the part of the Black Movement in the '60s and '70s that most challenged the legitimacy of the US government's racism, repression and segregation as well as its role conducting wars in Vietnam and Southeast Asia.

"This is one of the reasons why Cointelpro functioned in such a targeted or focused way, because they defined the Panthers, in particular, the Black Panther Party for Self-Defense, as the single largest threat to the U.S. government.

"The Black Panther Party was revolutionary and it in fact challenged a lot of people's notions about what the U.S. could be, should be. And (the BPP) revealed and unmasked that level of internal oppression and apartheid that takes place within these borders and has (taken place) historically.

"The film tries to say this has never ended. As a reporter in the mid-'70s, I was part of breaking the story of what happened in New Orleans in 1973 (when the Panthers were arrested and tortured).

"I interviewed the men brought to San Francisco in 1974. What we did was to air on KPFA that some of the Panthers arrested were subjected to incredibly violent, tortuous treatment.

"And in 1975 some of the cases that were put together by the San Francisco police and federal government against former Panthers were thrown out because at that time, testimony and statements arrived at through torture could never stand up in our legal system. Now that's changed, and this is what we try to point out in the film, that the government is trying to make torture more acceptable.

"I'm convinced that's why the state attorney general's office and the federal government felt that they could come to the doors of these former Panthers, the same officers in some cases who were present for the torture in New Orleans, come to their doors some 30-odd years later and say, 'Remember me? We're going to do this again.'

"That's pretty hard to wrap my mind around: to go to your door and see the man who tortured you in your youth telling you you are going to go through this again because the terrain is somewhat different under the Patriot Act and the laws have changed. The courts are more reluctant to sanction the government's abuse of human rights and civil rights, and so to me that's what the film tries to talk about.

"The point it tries to unmask is the consistent nature of this kind of extra-legal behavior on the part of the U.S. government and its agents, despite the Church hearings in 1972 and the supposed dismantling of Cointelpro," Marks concludes.

"The Legacy of Torture" moves between interviews with the men and interpretive reenactments of the torture scenes, which were just as jarring and upsetting as if we could see the face of the actor or hear the cries. The film is a meditation on what can happen in a democracy when its caretakers are left to their own devices. Freedom once again a commodity

up for grabs as soon as one stops guarding it.

"We have this unique insight from people who have experienced these events, who are willing to step forward and try to get people to understand that it's up to us and the kind of movement we build to force the United States to be accountable for this illegal, inhumane behavior, because the courts and government infrastructure and the elected officials are either unwilling or unable," Marks said.

"Legacy of Torture" is a visceral experience and a wake up call. For information on the screening or the memorial, sponsored by Freedom Archives and the New College Media Studies Master's Program, call (415) 863-9977.

*Bay View Arts Editor Wanda Sabir can be reached at [wsab1@aol.com](mailto:wsab1@aol.com) or [www.wandaspicks.com](http://www.wandaspicks.com). The addresses for sending words of encouragement to the two Panther veterans at the San Francisco County Jail are Richard O'Neal, 2300818, 850 Bryant, 6<sup>th</sup> Floor, San Francisco CA 94103, and Richard Brown, 2300819, 850 Bryant, 7<sup>th</sup> Floor, San Francisco CA 94103.*

San Francisco Bay View  
4917 Third St.  
San Francisco CA 94124  
(415) 671-0789  
[www.sfbayview.com](http://www.sfbayview.com) (badly hacked but coming back - soon)

The Freedom Archives  
522 Valencia Street  
San Francisco, CA 94110  
(415) 863-9977  
[www.freedomarchives.org](http://www.freedomarchives.org)

---

News mailing list  
[News@freedomarchives.org](mailto:News@freedomarchives.org)  
[http://freedomarchives.org/mailman/listinfo/news\\_freedomarchives.org](http://freedomarchives.org/mailman/listinfo/news_freedomarchives.org)