

THE CONSPIRACY CONTINUES: WHY WE ARE DEMANDING
LEGISLATIVE HEARINGS ON THE CASES OF HERMAN FERGUSON,
DHORUBA BIN-WAHAD AND THE NEW YORK THREE

HERMAN FERGUSON

In June 1967, Herman Ferguson, a well-known African-American activist and assistant public school principal was arrested, along with 16 other African-American activists, on a array of politically-motivated charges by the New York City Police Department. Ultimately Herman Ferguson and Arthur Harris was convicted of conspiracy to murder Roy Wilkins and Whitney Young, Jr. The chief prosecution witness against Ferguson and Harris was a Black police officer who claimed that he had been taken out of the police academy before receiving any training and assigned to undercover work in the Black community. In 1970, following the exhaustion of their appeals, Ferguson and Harris, rightfully convinced that they could not receive justice in the United States and fearing for their safety went into exile.

In April 1989, Ferguson, now 68 years old, returned to the United States, in his own words, "to be reunited with my family, my grand-children and my great grand-children whom i've never seen. Also my sons Michael and Mark. I also wanted to return to the Black Community which i love very much." Immediately upon his arrival at Kennedy Airport Ferguson was arrested by federal officials, and is presently incarcerated in upstate New York on the 1968 conviction and awaiting trial on a charge of bail jumping. Recently released FBI documents, not turned over to Ferguson during his trial, reveal that he had been target of the FBI and the New York City Police Department since at least 1964 because of his political work on behalf of African-American people, particularly his work with the Organization of Afro-American Unity, the Black Brotherhood Improvement Association, the Jamacia Rifle and Pistol Club and the Revolutionary Action Movement (RAM). Ferguson has filed a motion to vacate his conviction and dismiss the indictment and is also fighting for the full disclosure of his FBI file.

DHORUBA BIN WAHAD

Dhoruba Bin Wahad (formerly known as Richard Dhoruba Moore) is a former leader of the New York City Chapter of the Black Panther Party and one of the 21 members of the BPP indicted in April 1969 on conspiracy charges ultimately thrown out by a jury after two hours of deliberation. Two weeks after his acquittal in Panther 21 case, Dhoruba was arrested. In 1971, Dhoruba was falsely and unlawfully convicted of attempted murder of two police officers and sentenced to 25 years to life imprisonment. After 18 years of legal battles, Dhoruba and his lawyers finally obtained 300,000 pages of FBI documents which were deliberately hidden from them during the original trial. In April 1989, New York State Supreme Court Justice Peter McQuillan ruled that this suppressed

evidence, although enough to require an automatic reversal of his conviction on direct appeal did not warrant reversal on indirect appeal. In other words, because the FBI refused for over ten years to turn over its documents, Dhoruba remains in jail. Dhoruba is appealing this decision to Appellate Division of the State Supreme Court. Dhoruba's appeal will be heard on September 15th at the Appellate Division for the Second Department, located at 25th Street and Madison Avenue. COME TO COURT.

THE NEW YORK THREE

The New York Three, Albert Nuh Washington, Herman Bell, and Jalil Abdul Muntaquin (formerly known as Anthony Bottom) were also members of the Black Panther Party. Forced underground by, in Herman Bell's words, the "relentless f.b.i. and police attack on the Party," in 1971, the New York Three were accused of the murder of two New York City police officers. At their trial, none of the FBI documents concerning its investigation of this action were turned over to them, including documents showing that then President Nixon had taken a special interest in their case and had held meetings at the White House about it. The New York Three are presently preparing a federal habeas corpus petition challenging their convictions. Along with Dhoruba and Geronimo Pratt, a member of the Los Angeles Chapter of the Black Panther Party who was falsely convicted of the murder of a white woman in Santa Monica, California in 1970, the New York Three, who are serving prison terms of 25 years to life, are among the longest held political prisoners outside of South Africa.

WHAT YOU CAN DO

1. Support the campaign for legislative hearings:
 - a. Distribute Petitions and Leaflets.
 - b. Call or write the New York State Black and Puerto Rican Legislative Caucus and the Congressional Black Caucus.
2. Build Support For Herman Ferguson, Dhoruba Bin-Wahad and the New York Three:
 - a. Attend rallies, meetings and benefits.
 - b. Come to court.

For More Information:

FREEDOM FOR HERMAN FERGUSON COMMITTEE, P.O. Box 393, Brooklyn, New York 11238-007

COMMITTEE TO FREE DHORUBA BIN-WAHAD, c/o Robert Boyle, 294 Atlantic Avenue, Brooklyn, New York 11201