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Federal Appeals Court to Hear Patrice Lumumba Ford Case

Patrice Lumumba Ford's 18-year sentence will be reviewed by the U.S. 9th Circuit Court of Appeals on December 4 in Portland, Oregon. Ford received national media attention as part of The Portland Six, who were accused of being a "terrorist cell" in 2002.

Ford's new lawyer, Shaun McCrea of Eugene, will argue that the sentencing guidelines for "treason" were erroneously applied in her client's case. Previously, Ford tried to obtain habeas relief on the grounds of ineffective assistance of counsel under 28 U.S.C. sec 2255, but that appeal was denied by the U.S. District Court late last year.

McCrea's oral argument will be heard by the 9th Circuit Court of Appeals on Monday, December 4, at 9 a.m. at the Pioneer Courthouse, 700 S.W. 6th Avenue, Portland.

Ford has been incarcerated since his initial arrest on October 4, 2002.

Ford made a trip to China in October 2001 in the company of five other Portland men--mostly African-American converts to Islam. In China, he was denied entry to Pakistan, where he hoped to help at the Afghani refugee camps. After a month abroad, he returned to his home in Portland.

One year later, federal agents nabbed Ford and the others who had traveled with him to China. Attorney General John Ashcroft called the group a "terrorist cell." It was never proven that Ford or the others had any connection to Al-Qaeda, the Taliban, or any other terrorist organization.

The case was expected to be a challenge to the Department of Justice's expanded spying powers under the Patriot Act but, like other "terrorist" cases around the country, it never came to trial.

Federal prosecutors first offered five-year sentences in a plea bargain. The offer was later withdrawn, presumably under orders from then Attorney General John Ashcroft. In the end, all defendants, afraid of the very real possibilities of life in federal prison, agreed to much longer sentences. Ford, the last to plead out, accepted an 18-year sentence for "seditious conspiracy."

Immediately, Ashcroft, in a press conference that coincided with the Senate vote to wage war in Iraq, went on national television declaring that these plea bargains constituted "a defining day" in the U.S. fight against terrorism.

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