

**SAN Q & YOU**

see p. 3

# CONS CRY FOR HELP

*Berkeley*



*Barb*

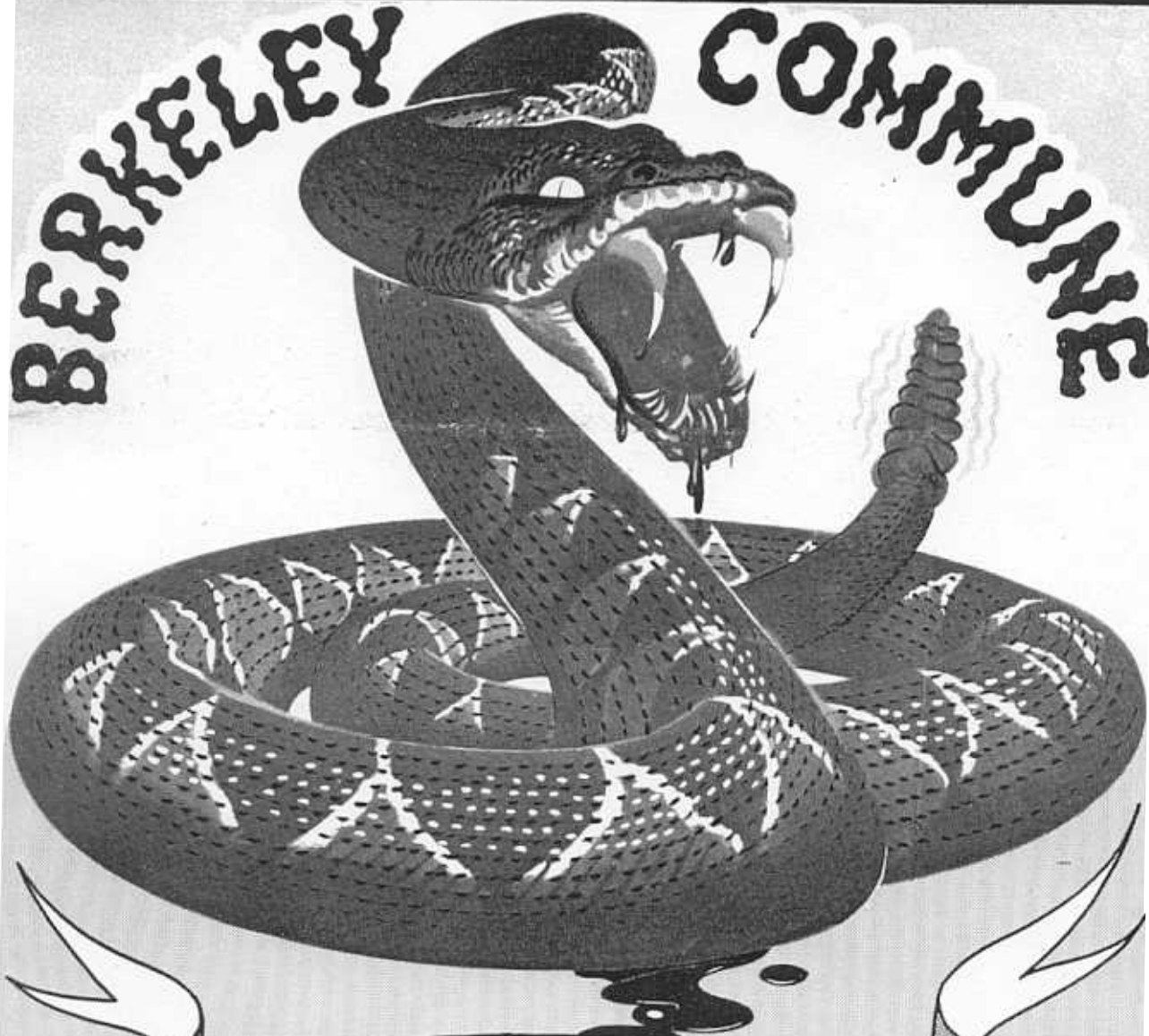
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**15¢ BAY AREA**

**20¢ ELSEWHERE**

**BERKELEY COMMUNE**



**DON'T TREAD ON ME!**

## NEWTON SUPPORT MOUNTS

If Black Panther Minister of Defense Huey P. Newton goes on trial Monday for murder, a large body of people in and outside the courtroom will be showing him their support.

While the State is trying to make a case that Huey killed an Oakland cop, the people outside—probably many thousands of them—will demonstrate their belief that the black leader is being victimized by institutionalized white racism, and that Huey should be set free.

The courthouse gathering will originate at Merritt College at 9 a.m.

At a Wednesday press conference, speakers for Peace and Freedom, Students for a Democratic Society, and the Medical Committee for Human Rights expressed support for Huey.

"We will give the courts of Alameda County one chance to show that they are capable of dealing justice to a black man," P&F organizer Rick Hyland said. "They can do this by setting Huey P. Newton free. There is no other way."

Morgan Spector of SDS said Huey is "being tried as a criminal for his political activities and beliefs."

Meanwhile, D. A. Frank Coakley was asserting that Huey Newton can get a fair trial in Alameda County. According to the Berkeley Gazette, Coakley said "Anyone who says he cannot be impugning the character, honesty and integrity of the people who serve on the juries in this state."

Huey's supporters began wondering whether the D. A. had been sheltered from the word "racism."

Monday's demonstration for Huey at the Alameda County Courthouse is being coordinated through the offices of the Black Panther Party (654-2003), Peace and Freedom Movement (549-0690 or 431-0383), and Young Socialist Alliance (849-1032).

Car pools will leave from Dana and Bancroft in Berkeley at 8:30 a.m.

People working on the demonstration indicate that volunteers are needed throughout the weekend to help with large-scale publicity, including "heavy leafletting."

The aim of the organizers is as massive a mobilization as possible.

On Sunday, July 14, the day before Huey's trial begins, the Black Panther Party will hold a barbecue. See p. 7



## BERKELEY COMMUNE

# STREET PEOPLE EMERGE AS UNDERGROUND FORCE

by James A. Schreiber

The birth was painful and bloody, but the baby, a mutant, is alive and kicking.

The street people have emerged from the Berkeley battle as its most important and lively offspring. The culture of the streets is newly energized by the sting of teargas and the thwack of nightsticks.

A true underground, unseen, is taking form.

Dozens, scores, perhaps hundreds of persons and small groups are now planning and acting to achieve community liberation—however that community might be defined.

Street people are now publishing "Barricade," a street newspaper/poster. They are operating a communications center on the streets, at a card table out on The Block where the battle began.

Specialized groups are forming to act on matters ranging from providing free food to plans for sabotage. Some are on the surface, some partly submerged, and some, we hear, are small, secret, and tightly knit.

One thing all have in common is the view that ten hours of July 4 festivities on Telegraph Avenue at the suffrage of the Berkeley City Council is not the acme of human freedom.

The street people we talk with are deliberately non-organization and non-leader individuals who resonate with the original 5F Diggers and with the Up Against the Wall Motherfuckers in NY.

Labels, for the moment, can identify the Berkeley Commune, the Delaware Affinity Group and the Persian Fuckers as clusters of active, visible street people. Their notion of a commune is not a roof and meals, but a community of people all located under the falling club, people who will fight in their various ways to throw off the stark and subtle forms of tyranny, USA, late-'60s.

One overt form of organization suggested in "Barricade" is a block to block network, of the kind which grew spontaneously several places in Berkeley during the recent siege. Overlapping with such a structure is the currently existing community of specialized clusters with links in various directions.

lets, and mouth to ear are boycotts of anti-people businesses, crash-pad networks, anti-nark agencies, community control of cops and life-saves, free medical facilities, recall of Mayor Wallace Johnson, workers cooperatives, individual lawsuits against the city, toppling the university, blocking traffic and dozens of others.

If the "Berkeley Commune"—which is also used as the generic term for the whole street-people thing—continues to spread in its present manner, police agencies will find it necessary to send an entire division of new undercover flunks, and when they are uncovered the street people plan to publish their pictures and records, and send the information throughout the country via the underground press.

The street people are searching for the form, substance, and vocabulary of their immediate and long-range liberation struggle.

To begin, in addition to forming groups to bug hell out of the powers who brutalized them, they are calling each other "brother" and "sister."

## FARMWORKERS COURT FIGHTS END IN WINS

Three court victories have been won by the National Farm Workers Organizing Committee in recent days. Two Glumarra farms and their wives were found guilty of attacking three UFWOC strikers. They were fined a total of \$450 and given suspended jail sentences.

In a Bakersfield court, damages of \$2,500 were awarded UFWOC organizer Mark Silverman for a beating by Glumarra contractor Valeriano Juarez.

Mrs. Rosy Long, a DiGiorgio worker, was awarded \$252 in unemployment insurance by court order. The money had been denied her because DiGiorgio claimed she had quit her job. The judge ruled she had taken a leave of absence. Nothing could be done with DiGiorgio until UFWOC took the case to court.

The long strike against Glumarra continues. UFWOC ask you not to buy table grapes, regardless of label. Glumarra, largest grower of table grapes, has not agreed

# SAN Q CONS IN RENEWED RIGHTS FIGHT

What can a con do to humanize California's prisons?

Whatever it is, San Quentin's convicts are going to try again.

They plan a show of convict unity on August 3 to move the public and legislature into action to make the State's pens fit for people.

Their purpose is to draw attention to the need for a legislative investigation of the California Department of Corrections (CDC), focusing on the arbitrary power of Adult Authority.

Their intent is to be nonviolent, and to break no prison rules.

## ASK RECALL OF MAYOR, DE BONIS

Recall fever has hit Berkeley. A group of citizens has informed BARB they will appear before the City Clerk and will present formal notification of intent to legally unseat Berkeley's Mayor Wallace Johnson and Councilman John De Bonis.

"Throw the rascals out!" is the expressed goal of the Berkeley Recall Committee, a group of 12 citizens convened in the aftermath of police violence that turned Berkeley into a stunned and occupied city two weeks ago.

The notice is signed by BRC secretary Oliver Kenning. It enumerates a host of violations of public trust for which the Recall Committee feels the Mayor and the Councilman should be held accountable.

The notice charges both men with "negligence" in office, of instigating unwarranted police action resulting in bloodshed and destruction of property, and of depriving citizens of constitutionally guaranteed first amendment rights.

The Recall Committee argues that those officials responsible for the police actions of two weeks ago acted in a manner which violates the Civil Rights Act, and suggests these men might "stand trial for breaking oath and violating the rights of the people of Berkeley."

The Recall ax falls most heavily on Councilman DeBonis. A separate page of charges accompanies DeBonis' notification. It charges DeBonis' "close-minded, extremist harangues" have served to corrode community relations with Berkeley's once-esteemed police force. The notice further scores Councilman DeBonis for "having directly instigated the police action of shooting tear gas" into the peaceful gathering assembled on Telegraph Friday night, June 28.

Subsequent violations of civil rights and cost to businessmen and property owners are laid to the police "in their efforts to enforce the ruling of a handful of frightened, selfish men... especially Councilman John DeBonis."

The officials notified will have one week to make an argument and the Berkeley Recall Committee will be granted one more week to lodge its argument.

Thus, in two weeks petitions may appear. It will be up to the Recall Committee to acquire signatures equivalent to 25% of the voters in the last city election. Mr. Kenning puts the Committee's goal at 20,000 signatures.

A year ago a recall petition was directed against the entire Board of Education. It failed. This latest attempt comes at an auspicious time—1968 appears to be a good year for recalls.

Money and volunteers are needed. The Recall Committee hopes

This intent should prevail August 3rd. However, reports from inside indicate that the more militant convicts are waiting to see the results of the early August unity day.

If the state government does not respond to the peaceful demonstration, the militant cons are reported ready to launch "guerrilla" assaults within San Quentin, including the use of gasoline and other flammables.

Meanwhile, Warden Louis "Big Red" Nelson continues his efforts to suppress the convicts' contraband newspaper, "The Outlaw." Late in June he transferred two inmates to Folsom to complete the deportation of the forbidden paper's staff.

"At last the muckrakers who publish the OUTLAW have been apprehended and sent away," jeers the July 3, 1968 issue of "The Outlaw," which arrived in BARB's mail. "Sorry about that, Big Red, you missed again." After recent sporadic publication, over 200 copies each of the July 1 and July 3 issues of "The Outlaw" are now being passed around inside San Quentin.

"Our keepers... have started rumors about white plots against the black convicts," the July 3 "Outlaw" says. "They have started rumors about black plots against the white convicts..."

"They want to make this prison into a seething cauldron of discontent. Why?? Because they want to have this prison ready to explode into violence at any time THEY want it to... They must provoke us into actions that will show the public and the legislators that we are Mad Dogs."

"Why?? Because we are now threatening to put an end to the CDC pork barrel."

The cons' underground paper goes on to express confidence that people on the outside will show massive support at the San Quentin walls, as they did during the February 15 Convicts Unity Holiday this year.

The Unity demonstration then escalated onto a nearly-total strike when the custodial staff attempted to interfere with the peaceful network protest inside. Since that strike, free citizens have been talking with legislators about the need for basic changes in the Adult Authority and other agencies of the CDC.

"Our cause is bigger than San Quentin!" the outlaw paper says. "Our cause includes every man in prison in Calif! Our cause includes every man on parole! Our cause includes every man that will be sent to prison in California!"

Although formal arrangements are difficult to make, the cons evidently rely on solid support from the streets.

"On that day BEFORE UNITY DAY/AUGUST 3rd, our outside support will focus attention of the public onto our reasonable rightous request. They will show that all we want is an investigation of the convicts complaints that have been raised about the CDC and the Adult Authority."

"They will show the public and legislators that we know the right way to get an investigation of our

## KAYO CLAIMS

## COP BEAT HIM

## \$500,000 WORTH

Attorney Terence Hallinan filed a half-million dollar claim against the city of San Francisco Thursday afternoon as BARB went to press.

Hallinan is faulting the city "for retaining a well-known sadist" as a police officer, he told BARB this week.

Hallinan was clubbed during the San Francisco State melee in May, by Officer Michael Brady. He took 16 stitches on the left side of his forehead and was charged with battery on a police officer, a felony.

Hallinan claims that Brady "has had a running feud with me" over the past four years. He said Brady has testified against him and his clients several times.

Meanwhile, Hallinan's case was bound over in a pre-trial hearing by S. F. Municipal Court Judge John A. O'Kane, Wednesday. Hallinan said he will plead not guilty next week.

At the hearing, he said, Brady was not called as a witness. Testifying against Hallinan were Officer Gutierrez, who knocked down the girl Hallinan was trying to help when he was beaten, and KGO cameraman Steve Huss. "They'll put me on trial!"



Photo by Herzog

## STREET BROTHER REVIVES PLAN TO CHOP CHOKING HAND

Slipped under BARB's door Tuesday night was a manuscript urging the secession of the South Campus area from the City of Berkeley.

This idea revives a proposal by Michael Romanov in the September 2, 1966 BARB that the part of Berkeley between Berkeley Way, Oxford and Fulton, Oakland, and the eastern city limits should become an independent municipality.

The current proposal, according to its signer, is being submitted to the street newspaper The Barricade and will be distributed by leaflet. "Jack Cade" is the name attached to the current proposal. Jack Cade was also a Shakespearean character, a rebellious member of the "rabble" who led a revolt against King Henry VI.

The manuscript is printed here:

Now, streetbrothers, street sisters, now is the time to chop off the hand that holds us by the throat. Now, while the crimson memory is vivid, we must act to sever the strangle hold of the government of the City of Berkeley. It can be done. This is how:

Two years ago Michael Romanov half in fun proposed that the area south of the UC campus should split from the City of Berkeley, and should set up the self-governing municipality of La Mancha. It's not fun any more.

(That's a good name for our community. La Mancha is where Don Quixote lived. In Spanish it means The Place, or The Spot, or The Stain.)

Emeryville broke away from Oakland. Piedmont broke away from Berkeley. It's even legal.

We can control our own police. We can govern ourselves by an open, democratic town council. We can decide to have trees and flowers instead of cement, to have people instead of cars on the streets.

We can do it on our own, soon, if we hustle the signatures and then the votes of the people who are still bleeding sick of the Berkeley City Council and its army of occupation.

We can get help from organization people like P&F and the Trots. We can suggest that Berkeley's black community break away at the same time, and we'll vote for their thing and they'll vote for ours, and between us we'll have enough votes to win, and there'll be three towns where Berkeley was and then if the Berkeley City Council wants to call out a thousand cops again they can beat their own heads, not ours, not the black people's.

Self government. All power to the people. Black control of the black community. Our control of our community. It's within reach. We must do it. We can do it. We can do it soon, even while all the rest of it is going down.

We will draw up a manifesto or proclamation or declaration of independence, and go to the City Council and tell them something like this:

You, Do Not. Represent. Us. WE represent us.

You pass laws for the benefit of the rich, the oppressive, the plastic people who live behind walls, but never for us. You pass laws that place the flow of tourist traffic over the right of people

tiful people.

You are elected by political machines that can afford expensive political campaigns, by people who do their most to put us down and drive us out.

You send armed men who harass our people because they hold different views and do not choose to dress and act and think as you do. You send an armed garrison that indiscriminately clubs and gasses and terrorizes our people. You send armed forces to prevent us from leaving our homes, armed forces who come into our homes to brutalize us. You send agents, men living a lie, among us to trap people into jail who violate archaic, oppressive, irrational laws. You have spilled the blood of our people.

You maintain a city government

## BARE DEATH THREATS TO DELLUMS, BLAKE

Two prominent Berkeley citizens received death threats last week after the city council reversed itself and gave Telegraph Ave. over to the people for the 4th of July.

Councilman Ron Dellums and restaurateur Larry Blake each told BARB this week that they received phone calls threatening their lives, immediately after Telegraph Ave. was liberated.

Both of the men were in favor of closing Telegraph for the fourth of July to prevent further violence in the city.

Blake told BARB that he received only two phone calls, both Wednesday night, but that they were probably from the same person. Saturday's Gazette carried the story and played it as if Blake had received "hundreds of threats" from activists prior to the council's reversal.

Blake made it clear however that he received only two direct threats on his life after, acting on behalf of the Sather Gate Merchants Assoc., he announced favoring the closing of Telly for the 4th.

"The one call was something to the effect: 'You commie son-of-a-bitch--if I catch you alone in an alley I'll get you,'" Blake said.

Councilman Ron Dellums told BARB that he received 15-20 calls threatening his life and his family's, around midnight Thursday.

that sanctions the harassment of our people and projects those of officers of yours who violate the law while harassing us.

You, while people are hungry, are using our money to devastate our streets, our landscape, our homes, so a few men can grow fat.

We are done with your scorn, derision, intimidation, brute force and terror. We do not need you. We can and will govern ourselves. (At our worst, we can certainly not do as badly as you.)

Councilman of the City of Berkeley, can you dig it? We're serving notice that we, the people of the streets, are going to win the signatures and ballots needed to create the independent municipality of La Mancha, to get your unequaled hand off our windpipe.

Street people, we really can have our own free town right here if we work for it. Right now there's no organization set up to do it, but if you groove with it, it will happen. I hope you'll talk together about it . . . in small groups.

I'm only

Your Street Brother,  
Jack Cade

two cents," Dellums said was the call he remembered most clearly.

Dellums then went up to Telegraph and informed the people who remained on the street of the calls.

"The people were beautiful--extremely co-operative," Dellums said. "Most of them left immediately."

Both Dellums and Blake indicated that through mail and meeting people on the streets they were commended for the stand they took to prevent further violence.

Dellums backed up the position he had taken by saying, "I do what I think is right. Once I allow myself to be intimidated, it opens the door to fascism."

"Berkeley is considered a liberal city," Dellums continued, "but in many ways it is sick and fascistic. In 1968 you don't take a threat on your life idly."

—tar

## HIGH ROCK MASS TO ROCK THE FREE

There will be High Rock Mass at the Free Church Saturday the 13th at 8:30 P.M. The Free Church is located at 2516 Durant at the sign of the yellow submarine.

The Rev Richard York will officiate, music will be supplied by the Purple Earthquake, and the lightshow will be done by the Electric Watchglass.

Everyone is invited to bring

# RICHMOND COPS GET GUNS BACK AS BLACKS FUME

In Richmond Monday night, the whites came down from the hills and gave the police back their guns to shoot more blacks in the flats.

In Oakland Tuesday night, Police Chief Charles Gain put a safety catch on police guns with an order "not to discharge firearms" to capture or prevent escape of burglars, car thieves, or drivers guilty of felony violations of the State Vehicle Code.

In Berkeley Monday night, the police shot Calvin Lee, as "he drew an object from his pocket which appeared to be a gun." It wasn't. It was a lineoleum-cutting knife. This alibi has been used by Berkeley police before.

The Berkeley Police had responded to "reports of gunshots" in the West Berkeley neighborhood of 926 Channing. There were no gunshots. There was, however, another "suspect" shot by the Berkeley Police.

Meanwhile, back in Richmond—where the city council reversed itself on its "no-shoot" gun policy adopted the previous week—black city councilman, Nathaniel Bates, announced:

"I wash my hands of this—I will

## CLEAVER CAMPAIGN STYMIED

California's parole apparatus is being used to confine Eldridge Cleaver to the Bay Area.

He has been forced to cancel three weeks of scheduled appearances at conventions, meetings, fund-raising affairs, conferences with attorneys, publishers and supporters of his campaign for President of the United States.

Cleaver had been scheduled for New York City this week; Los Angeles the preceding and following weeks.

"It is out of my hands," said the parole officer, Dan Carter, when attorney Charles Garry objected. Obviously, Cleaver charges, pressure is coming from higher up, like from Alameda County officials, including District Attorney Coakley, and from the Adult Authority.

Cleaver had been scheduled to address the national convention of the National Lawyers Guild in Los Angeles. This had to be cancelled on short notice. The same with meetings and fund raising affairs of the Peace and Freedom Party.

In New York, he had planned to confer with attorneys who are working with his attorney in proceedings that will determine whether he will be inside or outside of prison. He had planned to confer with the publishers of his best-selling book, "Soul on Ice." He had planned to confer with black militants and white radicals.

He is cut off from sources of support and money, as political candidate, as Minister of Information of the Black Panther Party.

Parole Officer Dan Carter issued the order restricting Cleaver to the Bay Area on July 2. He said the purpose was to assure that Cleaver would be at San Quentin on July 8 for an Adult Authority hearing to determine whether his parole would be cancelled.

When the July 8 hearing was called off by Superior Court Judge Raymond Sherwin, the same judge who had freed Cleaver from Vacaville State Prison on June 4, Carter's pretext was gone. But this made no difference. Carter now said the restrictions would continue until a July 15 hearing, "and probably beyond."

The July 15 hearing will be in Judge Sherwin's court, at which time the Adult Authority is to "show cause" why it should not discontinue its efforts to have Cleaver's parole rescinded.

People in the Bay Area will have an opportunity to hear Cleaver, on Sunday, July 14, at a rally in support of Huey Newton, on the eve of his trial. It will be held in the

not be responsible for what happens now." And Mrs. Lucretia Edwards, Richmond's Human Relations Commission chairman, resigned in protest.

What brought the city of Richmond to the brink of community disaster was the shooting of a fifteen year old black youth, Charles Mims, two weeks ago.

He was shot twice by a Richmond "Reserve" police officer, Jeffrey Grates, and still is in serious condition in the hospital.

This week at a public council meeting attended by over 2,000 Richmond people, the council voted to rescind last week's council's action prohibiting the police from shooting except to save a life.

They can now shoot anybody who is running from what might be a stolen car (as was young Mims).

Cornelius J. Doherty, a businessman and chairman of the town's "Support Your Local Police" was loudly applauded as he presented a petition allegedly containing 10,000 signatures "gathered in one week" to give the cops their guns.

Frank Cortese, Albany drug-store owner and Birch Society leader, claims credit for this petition, according to the Berkeley Gazette.

Henry Ramsey Jr., a black community leader, said that businessmen in Richmond think more of their property than of a life "and if they continue to think so, they had better do their business elsewhere."

A black citizen wanted to know what would happen "if a Negro police reserve officer was riding in a white neighborhood and shot a white youth running from a car?"

He answered his own question by stating "I would be hung up by the balls, and I don't mean my eyeballs."

Another black citizen told the Mayor "you talk on my time but

## KILLER COPS TURN INTO COP KILLERS

Three "off-duty policemen" shot each other up over a traffic snarl on a New York City expressway, not knowing they were "brother officers" of the NYPD.

One is dead, another is seriously wounded.

One cop, during the argument, reached into his pocket for his badge to identify himself. Another cop, thinking he was drawing a gun, shot him in the head.

A detective, of the "Police Bureau of Special Services," showed up and ordered the cop to drop his gun. When he refused, the detective shot HIM.

All were in civilian clothes.

I can't talk on your time," The Mayor told him. "You have one minute left," and the black replied, "go ahead and take it, you took all the rest."

Each speaker was allowed five minutes to make a statement. The meeting lasted past midnight.

A white attorney pointed out that the city council, meeting in secret to reverse their previous gun restriction, was "violating the Brown Act." (The Act prohibits closed legislative sessions.)

A black lady said that "these people here tonight supporting the police don't show downtown. They shop in San Pablo or El Cerrito" (she was referring to the whites who live in the Richmond hills).

"It's us Negroes who bring you business. We are the hinge that keeps Richmond going, and we are about to unhinge this town!" she said.

As one black lady kept trying to tell of police brutality she witnessed, the Mayor kept asking her to "speak to the point." She described how "your cops came up to these young Negroes and beat them. One cop even kicked in the side of one of these youths' new car."

## KILLERS

## WHICH ONE LIED TO GRAND JURY?

by Leonard Brenner Glaser

The Oakland police version of the killing of Bobby Hutton, Black Panther Party Treasurer, is fantastic simply on the face of things. Here it is — taken directly from the Grand Jury transcript, filed on April 25, 1968:

Two Oakland police were cruising through the Oakland ghetto, on Saturday night, April 6, at about 9:10p.m.

Officer Nolan R. Darnell relates how the battle between the police and the Panthers began:

A. — As I started through the intersection, continuing southbound, I saw a male Negro adult standing on the driver's side of a white Ford which was pushed down in the 2900 block of Union, and as I crossed through the intersection, I saw this man look up and he hesitated for a moment and then he ran around the car into the sidewalk, and when he got to the side of the car, he dropped to the ground.

Q. — Did you continue in a southerly direction on Union?

A. — Yes, I drove up and I stopped maybe fifteen feet behind the white car, and it entered my mind that possibly this man, the car was stolen, and he ran because he saw the police car. And I stopped and started to go around and see why he was hiding behind the car.

Q. — As you got out of the car, what happened?

A. — Well, as I stood up — I believe I had one foot on the ground — and a couple of shots rang out and I immediately fell to the ground. (pp. 27, 28, 29)

Darnell's story is a cover-up. Car thieves don't steal cars with people in them!

According to the police, there were Panthers in the white Ford, and in the next 3 cars parked behind it.

What motive would the "male Negro adult" have for running from the car? There is nothing illegal or improper in opening a car door at 9 in the evening, especially with

other people already in it. Darnell's story conveniently omits 3 vital facts.

#1 — Martin Luther King had been murdered just two days before.

#2 — There were race riots going on in over 90 ghettos on that night, April 6.

#3 — The Oakland police had the license numbers and description of every known Black Panther car.

On such a racially volatile night it would be extraordinary if the police were not looking for the Panthers.

The police called for reinforcements and patrol cars responded from all over Oakland and even Emeryville within minutes. Some of the Panthers were captured immediately, some managed to take refuge in nearby houses.

Bobby Hutton and Eldridge Cleaver, the Panther Minister of Information, took refuge in a house at 1218-28th Street. A battle ensued for over an hour. Finally the police fired armor-piercing tear gas shells into the house, knowing that they might start a fire. A fire did break out and the two Panthers were compelled to surrender.

The house was entirely surrounded. The two Panthers came out of a side door, into a driveway between 1218 and the next house over.

Officer Jerry A. Noble gives his account of what happened next:

"They started to take a step and I told them to stop and put up their hands. They stopped, and at this time several other officers had come up to where the entrance of the walkway would be, and they went back and physically took hold of them by the arms. There was probably maybe seven to eight officers back there with the two suspects actually bringing them out."

Q. — What happened after that?

A. — Well, when they started to bring them out, they had gotten just about directly in front of me and, I don't know if the sidewalk was rough there or what exactly happened, but the whole crew fell down. All of the officers that had hold of the ground.

Q. — What happened then?

A. — Well, I was standing right next to the pile up. People started to get up, at which time it appeared that Bobby Hutton, when he fell, or the suspect that was fully clothed when he fell, he fell to the outside perimeter or more to the front of 1218. That would be right there where the porch comes down. He fell just about at the first step and what it appeared to me as I was standing there is that he just looked up and there was no other police officers between him and 28th Street going westbound, and I presume he just looked up and didn't see anyone else around and

Q. — Will, you saw him hit the



ground?

A. — Right.

Q. — And get up and look around. Was he standing? Was he on his haunches, on the ground or what?

A. — No, he just started to raise up, and all of a sudden he drug his knees up from underneath him and just dashed or spurted across in front of the walkway or the stairs of 1218." (pp. 169-170)

Q. — As you stayed there, at and about the steps of the house at 1218-28th Street, what did you see? What took place?

A. — I observed the subject wearing clothing come out between two officers, walk out of the alleyway. That's the first I saw him come out of the alleyway.

Q. — What did you see after that?

A. — I turned around and started walking towards the middle, to the middle of the street, towards the wagon. I was right next to the officers at the foot of the stairway, walking out towards the sidewalk, and I turned back towards the house to look into the alleyway and then I heard officers yelling, "Look out! He's running."

Here is another version, from Officer Owen Carlton Brown, at pp. 227:

"Q. — Now, did you see officers

of the Oakland Police Department go at that area, at and about that alleyway between the two houses where these persons came in?

A. — I did.

Q. — And did you see — with particular reference now to the person who was clothed — did you see that person come out of the alleyway?

A. — I did.

Q. — Was he with other officers?

A. — No.

Q. — What did you see in reference to that person?

A. — I saw him in sort of a crouching position, milling around like he wasn't sure which way he wanted to go. He turned from one way, then to another.

Q. — What did he do?

A. — He rolled. He hit the ground, going in a southerly direction, and rolled completely over on the ground.

Q. — Where was he at that time?

A. — At this time he was right about at the front of the porch of the house.

Q. — Where were you?

A. — I was about four or five feet away from him.

Q. — And toward the sidewalk?

A. — Yes.

Q. — When he rolled on the ground, what took place?

A. — He came up in a springing

type of position, such as a person that was going to run a hundred yard dash, that type of position.

Q. — Did he actually run?

A. — He did."

Seven or Eight Police? Or Two Police? Or no police? Which story is correct? Or is it that none are true?

The next incident in our scenario will shed some light on this. Officer Brown continues:

"A. — It can best be answered that as I pulled my trigger, there was a volley of shots. I would estimate a dozen to fifteen shots were fired within the span of one, two seconds.

Q. — There was a second's fire of a number of shots at one time?

A. — That's correct. There was not a single shot that could be ascertained that was fired individually from the other. It was just a massive volley." (p. 229)

A massive volley and a little bit of massacre. It is legally murder for any officer of the law to kill any prisoner in his control. Was Bobby ever out of their control, surrounded as he was?

Why didn't they also kill Eldridge Cleaver? Cleaver had just done 10 years in the state prison and had been involved in many prisoner struggles for human rights. He had every reason to know, from experience, just how often the police do kill prisoners "while trying to escape." He knew enough to strip down to his socks, so as to make it difficult for the police to justify killing him.

Eighteen year old Black Nationalist Revolutionary Bobby Hutton wasn't so worldly-wise. He thought it beneath his dignity to surrender naked. He is dead — but that isn't why he is dead. It took the Oakland pigs to kill him.

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