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## During COINTELPRO both ATF and FBI crime labs were manipulated in Omaha Two case

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Ed Poindexter and Mondo we Langa are the Omaha Two and have been in jail since 1970

*Michael Richardson*

The bombing murder of Omaha, Nebraska policeman Larry Minard, Sr. led to the conviction of Black Panther leaders **Edward Poindexter** and **Mondo we Langa** (then David Rice) at a controversial trial that featured the Alcohol, Tobacco and Firearms Division and hid the role of the Federal Bureau of Investigation. Both national crime laboratories compromised the scientific search for truth that is their primary mission. The FBI Laboratory withheld a report while the ATF Laboratory supplied results the prosecutors wanted.

Patrolman Larry Minard, Sr., the father of five young children, was killed on August 17, 1970 while responding to an anonymous 911 call about a woman screaming in a vacant house. . A suitcase bomb waited for the officers in the darkened doorway of an empty house. Minard was buried on this

thirtieth birthday following the city's largest funeral with a two-mile long procession.

The FBI counterintelligence operation known as **COINTELPRO was a massive, illegal, clandestine program** targeting domestic political activists which had persecuted the Black Panthers with lethal ferocity. The **trial of the Omaha Two**, as the two Black Panther leaders have become known, was rigged by Deputy Chief of Police Glen Gates in conspiracy with Paul Young, the FBI Special Agent-in-Charge of the Omaha office. At the request of Gates and Young, and with the approval of J. Edgar Hoover, the FBI director, a report on the identity of the anonymous 911 caller that led Minard to his death was withheld from the jury.

The FBI duplicity is well documented in **COINTELPRO** memoranda, specifically two memos to Ivan Willard Conrad, the FBI Laboratory chief, and an October 13, 1970 COINTELPRO memo to J. Edgar Hoover from Paul Young in Omaha. The memos starkly reveal Hoover's evil nature which was hidden from the public. Hoover personally gave the order to the crime lab to withhold a report on the killer of a policeman in order to make a case against the **Omaha Two**.

The transcript of the trial allows a revisit to the actual trial testimony and reveals the more subtle and less well documented activities of the ATF Laboratory and ATF agents in this case. Unlike the FBI under Hoover, which operated like a pyramid from the top down, ATF was a fragmented agency and the individual field offices exercised considerable autonomy. Opportunities for mischief presented themselves to the field offices in the absence of vigorous supervision at the national level.

Robert Scroggie, an explosives expert from the ATF Laboratory, who built a mock suitcase bomb exhibit used by prosecutors, made his most revealing statement when he stated he was not at the trial at the request of the Douglas County Attorney. Instead, Scroggie got his travel orders from ATF Agent Thomas Sledge in Omaha.

**Thomas Sledge, a nine-year veteran with the Omaha Police Department**, spearheaded ATF efforts in the case including assisting the prosecution. ATF supplied the mock suitcase bomb exhibit at the trial, sent three representatives from the national laboratory, and took custody of critical dynamite evidence in the case. Sledge personally took **Ed Poindexter's** clothes to the ATF Laboratory and also transported small vials of dynamite powder for analysis.

After the clothing of Ed Poindexter and Elmer Robert Cecil was delivered by Thomas Sledge to the ATF Laboratory, the results came up positive for dynamite in pockets. Cecil, who was not charged in the case, failed the hand-swab test for dynamite in addition to the dynamite particles purportedly found in his clothing.

**Mondo we Langa's** pants pocket allegedly turned up with dynamite particles after the pants were mailed to ATF Laboratory chemist Kenneth Snow by Omaha agent Richard Curd. Curd took Mondo's clothes from the Douglas County Jail to the ATF office where Thomas Sledge kept extra vials of dynamite powder. However, an **Omaha World-Herald photograph** disproves the dirty pants scenario.

In a published photo, the newspaper showed Mondo we Langa with his hands deep in his pockets just moments before he passed a hand-swab test as clean. If Snow actually found dynamite particles, they were evidently added after Mondo surrendered.

Thomas Sledge testified at trial corroborating detective Jack Swanson's claim of finding dynamite in Mondo we Langa's basement. However, Sledge inadvertently revealed the ease with which he provided false testimony at the close of his stint on the witness stand. Sledge was asked if two police personnel, Paul Kotz and David Singles, were at the crime scene while he was there. Sledge testified they were there. Asked a second time if they were both present Sledge again answered yes. Only when asked a third time if the two men were there together Sledge admitted he didn't know who Singles was.

Evidence that ATF was quick to offer a conclusion about were the markings on a tiny piece of copper wire. ATF Laboratory tool expert Roland Wilder declared a match with cut marks on the wire and a pair of pliers found at Mondo's house by Richard Curd during a joint search by ATF and Omaha police. Wilder, who was unable to provide a ballistics-style photograph of wire markings because of the small size of his sample, claimed the pliers cut the tiny piece of wire found across the street in a basement from the blast site.

Roland Wilder declared the wire and pliers matched based on finding fifteen points of similarity. Wilder failed to conduct a comparison test with a similar pair of pliers and then admitted during cross-examination that there were twenty-five points of dissimilarity between the two items outnumbering the similarities.

ATF personnel also failed to inform the jury of a Social Security card found at the bombed vacant house by one of the ATF agents. The Social Security card belonged to an individual whose whereabouts are unknown. It is also unknown if the man was ever questioned about his card found at the crime scene. The jury that convicted the Omaha Two never knew of the existence of the mystery man.

The Omaha Two were also bomb conspiracy targets of the ATF in the **so-called Midwest 22 investigation**. The United States Attorney, Richard Dier, refused to prosecute **twenty-two proposed defendants in four states** as requested by the Omaha ATF office. The Justice Department also cancelled a federal search warrant in Omaha a month before the bombing and told Tom Sledge his informant was unreliable.

The failure of the two national crime laboratories to provide honest forensic science in the same case is unknown by the public, been ignored by the courts, and the subject of a virtual media blackout. The FBI Laboratory with its withheld report on the deadly caller and the ATF Laboratory with its suspicious dynamite particles and tool mark mismatches both failed their primary mission.

Ed Poindexter and Mondo we Langa remain in prison serving life sentences at the maximum-security Nebraska State Penitentiary where they **steadfastly maintain their innocence**. Mondo has a pending

post-conviction appeal before the Nebraska Supreme Court filed by Omaha attorney Tim Ashford. No date has been set for a decision by the court.

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