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# Nebraska claims Omaha Two have not asked for release from prison

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Ed Poindexter and Mondo we Langa are serving life sentences at the Nebraska State Penitentiary  
*Michael Richardson*

The Nebraska Board of Pardons claims neither **Edward Poindexter** nor **Mondo we Langa**, former David Rice, have asked for reconsideration of their sentence. The two men, now known as the **Omaha Two**, have been imprisoned forty-five years for the 1970 bombing murder of Omaha Patrolman Larry Minard, Sr. Both men deny any role in Minard's death and were targets of the illegal, clandestine **COINTELPRO** counterintelligence operation of the Federal Bureau of Investigation.

The two former Black Panther leaders have been seeking their release since arrest and have exhausted their appeal rights trying to get out of prison, which makes the state's position sound a bit like doubletalk. Spokeswoman Sonya Fauver with the Governor's office responded to justice advocate Sandy Shevack on Jan. 6 that the inmates have to ask for action on their cases.

Fauver wrote in an email message, "As of to date, Mr. Rice and Mr. Poindexter have not submitted an application to the Nebraska Board of Pardons requesting a commutation of their sentences."

Both [Ed Poindexter](#) and [Mondo we Langa](#) have been repeatedly recommended for parole by the Nebraska Parole Board only to be stopped by the Board of Pardons which must first commute their life sentences to a fixed number of years in order for them to be eligible for parole. The Board of Pardons is made up of the Governor, Attorney General, and Secretary of State.

Poindexter sought a federal court determination several years ago that the composition of the Board of Pardons is unconstitutional and that he is serving a defacto life without parole sentence. Poindexter withdrew his lawsuit over lack of representation and health problems before resolution of the issue. Mondo appealed to the Nebraska Supreme Court that the composition of the Board of Pardons was unconstitutional because the Attorney General's office appears in court against him. The Nebraska Supreme Court denied Mondo's appeal without even issuing a written decision addressing Mondo's constitutional claim.

The news that he needs to file an application for commutation may come as a surprise to Ed Poindexter, but likely not to Mondo we Langa. Mondo has already travelled this road when the Nebraska Supreme Court upheld District Judge James Gleason's assertion that Mondo had not properly pleaded innocent in his appeal. Mondo's attorney, Timothy Ashford, had written:

"Defendant Rice [Mondo] is entitled to a new trial because he did not commit the crime charged and he is not guilty of the crime leading to the death of Officer Minard in 1970, and further, the defendant's presumption of innocence was lost as a result of the errors alleged herein."

Neither Judge Gleason, who rejected Mondo's post-trial appeal, nor the Nebraska Supreme Court, which upheld Gleason, would explain what was wrong with Mondo's innocence plea, despite denying him his day in court over the alleged defective plea.

Sandy Shevack, a New Jersey university professor, made his query in behalf of the [Omaha Two](#) as part of a new citizen effort to obtain medical release for the two ailing and aged prisoners. Shevack wrote to Governor Pete Ricketts: "They have spent over 45 years in prison. The German Group of Amnesty International has extensively reviewed this case and has called for their immediate release or retrial. Neither men would be a threat to society. It is time to free both men on compassionate release."

The citizen effort began recently in Omaha. Another justice advocate, Cleo Silvers, expressed his motivation to help the Omaha Two: "Everyone is now aware of the secret conspiracy on the part of J.Edgar Hoover to frame and prosecute these brothers in Omaha. They are not now nor have they ever been anything but positive contributors to the community and the nation. The work they did in their community was phenomenal and some of it still lingers today. They should be freed, pardoned and apologized to by the highest office in the country. It is our responsibility to spread the news of

the need for them to have their freedom.”

The Omaha Two were targets of J. Edgar Hoover who ordered a FBI Laboratory test withheld on the identify of the anonymous 911 caller who lured the policeman to his death. Hoover was willing to let a policeman's killer get away with murder to make a case against the two Black Panther leaders. Further, the death penalty was sought against Poindexter and Mondo. Although the jury, unaware of withheld evidence under **COINTELPRO** directives, spared their lives, the two men were sentenced to life imprisonment.

Poindexter suffers from diabetes, hypertension, and complications from neuropathy. Mondo ails with chronic obstructive pulmonary disease and has been in the prison infirmary for the past several months.



**Michael Richardson**

COINTELPRO Examiner