

Guilty ruling in New York racial crime

By Herb Boyd

Special to Sentinel-Voice

NEW YORK (NNPA) - It took a jury only two days and a few hours to convict Nicholas Minucci of attacking Glenn Moore with a baseball bat last summer in Howard Beach.

Though Minucci, 20, was found not guilty of a stiffer charge — first-degree assault as a hate crime — he was convicted of racially motivated assault and robbery. He attacked Moore, 23, with an aluminum baseball bat while screaming, "Nigger!"

Minucci, according to the prosecution, wielded the bat while robbing Moore of his Air Jordan sneakers, a pair of Prada shoes, and a blue polo shirt. The incident happened in the early morning of June 29, 2005. Moore was accompanied by two friends when they were accosted by Minucci and two of his friends.

During the trial, which lasted four weeks, Moore testified that he and his friends had gone to Howard Beach to steal cars. But the prosecution stressed that none of them had actually committed a crime.

On July 15, Minucci will be sentenced. He faces up to 25 years in prison. He was also convicted, of several lesser charges on the 14-count indictment, including second-degree assault as a hate crime, three counts of criminal possession of the stolen items, and criminal possession of the bat.

Whether or not Moore was the victim of a hate crime was at the core of the often hotly contested trial. Minucci's counsel, Albert Gaudelli, repeatedly stressed that the n-word should be ignored and that it was not intended as a racial slur or epithet.

"People use the word in different ways," he said during his closing argument. "There was no intent of bias or prejudice. The prosecution is playing the Howard Beach race card." He was referring to the Howard Beach incident 20 years ago in which Michael Griffith, fleeing a mob of White youths, was hit by a motorist on the Beltway and killed.

To support his argument, Gaudelli called in Randall Kennedy as his expert witness. Kennedy, a Harvard Law School professor and author of "Nigger: The Strange Career of a Troublesome Word" basically agreed with Gaudelli, noting that the word could be used pejoratively or as a term of endearment.

The prosecution insisted that when Minucci approached Moore "it wasn't to invite him to a party." Prosecutor Michelle Goldstein

kept picking up the bat to make a point, hitting it against the juror's box to approximate the sound it made when Minucci struck Moore. And she said that Minucci uttered the words, "You see what you get, nigger, for coming into our neighborhood?"

While Gaudelli did not disagree that his client had hit Moore, Gaudelli insisted "he didn't hit him in the head. Mr. Moore hit his head when he fell." He further claimed that Moore's trauma was brought on by an epileptic seizure that was not induced by a blow to the head.

When asked by reporters how he felt about the verdict,

Moore nodded approval and left with his parents.

"He is under medical care and will probably never be normal again," said Chandra Eison, Moore's mother. "He is suffering from some memory and hearing loss, and he occasionally has difficulty calculating. He has bad headaches and is on seizure medication."

Before the verdict, the family, including Moore's father, Glenn Sr. and his stepfather, Thomas Eison, were not sure how the jurors would handle the case. "It could go either way, but the presence of five Black men on the jury should help us win the case," said Glenn Moore Sr.

"All it takes is for one of them to hold out," stated Thomas Eison, "and the jury is hung and a mistrial can be called." Now, satisfied with the conviction, the family awaits sentencing at the Queens County Courthouse by Judge Richard Buchter.

Richard Brown, Queens district attorney, said the jury and its verdict send a clear message that "the n-word has no place in our society and should be banished from our vocabulary." He said that Minucci's attack was not only against Moore, but "against every other resident of this city."

Herb Boyd writes for the Amsterdam News.

Deal reached to review Black fighters' records

By Tiffany Williams

Special to Sentinel-Voice

SEATTLE (NNPA) - Rep. Jim McDermott has set out to correct a "terrible injustice" by announcing that a bipartisan agreement has been reached, which sets out to pave the way to reopen and resolve the cases of 28 convicted African-American soldiers during World War II, in 1944 at Fort Lawton in Seattle.

Last week, McDermott announced that an agreement had been reached with Rep. Duncan Hunter, the Republican Chairman of the House Armed Services Committee, that will lead to an immediate review of all 28 cases stemming from the 1944 incident, in which an Italian prisoner of war died.

McDermott had introduced a bill, HR 3174, imploring the Secretary of the Army to expeditiously review the 28 soldiers cases, but the agreement reached with Hunter has the same means to achieve the injustice but through a different avenue.

"Justice delayed is no longer denied," declared McDermott in announcing the agreement.

Under Dermott's and Hunter agreement, the Army Board of Correction of Military Records, which has the authority to review the cases

and overturn the convictions, will set up a specific point of contact to review all cases. The ABCMR will have all necessary information for a full and complete review of each case. In the original trial, certain information was not available to the defendants, which may have affected the outcome of their trials.

According to McDermott, if a soldier was found to have been wrongly convicted, not only will their record be corrected, but there may also be cause for financial restitution of pay and benefits.

The original court-martial of the 28 soldiers that McDermott has set out to rectify stems from the August 14, 1944, incident at Fort Lawton where a riot between African-American soldiers and Italian prisoners of war occurred resulting in the mysterious death of an Italian prisoner, Private Guglielmo Olivotto.

As a result of the riots and murder, 43 African-American soldiers were charged and tried as a group.

Twenty-eight of the soldiers were found guilty of rioting, and two were found guilty of manslaughter.

Today, only four of the convicted soldiers are still alive.

"The four soldiers still alive, as well as the families

of those who have passed, can appeal their cases to one person in the military who will have full authority to render a decision," McDermott said adding, "I think there is reason to believe that many of these soldiers may have been victims of racial injustice. We need to know, and we need to redress any error or injustice."

The evidence of the U.S. Army's largest and longest court-martial of World War II was first brought to McDermott attention in the 2005 publication of "On American Soil" by Seattle author and journalist Jack Hamann.

His book unearthed troubling revelations surrounding the court martial of the 28 soldiers who were denied vital evidence at the time that may have exonerated some of them.

"'On American Soil' is an important book of investigative journalism that demanded attention," McDermott said. "I barely finished reading it before I directed my staff to prepare legislation to reopen the cases. Today, we have spoken loudly with one voice that we will not tolerate racial injustice and every American is entitled to equal protection under the law."

Tiffany Williams writes for the Seattle Medium.

Jefferson rebuke could stymie Democrat unity

By Hazel Trice Edney

Special to Sentinel-Voice

WASHINGTON (NNPA) - U.S. House Democrats, who voted last week to remove Congressman Bill Jefferson (D-La.) from his seat on the Ways and Means Committee because of an unrelated FBI investigation, have once again exhibited political self-interest over allegiance to faithful African-American constituents, political activists say.

Thomas N. Todd, former president of the Chicago chapter of the Southern Christian Leadership Conference and Operation PUSH is dismayed: "Here he [Rep.

Jefferson] comes from the segment of the Congress that represents the Blacks in the Democratic Party ...you would think that they would respect their constituency and one of their most loyal voting blocs enough to say, 'We will at least stand by him until there's a conviction or there's an indictment or something of that nature.'"

Todd declined comment on the merits of the case, "But, in terms of stripping him of his committee, there's no doubt in my mind that the precedent that's being set here would not have been set had he not been Black."

Todd said he is not sur-

prised that Black Caucus members, including Congressman John Lewis who made the initial motion to remove Jefferson, have participated in the action.

"If the White leadership is going along with it, there would be naturally some Blacks who would join them. It happened in slavery. It happened in segregation, and it's happening today, so that doesn't come as a surprise," he said.

Al Sharpton said he has consistently campaigned to help the Democrats win, but disapproves of the action: "So, we are now in a party

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POETIC JUSTICE

Quannah McCall elementary student Roosevelt Smith III (second from left) won the grand prize in the Teacher Appreciation Poetry Contest. His poem, "In This Corner," praised teacher Romona Muhammad (standing behind him). Smith won a \$500 gift certificate to Brighton Collectibles. He's joined by parents Roosevelt and Shequan.