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USA: NEW EVIDENCE IN MURDER CASE COULD END 25 YEARS OF INJUSTICE FOR FORMER BLACK PANTHER LEADER

An Amnesty International observer will tomorrow attend a court hearing which marks the culmination of a 25-year fight to win a new trial for Elmer "Geronimo" Pratt, a former leader of the Black Panther Party (BPP), who is serving a life sentence for murder in California.

New evidence could shed light on Pratt's allegation that he was "framed" by the FBI and the Los Angeles Police Department (LAPD) as part of a program to destabilize black political organizations.

"We have long been concerned that irregular conduct by the prosecuting authorities jeopardised Pratt's right to a fair trial," Amnesty International said. "We have repeatedly called upon both the state and federal authorities to review the case."

Pratt was convicted in a Los Angeles state court in 1972 of shooting and killing a woman and wounding her husband during a robbery in Santa Monica in 1968. He has always denied involvement in the crime and maintained that he was 400 miles away at a BPP meeting in Oakland at the time of the murder.

In 1975, US Senate hearings revealed that the BPP was a primary target of COINTELPRO, an FBI counter-intelligence program aimed at disrupting and neutralizing certain US political groups. Information obtained by Pratt's lawyers from FBI files after 1979 revealed that Pratt was personally targeted for "neutralization" under COINTELPRO at the time of his arrest.

Information from FBI files also indicated that Julius Butler, the chief prosecution witness who testified that Pratt had confessed to the murder, had been an FBI informant for more than two years before the trial. Butler had denied ever being a police informant when on the witness stand. It was also alleged that information about a possible second suspect had been withheld and that the FBI had suppressed its own surveillance evidence that might have exonerated Pratt.

Pratt has lodged a number of unsuccessful appeals against his conviction over the years. In 1996 the defence was finally granted an evidentiary hearing based on new evidence which, crucially, included information showing that Julius Butler was listed as a confidential informant in the state prosecutor's files at the time of Pratt's trial.

Amnesty International first called for a full federal inquiry into Pratt's case in a report published in October 1981. The organization also called on the Governor of California to conduct an inquiry into the case in 1988.

In letters to the Los Angeles District Attorney and the Parole Board in 1993, the organization urged that Pratt should be granted a retrial or be released in view of the new

evidence, which emerged at that time to strengthen concerns about misconduct which remained strong more than 20 years after his conviction. All declined to review the case and the District Attorney's office is arguing against a new trial in the current proceedings.

"The new evidence showing that Julius Butler was an informant for the state prosecutor - as well as the FBI - means that the crucial evidence presented at Pratt's trial was tainted. Butler, the key witness at Pratt's trial, lied to the jury. They never knew his true role," Amnesty International said.

"This clearly demonstrates Pratt's right to a new trial, an argument we have maintained since new evidence in this case first came to light. We are therefore particularly anxious to monitor the court hearing in the hope that Elmer Pratt will finally be granted a fair trial -- after 25 years".

The hearing, in which both sides will summarize their arguments orally, is scheduled to take place in the Superior Court for the County of Orange, California, on 13 March following three weeks of testimony last year.

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