MEDIATED MEMORY: THE CASE OF THE “OAK PARK FOUR”

Alicia Denise Harris
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MEDIATED MEMORY: THE CASE OF THE “OAK PARK FOUR”

A Thesis

by

Alicia Denise Harris

Approved by:

__________________________________, Committee Chair
Lee M.A. Simpson, Ph.D.

__________________________________, Second Reader
Shirley Ann Wilson Moore, Ph.D.

____________________________
Date
Student: Alicia Denise Harris

I certify that this student has met the requirements for format contained in the University format manual, and that this thesis is suitable for shelving in the Library and credit is to be awarded for the thesis.

________________________, Graduate Coordinator
Patrick Ettinger, Ph.D.

Date

Department of History
Abstract

of

MEDIATED MEMORY: THE CASE OF THE “OAK PARK FOUR”

by

Alicia Denise Harris

The media has a direct role in creating and shaping perceptions about advocates in
the black community specifically those who participated in the Black Panther Party and
other black militant organizations. The governmental dissemination of inaccurate
information to local law enforcement and news media outlets regarding black militants
had a devastating effect on African American communities across the country. This
study examines how the news media overtime helped to construct a negative image and
memory of the Black Panther Party. In turn African Americans have created and forged
their own counter memory through black institutions, such as the black press, to offset the
public memory of black culture and revolutionary politics in America. Analyzing the
case study of the “Oak Park Four” trial through examining The Sacramento Bee, The
Sacramento Union and The Sacramento Observer demonstrates how the media and
citizens of Sacramento went along with the popular perceptions of black militants of the
time, which further fueled the racial divide between whites and the historically
marginalized African American community of Sacramento, California who came to the
support of the “Oak Park Four.” This study thus signifies the ease with which those
working for social change within their communities could be targeted and silenced.

_______________________, Committee Chair
Lee M.A. Simpson, Ph.D.

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Date
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Chapter 1

INTRODUCTION

“Of the decades in the 20th century, the most turbulent, perhaps the most
memorable, no doubt the most controversial, was the 1960s,” wrote historian Leon F.
Litwack.1 “The endless streams” of sixties nostalgia, Litwack declared, still capture our
imagination in the form of novels, songs, memoirs, and films, with “the dominant view of
the sixties” in the media and public consciousness “focused critically on the protest, the
riots, the overdoses, the hippies, and the love-ins.”2 Consequently, popular
representations of the Sixties in films such as Forest Gump help foster an ongoing belief
that the beaded protesters who participated in marches “were not only ‘weird’ but the real
enemy.”3 The activist of the sixties, dedicated to social and economic justice, sought to
reform the American system through direct action and in doing so transformed the world.
The social justice movements of the sixties, specifically the Black Power Movement
helped cultivate and foster a new sense of pride and culture in black America and helped
turn this newfound identity into a mass movement. Historian John Hope Franklin credits
perhaps the most visible and significant group of the 1960s, the Black Panther Party, for

1 Leon F. Litwack, “The Times They Are a Changin’,” in The Whole World is Watching: Peace
and Social Justice Movements of the 1960s & 1970s (Berkeley: Berkeley Art Center, 2001), 5. For more
information on the Sixties, see Terry H. Anderson, The Movement and the Sixties: Protest in America from
Greensboro to Wounded Knee (New York and Oxford: Oxford University Press, 1995). I use black and
African American interchangeably throughout the paper.


3 Leon F. Litwack, “The Times They Are a Changin’,” 8.
reawakening the concept of total liberation for African Americans in all aspects of life.

Established on October 15, 1966 by Huey P. Newton and Bobby Seale in Oakland, California the Black Panther Party for Self-Defense embraced Black Nationalism at its inception but over time came to adopt the socialist ideology of revolutionary intercommunualism.⁴

Revolutionary political ideology and the call for armed self-defense espoused by the Black Panther Party through its Ten-Point Program of social and economic needs and the Party’s community newspaper, The Black Panther Intercommunal News, quickly catapulted the Black Panther Party into public consciousness. Donning the Panther

⁴ Huey P. Newton, War against the Panthers: A study of Repression in America (New York: Harlem River Press, 1996), 27-30. War against the Panthers delves deeply into historical facts about how the government spent millions of dollars to destroy and suppress student activists/dissent groups during the Black Power Movement. The book was originally submitted in June 1980 as a doctorial dissertation to the University of California, Santa Cruz. Black Nationalism is the idea that people of African decent collectively have a common identity as Black people and should strive to develop an independent and self-reliant Black Nation (literally, or in the context of an independent “community” or “society”). There are several different Black Nationalist philosophies but the principles of Black Nationalist ideologies are 1) Black pride and 2) Black economic, political, social and/or cultural independence from White society. Malcolm X during the 1960s came to symbolize both Black Power and Black Nationalism. Malcolm X’s views of revolutionary nationalism were used as a basis for the Black Panther Party platform and policies. For further information on Black Nationalism see John H. Bracey, Jr., August Meier, and Elliott Rudwick, Black Nationalism in America (Indianapolis and New York: The Bobbs-Merril Company, 1970); William L. Van Deburg ed., Modern Black Nationalism: From Marcus Garvey to Louis Farrakhan (New York and London: New York University Press, 1997). Newton’s philosophy of revolutionary intercommunualism, which he articulated in 1971 after several years in prison, stems from the move by the Black Panther Party away from nationalism, arguing that oppressed nations and their struggle for economic and cultural self-determination were no longer relevant, because of U. S. imperialism across the world. Newton envisioned the end of all states, all nations, and rather a worldwide social framework of interdependent socialist communities; communalism rather than nationalism. Newton’s ideological shift created tension within the Black Panther Party and is often credited as one of the many justifications for the split of the Party in 1967. For further information on revolutionary intercommunualism and the split in the Black Panther Party see Huey P. Newton, War Against the Panthers: A Study of Repression in America (New York: Harlem River Press, 1996); Akinyele Omowale Omoto, “Repression Breeds Resistance: The Black Liberation Army and the Radical Legacy of the Black Panther Party,” in Kathleen Cleaver and George Katsiaficas, ed. Liberation, Imagination, and the Black Panther Party: A New Look at the Panthers and their Legacy (New York: Routledge, 2001).
uniform of the black beret, black leather jacket, blue shirt, and slacks, the Black Panther Party came to embody the image of the black American revolutionary and the call of Black Power. Through community police patrols, and “survival programs” that fed, educated and clothed community residents the Party, “gained a regional reputation as the defenders of black communities.”

As new community “defenders” the Party displayed its commitment to the politics of armed self-defense, by marching on the capitol building in Sacramento, California on May 2, 1967. Thirty Panther members, twenty armed with loaded rifles and shotguns, protested a legislative bill restricting citizens from carrying loaded weapons within the confines of the city limits—a bill, which if passed would end the Panthers’ legal right to openly bear arms.

Followed by a crowd of journalists, clicking cameras and flashing lights, chairman Bobby Seale stood on the steps of the capitol and read, “‘As the aggression of the racist American government escalates in Vietnam, the police agencies of America escalate the repression of black people throughout the ghettos.’ Consequently ‘the time has come for black people to arm themselves against this terror before it is too late.’”

The images of Seale at the capitol as well as other Black Panther protests were, according to the sources, indicative of a larger movement of black power and self-defense in the 1960s.

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to scholar Peniel E. Joseph, “seared into the national consciousness, interrupting regularly scheduled news and radio programs.” According to Joseph, the march on the capitol did more than introduce the nation to the Black Panther Party for Self-Defense:

The Sacramento incident would produce two compelling mythologies. Left-of-mainstream periodicals, from Ramparts to the National Guardian, trumpeted the group’s Sacramento adventure, comparing the Black Panthers to Cuban revolutionaries. White authorities viewed the Panthers as armed and dangerous, a gang of gun-toting criminals out to murder police officers, while many blacks saw things differently, deluging the party’s Oakland storefront headquarters with pleas to join and start their own local chapters. In Oakland, the showdown at the state capitol made the group a target for police surveillance. Police department brass issued beat cops and patrol cars with a list of Panther vehicles and license plates.  

The image of the Panthers as militant gun toting hip gangster wannabes was solidified in national memory with the infamous photo of Huey P. Newton sitting in a wicker chair, dressed in traditional Panther uniform with a spear in his left hand and a rifle in the right. The photo, taken days before the protest in Sacramento, was created and used to disseminate awareness and garner support of the Black Panther Party and its efforts to mobilize the community. The Black Panther Party also used the media as a tool to promote their ideological views towards a broader audience and to empower urban black communities. By October 1967, both state and federal repression of the Black Panther Party had escalated to armed confrontation, resulting in the shooting and arrest of Huey Newton.  

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With Newton’s imprisonment, the Party quickly mobilized to center its efforts to “Free Huey.” The “Free Huey” campaign garnered mass support for the Party with Newton’s image thrust into the national media. While both the Black Panther Party and the media mutually exploited each other, Edward P. Morgan claims the media ideologically defined the Panthers largely by their “appearance and rhetoric as a violent, largely criminal, paramilitary group.” As a result, the media offered a prevailing image of the Black Panther Party that was entirely negative.  

**Mass Media and Collective Memory**

News images and stories of the Party by 1968 had established the Black Panthers as the vanguard organization of the liberation struggle. Noted scholar and activist Angela Y. Davis recounted the influence the news media’s imagery of the Black Panther Party had on her call to action by stating, “the image of the leather-jacket, black greeted warriors standing with guns at the entrance to the California legislature… . I saw this image in a German newspaper while studying with Theodor Adorno in Frankfurt. That image…called me home. And it directed me into an organizing frenzy in the streets of south Central Los Angeles.” These images viewed both globally and nationally by thousands of people, demonstrated the efficacy newspapers had on shaping and disseminating the public identity of the Black Panther Party.

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Aurora Wallace observes that the American press has been a crucial component in nation building and has served as a “tool of and for democracy.” 12 During the nineteenth and twentieth centuries newspapers became the primary vehicle that society used to construct and maintain communities. While in America during the early-nineteenth century, Alexis de Tocqueville commented on the influence the press had not only on public opinion but politics as well, stating, “the influence of the liberty of the press does not affect political opinions alone, but extends to all the opinions of men and modifies customs as well as laws.” 13

By the 1960s and 1970s, newspapers began to witness rising costs, readership decline, and major technological changes, all of which contributed to the overhaul of the newspaper industry and the growth of corporate ownership. 14 The rise of corporate mass media both benefited and hindered the newspaper industry. In an effort to cut rising costs and maximize profit, certain prevailing characteristics emerged to create a mass media culture. 15 The new market driven approach to the news focused on ways to entertain and inform an audience while encouraging the media to tailor its markets in order to increase


profitability. According to Paul Starr, the growth of the press in scale and influence emerged as a vehicle to foster and mold public opinion. Business leaders and advertisers “became concerned not just with selling products but also with enhancing corporate images,” while “peddling ready-to-use material to reporters and editors who routinely printed it in their papers.” The government too utilized the press by creating press bureaus and instituting press conferences in order to disseminate information to the general public.

Corporate media welded its power and wealth to affect public perceptions and meaning over the conceptions of the past. Jill Ann Edy in Troubled Past maintains that the news media is the “primary site of struggle over the meaning of the past” and collective memory emerges as a “function of the power of the parties involved” be they journalist, political elite, interest groups or citizens. Examining mediated memories of the 1965 Watts Riots and the 1968 Democratic National Convention, Edy demonstrates that journalists during “social breaches” seek to produce consensus and support the maintenance of the “status quo.” Over time the media promotes the journalistic narrative

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16 Aurora Wallace, Newspapers and the Making of Modern America, 155-156.


18 Paul Starr, The Creation of the Media, 396.

of a common story that furthers elite interest and constructs a cohesive memory of the past.\(^{20}\)

The media plays an extensive role in producing and disseminating social and cultural memories when a national crisis occurs. Ronald N. Jacobs notes “before the 1960’s it was rare for race news to account for more than one percent of total news space in the mainstream press.”\(^{21}\) The invisibility of African-Americans in the mainstream media, led to the creation of African American newspapers so blacks could “secure a voice in the public sphere.” Black newspapers provided a public space and voice for African Americans to air their grievances against violence and prejudice, bring national attention to blacks and issues facing the African American community and to “correct the many misconceptions about African Americans which were being communicated in the mainstream press.”\(^{22}\) Jacobs’ analysis of the media and racial crises in America demonstrates how African Americans looked to the black press as an independent source

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\(^{20}\) Jill Ann Edy, “Troubled Pasts,” 6-7. Jill Ann Edy expands on Victor W. Turner’s central argument that social breaches are the first phase in a complex phenomenon called social drama, which occurs in groups with a shared common interest, values, and history. A social breach is a “violation of a norm and is perceived as a sign of a deeper division of interest or loyalties” and predominately emerges out of conflicts that reveal deep rifts in social structures and relationships. By examining social breaches and the crisis phase of any social drama, Edy argues that the media, specifically journalist, give audience members’ full access to the struggles in the public arena and shapes the stories “which emerge from a social drama” that produce a struggle for meaning. A “meaning which is created in memory.” For further information on social breaches and the role journalism plays in the creation of collective memory see Jill Ann Edy, “Troubled Pasts: Journalism and The Development of Collective Memory”; also see Victor W. Turner, “Social Dramas and the Stories About Them,” in W.J.T. Mitchell, ed. On Narrative (Chicago: University of Chicago Press, 1981).

\(^{21}\) Ronald N. Jacobs, Race, Media and the Crisis of Civil Society: From Watts to Rodney King (Cambridge: Cambridge University Press, 2000), 47.

\(^{22}\) Ronald N. Jacobs, Race, Media and the Crisis of Civil Society, 35.
outside of the mainstream media that would facilitate dialogue on common concerns of race, place, civil society and the nation.\textsuperscript{23}

Through black newspapers African Americans were able to form alternative narratives and memories to the events happening in the nation; which at times conflicted with mainstream interpretations of historical events.\textsuperscript{24} This thesis will examine how mass media helped shape the image of black militant organizations during the 1960’s; ultimately creating a national collective memory that would have devastating consequences for black organizations across the United States. Looking at the case study of the “Oak Park Four,” I analyze how the federal government used the media to construct a negative public image and memory of black militant organizations, specifically the Black Panther Party, in order to suppress political dissent throughout the United States. I examine how the images created of black militants shaped and consequently facilitate how the members of the “Oak Park 4” were perceived and treated; and whether the arrest of the “Oak Park 4” was part of a larger movement to suppress black political groups. I also examine how African Americans constructed alternative narratives and counter-memories to the stories being created of black political organizations and the Black Panther Party in the mainstream press.

\textsuperscript{23} Ronald N. Jacobs, \textit{Race, Media and the Crisis of Civil Society}, 52.

\textsuperscript{24} Ronald N. Jacobs, \textit{Race, Media and the Crisis of Civil Society}, 31-53
Chapter 2
AFRICAN AMERICANS, COLLECTIVE MEMORY AND CREATING A NATIONAL IMAGE

The struggle for inclusion by African Americans into the national historical memory, have led recent scholars to analyze how memory and history have been used to challenge the conflicting memories between African Americans and the dominate white society. Maurice Halbwachs, a French philosopher defines national historical memory as “the sequence of events remembered in national history,” which “retain[s] only facts of interest to the citizens as a whole…” Halbwachs suggests in his analysis that collective memory “evoke[s] and maintain[s] impersonal remembrances of interest to [a] group.” Collective memory is continual and retains that which is “capable of living in the consciousness of the groups keeping the memory alive.” The black press, for African Americans, became the primary “site of memory” around which memory coalesced due to the historical amnesia that faced the nation in regard to African American collective memory. French intellectual and historian Pierre Nora, in his introduction to the groundbreaking multi-volume collection *Les Lieux de Memoire*, describes a dichotomy between history and memory, stating, “History is perpetually suspicious of memory, and its true mission is to suppress and destroy it.” According to


26 Maurice Halbwachs, “Historical Memory and Collective Memory,” 50.

27 Maurice Halbwachs, “Historical Memory and Collective Memory,” 80.
Nora the continuous push and pull between history and memory, produces certain “sites of memory” in which groups or individuals invest a symbolic significance.

Black newspapers illuminated and interpreted the legacy of discrimination in America and the continual struggle for equality, and stood as a constant black voice in the national memory. The fundamental purpose of sites of memories is to stop time and “block the work of forgetting…” In order to accomplish its goals sites of memories attach themselves to physical sites or things, making it materialized memory. History, however, is the reconstruction of the past, which is always problematic, incomplete, and forever changing. According to Nora, a site of memory, “is any significant entity, whether material or non-material in nature, which by dint of human will or the work of time has become a symbolic element of the memorial heritage of any community.” Historically, African Americans have challenged the assumption of the national collective images that perpetuates the notion that America is a nation inclusive of a diverse “melting pot” of cultures and ideas. African Americans have been central to the foundation and history of America, yet their collective story as a people up until the mid twentieth century had been systematically erased from the national collective. Barbara J. Fields in the essay “Ideology and Race in American History,” expands on U. B. Phillips’

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28 Pierre Nora, “Between Memory and History: Les Lieux de Memoire,” Representations, No. 26, Special Issue: Memory and Counter-Memory (Spring 1989), 9, 12.


analysis of the history of America stating, “The determination to keep the United States a white man’s country…has been the central theme of American, not just Southern, history.”

The theory of white superiority reigned supreme in post-Civil War America, and could be witnessed in the absence of black voices in the national public sphere. The lack of public representation led African Americans to use their own community institutions and newspapers as a means to invent their own collective memories and tradition. Invented traditions, defined by Eric Hobsbawm, are set practices of a symbolic nature that groups or individuals “seek to inculcate certain values and norms of behavior by repetition” which “…use[s] history as a legitimator of action and cement of group cohesion. Frequently it becomes the actual symbol of struggle.” The lack of political and public visibility, coupled with the lasting memory of slavery forged a collective bond and identity among blacks in America.

America, with its history of racial injustice and long imperfect road to equality since the end of slavery, has tried to piece together a cohesive national memory in regards to the questions of race. Never an easy subject the issue of race left a huge national divide between white and black America. Racial tension persisted throughout the


twentieth century, and the memory and legacy of slavery continued to mark an unbreachable socio-cultural rift between white and black Americans. Scholar W.E.B. DuBois stated in 1903 “the problem of the twentieth century is the problem of the color line… .” To combat the growing racial hostility in America, African Americans turned inward and sought refuge within the black community, its institutions, and created their own collective memory to combat the national narrative surrounding race relations in the country.

Mass media by the 1950’s ushered in mediated contact amongst blacks and whites, blurring the racial divide by privatizing and commodifying black culture to sell to the public. Mass media such as television and radio allowed white America to view and consume black culture from the privacy of their home, “influencing how ‘blackness’ was understood, by both black[s] and white[s].” The media, Ron Eyerman stated, “produced, packaged, and distributed” images of black America to a multiracial mass audience eager to consume what corporations were selling. Carolyn Kitch argues, “Implied in the notion that journalists construct national narratives is the assumption that Americans can be understood as a unified group based on nationality—a pluralistic, tolerant, and diverse nation…but a cohesive group nonetheless.” By the 1960’s the


36 Ron Eyerman, Cultural Trauma, 178.

myth of a cohesive nation, represented in identity by a diverse body of people was soon being challenged and dispelled by the anti-colonial movements sweeping Africa and Asia. The “politics of memory” began to emerge during the Civil Rights Movement into the Black Power Movement, when opposing views vied for inclusion into the national collective memory. The “politics of memory,” defined in the simplest terms is “who wants whom to remember what, and why.” Out of the Black Power generation emerged a new black consciousness eager to “go back to their roots” and revive cultural traditions that were often viewed as negative and threatening to dominate white society. “To spur this process of self-actualization they urged their brothers and sisters to ‘become black,’ to ground themselves in the collective identity provided by their unique group history and culture.” Although blacks gained political and civil rights, white violence, intimidation and repression continued throughout the United States on both a state and national level.


Blacks combated the racial intimidation and repression with the call for Black Nationalism and black liberation among the black diaspora. Black Nationalism, Cedric J. Robinson stated, “was an indigenous product, arising from the soil of Black super-exploitation and oppression in the United States. It expresses the yearning of millions of Blacks for a nation of their own.” Coupled with the cultural and historical legacy of resistance, blacks in America were drawn further towards a black radical tradition born out of a collective experience. Robinson in *Black Marxism* examines the theory of black radicalism and mass black movements that occurred throughout the African Diaspora to form the basis of Black Nationalism.

Black Nationalism as an ideology, both political and philosophical in nature, is one of the oldest and most enduring traditions in American political thought. Black Nationalism is a form of what Molefi Kete Asante calls, systematic nationalism. According to Asante, systematic nationalism is the belief that any ideology formed for a people’s liberation must stem from their historical and social context in order to establish a relationship among people with a common distinct heritage and culture. The theoretical framework for black nationalism stems from three overarching assumptions: racism will exist regardless in any industrial society whether it be capitalist or socialist; racism is a permanent psychosocial reality that cannot be changed by class conditions or religions; lastly, mass migration of African Americans out of America, which was a strategy for earlier nationalist movements, is inconceivable; therefore, blacks must reside in

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communities where African Americans have social, economic, and political self-determination.45

One of the vanguard black organizations to mobilize the message of Black Nationalism on a national scale was the Black Panther Party. Created in October 1966 by Huey P. Newton and Bobby Seale in Oakland, California the Black Panther Party for Self-Defense fought against police brutality by patrolling the black communities of Oakland and produced and distributed a newspaper to spread information about the group’s history, ideologies and political philosophies. David Hilliard states that the Black Panther Party:

Knew from the beginning that the press in the United States influenced or effectively controlled by the government and big corporations, would use its power to propagandize against the Black Panther Party. We knew from the beginning how critical it was to have our own publication, to set forth our agenda for freedom, to raise political consciousness among our people as to their oppressed state, to rebut government lies, to tell the truth, to urge change, to use the pen alongside the sword.46

The newspaper was first published on April 25, 1967 as a monthly, and became a primary resource for black communities across the country and helped to articulate the struggles of oppressed people around the world. By January 1968 the paper had become a weekly publication. The Black Panthers used the Black Panther Intercommunal News Service to act as a vehicle for social change, by using the revenue generated through sales to establish the Oakland Community Learning Center, the Free Breakfast Program for


Children, and other health and social Survival Programs. The social services undertaken by the Black Panther Party were unlike any other programs in the country geared toward the health, education and socioeconomics of African Americans. Truly exercising the philosophy of self-determination the Party designed community projects so blacks could begin to dictate their own lives and conditions within their communities through political and economic self-help and consciousness raising. No longer would blacks have to live with the devastating consequences racism and capitalism had inflicted on their lives. Community control was the basis for all Survival Programs with the programs being implemented across the country with Party chapters in Seattle, Los Angeles, and Sacramento establishing some of the earliest Free Breakfast Programs, with most programs staffed by community volunteers and “funded by contributions from local businesspeople.”

According to *War Against the Panthers* twenty-five percent of the black population respected the Black Panther Party with forty-three percent of blacks under the age of twenty-one.

By 1967 the Federal Bureau of Investigations (F.B.I.) through its COINTELPRO program sought to neutralize, discredit and dismantle all “Black Nationalist Hate Groups”

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48 JoNina M. Abron, “‘Serving the People’,” 178.


50 Huey P. Newton, *War Against the Panthers*, 52.
in America. At the helm of the program was J. Edgar Hoover, who described the Black Panther Party as the “greatest threat to the internal security of the country.”

COINTELPRO’s primary goal was to promote violence within the Panther Party and among other members of society including other black nationalist groups. Of the two hundred and ninety-five documented actions by COINTELPRO seventy-nine percent were directed towards the destruction of the Black Panther Party, with over $7 million being allocated in 1976 to pay off informants. Between 1967 and 1970 the F.B.I. led a mass assault on the Black Panther Party, and on May 15, 1970 Hoover issued a memorandum stating that The Black Panther Intercommunal News Service was “‘one of the most effective propaganda operations of the BPP…It is the voice of the BPP and if it could be effectively hindered, it would result in helping to cripple the BPP’.”

By June 1969 the F.B.I. was investigating all forty-two Party chapters and seeking intervention from the Department of Justice in order to prosecute members of the Black Panther Party both legally and in the court of public opinion. The F.B.I.’s counterintelligence programs used a multitude of tactics to neutralize and discredit the Party including the recruitment of “over three hundred newspaper reporters, radio commentators, and television news investigators,” in order to bring “‘disrepute before

51 William L. Van Deburg, New Day In Babylon, 302.


53 Huey P. Newton, War Against the Panthers, 53; 72.

54 JoNina M. Abron, “‘Serving the People’,” 181-182.
the American public.” The Mass Media Program launched by the Bureau allowed the F.B.I. to discredit the Black Panther Party by filtering inaccurate and misleading information to the nation and inciting violence across the country in order to detract attention from the Panther’s social programs, which had growing support among both whites and blacks in the country.56

According to Edward P. Morgan, mass media’s reflections of the civil rights struggles of the 1960’s were a “reductionist dichotomy between racist whites and victimized blacks,” which detracted from the marginalization and systematic subjugation of blacks in America. The media undermined public dialog on government actions and policies that targeted and hindered the black community.57 Mass media coverage and government repression went hand in hand in disseminating information on the Panther Party. While the Party tried to control its image through the Black Panther newspaper, the government often circulated these images to incite fear and hostility toward black radicals, helping to construct a public opinion of the Party as a violent anti-white revolutionary group seeking to destroy the fabric of American society.58 These images had a drastic affect on black communities around the nation, especially those closest to the Black Panther Party’s central headquarters in Oakland, California.

55 Kenneth O’Reilly, Racial Matters, 198.
56 Kenneth O’Reilly, Racial Matters, 302.
58 Leigh Raiford, “Restaging Revolution,” 221-222.
From the beginning of the Party’s formation Sacramento, California stood as a symbol of state repression. The national spotlight was thrust upon the capital city when the Black Panther Party marched on the capitol on May 2, 1967 protesting a gun ban. 1970 would prove to be a devastating year for the Black Panther Party with increased incarcerations and violence. Often known as “Repression 70,” no city with Party chapters was immune from government persecution especially Sacramento. State repression was nothing new for the black community of Sacramento, which had historically challenged racist government laws and policies. When police officer Bernard Bennett was murdered May 9, 1970 in Oak Park, a suburban neighborhood of Sacramento, California, two Black Panther Party members were immediately taken into custody along with other black community activists. Assumed guilty in the court of public opinion because of their political affiliations, the “Oak Park Four,” became a unifying symbol for black Sacramentans who had historically faced racial discrimination from the Sacramento community since the founding of the city.

Chapter 3

CREATING COMMUNITY, CREATING IDENTITY: EARLY BLACK SACRAMENTO

Millions of men are marching at once towards the same horizon; their language, their religion, their manners differ; their object is the same. Fortune has been promised to them somewhere in the West, and to the West they go to find it. —Alexis de Tocqueville, 1848

The discovery of gold in 1848 transformed Sacramento, California into a city overnight. Prior to gold being discovered by John Marshall’s workers near the sleepy Sierra town of Coloma, Sacramento was barely surviving as a small commercial center. In 1841 John Sutter, a German-Swiss immigrant obtained a 44,000 acre land grant from Alta California Governor Juan Bautista Alvarado, and settled himself in the territory he called New Helvetia. “Using the clay like soils found around the area” and Indian laborers Sutter constructed an adobe fortress measuring 300’ x 160’. Sutter’s Fort became a hub for commercial activities including providing supplies and manufactured items for incoming settlers eager to settle in California and the Sacramento Valley.61

By 1844, Sutter along with others from the Fort began to look for a location to build a town three miles away on high flood-proof land. Christened Sutterville in honor of its founder, the town flourished for several years having no other economic rival other than the Fort. John Sutter built the first house in Sutterville, with hotels, businesses, and saloons soon following. California became an American Territory in 1847, and soon after


the 1848 gold discovery people began to flock to California by land and sea hoping to strike it rich in the gold mines. The discovery of gold soon had Sutterville facing a new powerful economic rival, the emerging city of Sacramento.\(^6^2\) Sutter’s Fort, over-run by those seeking their fortunes in the mother lode, could not handle the influx of thousands who traveled through the Fort. A new city was needed to accommodate the large number of people heading to and from the gold fields.\(^6^3\)

Overnight, storefront tents sprang up along the Sacramento River to provide materials and supplies for those venturing to the gold fields. Christened “Sacramento City,” the impromptu city of tents brought nearly six thousand people to its embarcadero during the summer and fall of 1848. Among the throng of people who converged on the Sacramento Valley in search of riches in California, several hundred were free and enslaved blacks. Waller Jackson, the first recorded African American miner in California, arrived via the Cape Horn sailing from Boston, Massachusetts.\(^6^4\) Although California was admitted to the Union in 1850 as a free state with the constitution stating that, “All men are by nature free and independent...” and further adding “neither slavery,


nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this state” slavery continued to persist within California.65

The greatest numbers of slaves were brought to California after the Gold Rush to help work the gold fields with their owners. According to Delilah Beasley, one of the first black women to compile a comprehensive history of African Americans in Gold Rush California, “the allurement of gold was for the white men.”66 Blacks were attracted and drawn to California because they saw it as a land of freedom and promise. Hard work and good fortune in the goldfields allowed African Americans to buy their freedom and the freedom of family members still residing in slavery. The state offered blacks one thing gold could never do by itself— it offered opportunity.67

Blacks saw the west through the oppressive lens of slavery, which haunted many blacks seeking refuge in California. Liberty could be found in the west, but it could also be taken away through racial restrictions. However, the desire to settle down and establish social, political, and cultural institutions within an environment that blacks


viewed as less restrictive racially than other parts of the country, brought blacks to the
“promise lands of the west.”\(^{68}\) By the time California had been admitted into the Union
there were 962 blacks residing in the state according to the federal census, with 212
blacks and mulattoes in Sacramento County, the majority of settlers men. Black women
made up 8% of the total black population of Sacramento.\(^ {69}\)

The expanding mining region of the Sierras allowed black Sacramentans the
ability to expand employment opportunities beyond the goldfields, with the majority of
blacks working as cooks and wash men. As placer mining became increasingly less
profitable with hydraulic and hard rock mining escalating in cost and labor, many miners
left the gold fields and relocated to Sacramento in search of a new urban life.\(^ {70}\)
According to the Sacramento County 1850 census, blacks were employed primarily in the
service industry with sixty-four cooks, twenty-five washer men, sixty stewards, ten
eating-house owners, two coffeehouse owners, eight waiters, four boarding house
owners, and five black smiths.\(^ {71}\) According to Clarence Caesar, “the eating
establishments, laundries, hotels and boarding houses of Sacramento were a welcome
respite to men who often spent weeks or months in the relative isolation of the Sierra
Foothills,” allowing for the sustained economic stability of black establishments in


\(^{69}\) Susan Bragg, “Anxious Foot Soldiers,” 98.

\(^{70}\) Steve M. Avella, Sacramento, 44.

\(^{71}\) Clarence Caesar, “An Historical Overview,” 22.
For some the economic success of African Americans helped combat the negative racialized views whites had of blacks. Edward Booth, a black Californian, viewed economic viability as a means to justify black inclusion into civil society stating, “‘it is with pride I say, we [blacks] are showing to our white fellow-citizens, [sic] that we have some natural abilities...we are resolved to let them see that all we want is an equal chance, an open field and a fair fight... We intend to disprove the allegation that we are naturally inferior to them’.”

Although black businesses in Sacramento achieved some success free and enslaved African Americans in California as a whole were unwelcome. The fear of unchecked slave labor, which provided the slave owner in a market driven economy the ability to have an unfair advantage in the gold fields and other industries, fueled the push for exclusion of African Americans in the state. The attempt to ban African Americans from the state failed, but in its place came legislative restrictions and discriminatory practices, restricting the lives of blacks residing in California. Without basic rights such as citizenship, the vote, the right to own public land, testify in court, and the right to serve on juries, blacks routinely received a barrage of harassment. Barred from public accommodations such as lodging, transportation and schools African Americans in cities


around California pooled their resources together to create both cultural and political institutions for support.  

The black church provided an institutional backing to combat the racial discrimination facing many African Americans. Built in 1851, Saint Andrews African Methodist Episcopal (A.M.E.) church in Sacramento was the first black church in California. St. Andrews became the center of political activity in Sacramento as well as Northern California, playing “an extremely important role in the development of black political power in California.”  

Not only home to the political activities of Sacramento, St. Andrews also hosted the first public school for colored children. Established on May 29, 1854, in the home of Elizabeth Thorn Scott, the school soon relocated to the basement of St. Andrews and enrolled fourteen children. A year later Reverend Jeremiah Sanderson, an abolitionist and black educator, took over teaching duties at the school. In the spring of 1855, Sanderson approached the Sacramento City School Board and petitioned the Board to finance the school with public funds.

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77 Steve M. Avella, *Sacramento*, 45; Delilah L. Beasley, *The Negro Trail Blazers*, 174; Susan Bragg, “Anxious Foot Soldiers,” 101; Susan Braggs gives an overall account of black women and education in Nineteenth-Century in California with an emphasis on Sacramento; and analysis how gender shaped political activism in the West.
The fight for public education spurred black Sacramentans to organize the Colored School Committee. Comprised of both men and women, the Committee sought to raise money through subscriptions to purchase land to permanently house the school and fund the employment of Mr. Sanderson. The Committee also shed light on the educational discrimination black children faced in Sacramento. Although the school board accepted Sanderson’s request to allocate public funds for the colored school, the city as well as the state amended legislation excluding African American children from attending school with whites “creating de facto segregation in California’s schools.”

By 1858 California had systematically relegated minority children to under-funded, substandard and haphazard school facilities, which faced disdain and “hostility from the white community.” Education was not the only facet of political protest for black Sacramentans; the right to testify in a court of law spurred black Californians to hold a convention to make “inquiries into our [African Americans] social, moral, religious, intellectual, and financial condition[s].”

The first California Colored Convention held November 20-22, 1855, in Sacramento at St. Andrews Church, brought together forty-nine black delegates from ten of the state’s twenty-seven counties, to discuss and formulate strategies to combat racial

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discrimination. The convention, which tended to be all male, furthermore acted as a platform to air political grievances and condemned the state legislature for the exclusion of African Americans from participating in all aspects of civil society. Between 1855 and 1865 four additional conventions were held with three in Sacramento and one in San Francisco. The California Convention invoked the larger national movement for the abolition of slavery and black civil rights. While only men attended the conventions as delegates, women actively participated in proceedings and contributed to the “fight for abolition, suffrage, testimony, and education,” with women such as San Francisco businesswoman Mary Ellen Pleasant financially contributing to the legal pursuits taken up by the Convention delegates.

The Colored Executive Committee, established during the first Colored Convention in Sacramento, originated as the political division of the Convention in order to “adopt methods which would be effective and expedient in the struggle against the testimony laws.” Breaking with the more moderate delegates, the Committee employed

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83 Shirley Ann Wilson Moore, “We Feel the Want of Protection,” 116-117. Known as the mother of Civil Rights in nineteenth California, Mary Ellen Pleasant as an abolitionist and businesswomen made her fortune operating a San Francisco boarding house, which often housed prominent California businessmen. Through information she overheard running the boardinghouse Pleasant flourished in stock speculations, inside trading, and the real estate business. Little is known about Pleasant’s life before arriving in California. Although she addressed speculations surrounding her status as an ex-slave in her 1901 autobiography stating she was born free in Philadelphia, inaccuracies in her autobiography and her fervent drive to abolish slavery and fugitive slave laws, lead some scholars to question the status of her freedom. Mary Ellen Pleasant stood at the forefront of the Civil Rights movement in California using her Gold Rush wealth too further the abolitionist cause and finance legal battles against discrimination in public spaces. For more information on Mary Ellen Pleasant see Lynn M. Hudson, “Mining the Mythic Past: The History of Mary Ellen Pleasant,” in *African American Women Confront the West.*
the strategies of political agitation by holding public meetings, circulating petitions, sponsoring resolutions and organizing smaller committees throughout black communities in California, with a Committee member in every county. As a vehicle for social and legal protest the Committee waged legal battles against inequality in California. Most noted was the Archy Lee case, the last fugitive slave case in California.

The U.S. Supreme Court’s decision in the fugitive slave case *Dred Scott v. Sandford* (1857) held that Africans residing in America, whether free or slave were not citizens as defined in the United States Constitution; therefore, they had “no rights which the white man was bound to respect.” Slave owners were permitted to retrieve their property—chattel slaves—regardless of their residency in free states. The Scott verdict loomed heavily on African Americans throughout the country especially newly freed and escaped slaves in the state of California. So contentious the issue of slavery, the state on April 15, 1852 enacted legislation, in support of the federal Fugitive Slave Act of 1850, According to Beasley “slaves who had been voluntarily introduced into the state before the adoption of the constitution and who refuses upon demand of their owner” and “should be deemed to be fugitives from labor…” Once seen as a beacon of freedom and economic autonomy, by 1858 the California Legislature had introduced House Bill No 395 for the purpose of keeping enslaved blacks from fleeing into the state. California

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85 Delilah L. Beasley, *The Negro Trail Blazers*, 188.


for blacks became more hostile and exclusive with the state legislature initiating bills that would restrict the movements of African Americans in the state.  

The daily assault on the African American community by the state came to a head with the case of Archy Lee. Pushed to the brink the community, through the Colored Executive Committee, used the trial as a test case to secure the rights of blacks in California. Born a slave in Pike County, Mississippi, Archy Lee was brought to California from Mississippi in 1857 by former doctor Charles Stovall. Stovall came to California with Archy to open a private school in California and settled in Sacramento, teaching for a year, while he lent Archy around Sacramento to perform odd tasks. During Archy’s stint in the capital city he began to question his enslavement.

While working various jobs around Sacramento, Archy met free black Sacramentans, many of whom were members of the Colored Convention, who informed him that according to California law he was free. After a year of being in California Charles Stovall decided to return to Mississippi and take his slave with him. When Archy heard of the plan to be taken back to Mississippi he fled from Stovall and hid at the Hackett House a black owned boarding house on Third between K and L Street in the

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88 Shirley Ann Wilson Moore, “We Feel The Want of Protection,” 111; _The Sacramento Union_. 29 March 1858, Section 1, page 2. In 1858 California legislature put forth a bill that, if passed, would require African Americans residing in the state to carry registration papers, making it a crime to work in the state without a proper certificate, and would deport blacks that had newly immigrated to the state.

89 Delilah L. Beasley, _The Negro Trail Blazers of California_, 78; Rudolph M. Lapp, _Archy Lee: A California Fugitive Slave Case_ (California: The Book Club of California, 1969), 3-4. Rudolph M. Lapp’s monograph on Archy Lee is rare book with only 500 copies published. It can be located in the California State University, Sacramento Archives and Special Collections or online at The California Underground Railroad Digital Archive at http://digital.lib.csus.edu/curl/.

90 Rudolph M. Lapp, _Archy Lee: A California Fugitive Slave Case_, 4.
African American section of town. Stovall had Archy arrested as a fugitive slave. The Chief of Police, who refused to hand Archy over to his master, took Archy into custody.

While in prison, word of Archy’s circumstance spread throughout the black community of Sacramento and the community rallied to garner support for him. At the time of Archy Lee’s arrest, no white anti-slavery societies or organizations existed in California, but within twenty-four hours of his arrest, Charles Parker, part owner of the Hackett House, had a writ of habeas corpus written to free Archy from prison, on the grounds of illegal detainment. No black lawyers residing in California at the time of Lee’s arrest actively pursued law, which left Archy’s defense to sympathetic white lawyers. The Executive Committee of the Colored Convention raised funds in excess of fifty thousand dollars to defend Archy Lee throughout his trials that extended all the way to the California Supreme Court.

The Supreme Court upheld California’s Fugitive Slave Law validating Stovall’s legal right to his property. Stovall having recouped Lee set out to leave the state via the port of San Francisco. Black and white abolitionists thwarted his plans by blockading the ship and issuing a new writ of habeas corpus for Archy Lee’s freedom. The trial lasted weeks with a mass amount of black Californians descending on the courthouse steps, flooding the courtroom floor to show their unbridled and unwavering support for Archy Lee and the black community. After a long and arduous trial Archy Lee was freed.

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Although a major legal battle had been won, black Californians’ continuous fear over fugitive slave laws prompted four hundred African Americans, including Archy Lee, to migrate from California to Victoria, British Columbia during the Spring of 1858 after the discovery of gold.  

On the eve of the Civil War Sacramento had evolved from a sleepy gold rush town into a viable economic power via the Sacramento and American Rivers. The city, after a number of devastating fires and floods, emerged as an urban community and the capital of California. The completion of the Transcontinental Railroad opened Sacramento to the rest of the U.S. and ended the city’s dependency on the rivers for its transportation. Furthermore, the railroad revolutionized the Central Valley’s economy and population, according to scholar Joseph McGowan, and “stimulated the building of towns along the tracks,” helping to shift the urban demographics of Northern California.

The growing urban environment in San Francisco, Sacramento, and Marysville, along with the successful legal battles fought and won in the state, in combination with the declining gold mining industries, led to more than a 300% growth in the black

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population of California between 1850 and 1860 totaling 4,086 people with an overwhelming majority residing in northern cities. By the 1860’s Sacramento’s black community had grown twice its 1850 size emulating the fast paced growth of the city, which by that time had been divided into wards for better city management. The community surpassed “its original geographic boundaries along Third Street” moving into the city’s Second and Fourth ward, forming the western most portion of the city with 155 black residents in the Second ward, 104 in the Fourth ward, 98 in the First ward and 37 in the Third ward. The West End as it would soon be called bordered the Sacramento River to the west, 5th Street to the east, I Street to the north and R Street to the south and, became a haven to the African American community of Sacramento.

The tide that was turning nationally in regard to the slave question and states rights after Abraham Lincoln’s presidential election in 1860, swept through California with the election of Republican Governor Leland Stanford in 1861. Once a Democratic stronghold, California sought solidarity with the Union cause. Black Californians on the eve of Emancipation increased public exposure to champion civil rights. According to historian Susan Braggs, “Sacramento blacks held picnics and festivals in 1860, 1861, and 1862 to celebrate emancipation of slaves in the West Indies and encouraged the same


When Lincoln emancipated North American slaves in 1863, black Sacramentans gave a thirty-six-gun salute, showing their sentiments toward the war and patriotism for the Union. With freedom firmly in their grasp California’s black community pressed for further civil rights winning the right to testimony in 1863 and the right to public transportation in San Francisco.101

While there were many legal gains during the Civil War, black Californians like many African Americans in the country, had to deal with the mixed sentiments around the question of slavery and war in the public discourse, some of which ended in violence.102 In April 1861, arsonists burned down Shiloh Baptist Church; two years later arsonists destroyed a newly erected schoolhouse. The fight for public accommodations waged on until 1897 with the California legislature approving a law outlawing discrimination in the state. The passage of the 14th and 15th Amendments expanded basic civil rights to blacks throughout the nation despite the California legislature’s refusal to ratify the 15th Amendment in 1870.103 The question of Negro suffrage demonstrated the harsh political realities blacks faced during Reconstruction. California lawmakers argued

100 Susan Braggs, “Knowledge is Power: Sacramento Blacks and Public Schools 1850-1894” (M.A. Thesis, California State University, Sacramento, 1997), 28; Clarence Caesar, “The Historical Demographics of Sacramento,” 206.


that black suffrage would bring “‘political equality and partnership in the administration of this government a race of people…unfit for such association[s]’.”

By 1870 the railroad had been completed, placing Sacramento in the center of Northern California’s commercial trade and economic enterprises. The completion of the Transcontinental Railroad soon led to a rapid increase of immigrants to California. The Central Pacific Railroad, banking on increased revenue from freight business and passenger travel set up offices in Sacramento, eliciting boosters to sell the “California Dream” to immigrants. The mass influx of ethnic groups into Sacramento began to shift the city’s urban core again, etching out ethnic enclaves on the West End of the downtown district, “making it a multiethnic neighborhood of houses, churches, schools, businesses, bars and bordellos,” while shifting the African American residents to the Second and Third ward.

The city of Sacramento thrived around the railroad with Southern Pacific becoming the city’s largest employer. Rail yards dominated the city’s steady growth, with the Goss & Lombard machine shop and foundry, “one of the largest industrial sites in the Western United States.” As Sacramento relinquished land for expanding railroad facilities, the city adapted the grid system with “‘all streets running north and south being numbered from Front or First Street to Thirty-first…the blocks are large

107 Steve M. Avella, Sacramento, 58.
sections, and throughout the city one divided by convenient alleys which, in many other cities would rank as streets’. By 1887 the city seeking to expand the boundaries of Sacramento looked southeast to the area that would become Oak Park. The growth of Oak Park was spurred by the first electric streetcar franchise given September 1887. Although not fully operational until 1891, the electric streetcar allowed residents and businesses to move away from the city center, to newly created suburb communities.

Oak Park, Sacramento’s first suburb, began as a small farming community developed by Edwin K. Alsip and the Oak Park Association with initially fifty-six whole or partial lot divisions. Deemed the “Eden of California,” Oak Parked promised lush farmland, good health, graded avenues, escape from city taxes, and the chance to double investment value in less than a year. Drawing on the real estate boom occurring nationally, advertisers sought to sell Oak Park as an independent city away from the hustle and bustle of Sacramento, where “the leading citizens of Sacramento would soon reside.” Emphasizing upper class living, advertisements and excursion trains disseminated throughout California to bring people to the auction in Oak Park. Banking on the developing streetcars that would travel between downtown Sacramento and Oak Park, the Oak Park Association and Edwin K. Alsip & Co. sold over 200 lots on

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September 13, 1887; however, it was not until the early 1900’s that major development would begin in Oak Park.\footnote{Lee M.A. Simpson, ed., \textit{Sacramento’s Oak Park}, 10.}

The first half of the Twentieth century saw Oak Park develop into a working class suburb with its own library, newspaper, and law enforcement. Changes in transportation technology gave Oak Park a direct connection from downtown Sacramento’s business district to the amusement park Joyland.\footnote{Steve M. Avella, \textit{Sacramento}, 80.} The streetcar system defined the growing suburb, which was annexed to Sacramento in 1911; but like most transportation advancements the streetcar soon found itself increasingly obsolete and abandoned for a more sophisticated mode of transportation.\footnote{Lee M.A. Simpson, ed., \textit{Sacramento’s Oak Park}, 29.} By the mid 1940’s Sacramento’s streetcar system could not catch up to Sacramento’s expanding borders and suburban growth. The advent of the automobile transformed the landscape of Sacramento. Emerging Sacramento suburbs relied heavily on the automobile and the growing commuter culture of the city. Newly annexed areas of Sacramento like East Sacramento, Land Park, and Del Paso Heights replaced Oak Park as the suburb of choice.\footnote{Steve M. Avella, \textit{Sacramento}, 89-92, 96.}

At the onset of World War II Oak Park had transformed itself from a vibrant working class suburb to a community filled with urban blight due to redevelopment and white flight. The war, according to Quintard Taylor, “changed forever the African
American west.” The booming war industry ushered in the Second Great Migration for millions of blacks seeking to escape disenfranchisement and Jim Crow oppression. Many African Americans saw California as a promised land of economic advancement, a haven from racial repression and political equality. California’s black population increased by 272% from 1940 to 1950, with 124,306 blacks in 1940 to 462,172 in 1950 with five cities on the West Coast—Seattle, Portland, San Francisco/Oakland, Los Angeles, and San Diego— together absorbing 70% of black migrants. Maritime industry and aircraft production were the primary industries that brought blacks out west.

Although Franklin D. Roosevelt issued Executive Order 8802 in 1941 prohibiting discrimination based on race in companies holding government contracts blacks, according to Shirley Ann Wilson Moore, “encountered work place discrimination that confined them to low paying jobs with little advancement, were excluded from membership in the powerful shipyard and aircraft unions, or placed in segregated ‘auxiliary’ unions where they had no power to set policy.” Blacks in Sacramento fared no better than other African Americans in the state. The capital city had no major wartime industries; however, it had military bases surrounding the city with McClellen

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Army Air Base, Mather Air Base, Camp Beale, Travis Air Base, and the Sacramento Signal Depot.\footnote{119}

During the 1940’s Sacramento County’s black population grew from 2,156 to 7,499. Employment discrimination was not a new phenomenon for black Sacramentans. In the 1930’s prospects for African American men and women were slim in regard to work that brought economic success. The majority of blacks found menial work as cooks, waitresses, and maids, while some black men were able to work as railroad porters and city garbage men. It was not until World War II that the first black professionals came to the city of Sacramento.\footnote{120}

The large number of migrants into California led to significant problems with overcrowding in major West Coast cities. Black Sacramentans witnessed first hand the harsh reality of housing discrimination and restrictive covenants. The West End soon became overcrowded and seen by political leaders in Sacramento as a blighted slum district in need of major overhaul. West End redevelopment in the late 1950’s and mass population growth fueled the push of the African American community into other areas of the city.\footnote{121}

Chartered on September 27, 1950, the Housing and Redevelopment Agency, founded for the purpose of restoring, redeveloping, or clearing blighted areas,

\footnote{119} Rebecca Ann Carruthers, “The Dunlap’s Dining Room Exhibit: Legacy of a Sacramento Family” (M.A. Thesis, California State University, Sacramento, 1996), 10.

\footnote{120} Rebecca Ann Carruthers, “The Dunlap’s Dining Room Exhibit,” 10-11.

\footnote{121} Rebecca Ann Carruthers, “The Dunlap’s Dining Room Exhibit,” 12.
spearheaded the destruction and redevelopment of the West End. Businesses and residents in the West End strongly opposed development and the unfair use of eminent domain by the city. Promoted by local newspapers however, as the, “evils that must be eradicated,” the West End of downtown Sacramento was bulldozed in order to make room for government office buildings, and Highways 99 and 50, toward the end of the 1950s divided Oak Park in half. 122

Redevelopment devastated many minority communities in Sacramento. An estimated 2,000 African Americans were forced to relocate to other more expensive parts of the city with most residing in Oak Park, Del Paso Heights, and Elder Creek. Although the black community only represented eleven percent of Sacramento’s population, from 1950 to 1970 blacks went from four percent to thirty-five percent of the Oak Park population, which made it a hot bed of political activity during the Civil Rights Era in Sacramento. 123


Chapter 4

THE CASE OF THE “OAK PARK FOUR”

In 1970, California’s African-American population was 1.4 million, making African-Americans seven percent of the total population. Of the 1.4 million African-Americans living in California, 36,418 lived in Sacramento County, making Sacramento sixth in the number of African-Americans. Urban renewal created two primarily black districts in Sacramento. District Two encompassed Del Paso Heights and District Five, including Oak Park, became publicly known in the city as the black political space, with black activists and organizations actively seeking political control and jurisdiction over what many Sacramentans viewed as a black space. Espousing many of the Black Power principles of the time, the city’s black population sought visual representation in the city council and an active political voice in their community.

The Black Panther Party established chapters in major cities around the United States, in order to promote their social programs. The Sacramento branch of the Black Panther Party opened in 1968, on 2941 Thirty-fifth Street in Oak Park, the same year J. Edgar Hoover, director of the F.B.I., “ranked the Black Panther Party as the number-one threat to U.S. security.” As the hub of black political activity in Sacramento, Oak Park


played a crucial role in connecting diverse political organizations and social programs of various ideologies within the black community. Organizations such as the Black Panther Party, the Nation of Islam, the Urban League and the Black Student Union and other groups that were “capable of grabbing newspaper headlines or audio-visual media attention” during the 1960’s were also able to project “their ideas and images on the local collective memory as significant contributors to local social struggles.”

The Black Panther Party and Sacramento City College’s Black Student Union (BSU) were extremely active on college campuses and in the Oak Park community organizing for the “rectification and further development of political, economical, social, education, and cultural conditions present.” The need to assist and educate disadvantaged blacks led BSU members into the neighborhoods of Oak Park and Del Paso Heights where they provided reading materials for students, tutorial programs and study centers. The Free Breakfast Program was the strongest program run by the BSU at the Oak Park United Church of Christ. BSU took over the local program in 1969 from the Black Panther Party after police raided its Sacramento office on June 17, 1969 firing tear gas and bullets responding to supposed shots fired from inside the building of the


Panther’s headquarters.\textsuperscript{130} Soon after the Father’s Day raid on the Sacramento Chapter of the Black Panther Party the Black Panther Party Coloring Book emerged in the press and was disseminated throughout the country. The coloring book illustrated by Mark Teemer caricatured policemen and other whites as pigs being “attacked by blacks with knives and guns. Originally rejected and banned from distribution by Party leaders.\textsuperscript{131} Recruited by the F.B.I. while attending Sacramento State College, F.B.I. informant D’Arthard Perry’s sole job was to steal anything deemed of value from the Black Panther Party headquarters’ such as floor layouts of offices and homes, phone numbers and addresses, and promote internal dissension between Black Nationalist groups such as the United Slaves (US) and The Black Panther Party.\textsuperscript{132} The F.B.I. sought to silence and destroy the most successful community support programs—the Free Breakfast Program. The Free Breakfast Program relied solely on businesses and private donations from the community to run the program. Although few people actually saw the coloring book, some doubted the authenticity of it. According to Reverend Eugene J. Boyle it was obvious that the government had a role in the creation and dissemination of the coloring book. Boyle stated, “‘let me make one thing very plain, I am sure more copies were reproduced and distributed by the police as examples of what the Panthers were doing than the Panthers

\textsuperscript{130} Rod Beaudry, “How Oak Park Simmered” \textit{The Sacramento Union} 17 June 1969, 1.

\textsuperscript{131} Huey P. Newton, \textit{War Against the Panthers}, 82; “Panther Coloring Book Shakes Up Sacramento” \textit{The Sacramento Union} 25 June 1969, 1.

\textsuperscript{132} Huey P. Newton, \textit{War Against the Panthers}, 79.
actually distributed themselves.” According to Huey Newton, “the F.B.I. added captions advocating violence” in the coloring book and “printed thousands of copies bearing the Party’s name, and circulated them throughout the country, particularly to merchants and businesses.” Not surprisingly, many people who donated financial support to many of the Panther’s Social Programs withdrew both their financial and personal support of the programs when the coloring book was released. The government utilized a host of methods, to suppress the Black Panther Party one being the manipulation of the media, to discredit anyone affiliated with the Black Panther Party and its Social Programs.

It is within the framework of collective memory and the media that this research begins. The “Oak Park Four” trial shook Sacramento in 1970, especially the African-American community. Extensively covered in the media, the “Oak Park Four” trial demonstrated how Sacramento newspapers, specifically *The Sacramento Bee*, *Sacramento Union*, and *The Sacramento Observer*, covered the incidents as they unfolded within the media and how personal accounts and community opinions toward the “Oak Park Four” and the trial were constructed by the government as part of a larger movement to suppress black political groups throughout the country.135


134 Huey P. Newton, *War Against the Panthers*, 82.

135 *The Sacramento Observer* is an African American newspaper that largely reports on the happenings of the black community in Sacramento, California.
While focusing on *The Sacramento Bee, The Sacramento Union, and The Sacramento Observer* the story of the “Oak Park Four” has more to it. It is not just a story of a police officer being brutally murdered; the story is about the African-American community in Sacramento, their outrage, and their cries in the dark that no one heard. It is about the unspoken connections to incidents past. In interviews it is apparent that the wounds still run deep. When asking about the “Oak Park Four” many paused and sighed to recall an incident that happened so many years ago, yet it is remembered as if it had happened yesterday.

**The Shooting**

While driving north on Thirty-fifth Street and Fourth Avenue on the night of May 9, 1970, patrol officer Bernard Bennett, 24, was struck in the back of the head when several shots were fired at his patrol car. Frantically rushed to the Sacramento Medical Center, Bennett lay in critical condition until he succumbed to his injury on May 13. On May 10, *The Sacramento Bee* and *The Union* ran front-page stories of the shooting. But *The Sacramento Observer*, a weekly publication, did not run an article on the shooting until after officer Bennett’s death. While, *The Union* ran the article on the bottom right column with no continuation story on subsequent pages, *The Sacramento Bee* opted for a headline story that continued on another page.136

The newspaper article, “Sniper Critically Wounds Sacramento Policeman,” discussed the Bennett shooting in greater detail than *The Union. The Bee* elaborated on

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the time and location of the shooting, but it also described a previous incident that preceded the shooting of Bennett, involving two Sacramento police officers and “an angry group of 30 to 50 Negroes.” In this earlier confrontation on May 9, officers recalled, “one man with the butt of the revolver showing in one of his pocket” in McClatchy Park. By pointing to an earlier confrontation between African-Americans and the police, The Bee cast suspicion automatically on the predominately black community of Oak Park.

The Round Up

When Officer Bennett was wounded the manhunt began. Gunfire was heard around 10:30 p.m. on May 9th, and at least six persons were arrested in the area shortly before 12:30 a.m. Police officers entered the Oak Park community with more than a dozen police cars and ten motorcycle units, becoming like an “occupational force” in Oak Park after the shooting.\(^{137}\) According to Regina Gulley, a witness to the event, Sacramento police had the “old law enforcement mentality—they [Black people] all look alike so maybe they were [snipers or...] co-conspirator[s].” This type of mentality led to mass interrogation of African American males in Oak Park.\(^{138}\)

On May 13, The Sacramento Union ran a front-page article regarding the “petition for equal enforcement,” which had been circulating after Bennett’s attack. Over forty police officers signed the petition to stop the “double standard” in regard to Oak

\(^{137}\) The Sacramento Union, 10 May 1970, Front.

\(^{138}\) Regina Gulley, tape interview by author, Sacramento, CA, 26 October 2003. Regina Gulley was a college student attending Sacramento State in 1970.
Park. The “double standard” was the belief that police officers were told to look past crimes that were happening in Oak Park, whether public drunkenness or traffic violations.

In an interview with Maryann Wyatt, she stated that the “double standard” meant that the police “proceeded with caution in the community, but not with the Panthers…they [police] viewed Panther’s as a threat….” In the article, an officer is quoted as saying, “[Bennett] met the fate that is all too prevalent in this lawless portion of the City of Sacramento (Oak Park). This is a condition long ignored and prolonged by the Sacramento City Police Department’s permissive law enforcement in this particular section of town.”

A day after the article on the petition, The Sacramento Union ran an editorial backing the police petition. This May 14 editorial urged the Sacramento City Council to cease permissive law enforcement, adding, “the time is overdue to quit ignoring Oak Park—the spawning ground for criminal activity.” But the Union was not the only newspaper commenting on the police petition; The Sacramento Bee also ran an editorial on the same day examining law enforcement in Oak Park. The Bee’s editorial did not actively back the police department’s petition to end the “double standard.” Rather, the editorial column attempted to calm the Sacramento community during this turbulent time by stating, “what must be remembered in this sad moment of a shared sorrow is that


Officer Bennett was shot by a sniper, not by a neighborhood—that this was a crime of an outlaw, not a community. Those who know intimately the greater Negro community in Oak Park know instinctively, too, that the Negro in Oak Park laments this tragedy as much as it is lamented in the white neighborhoods….”¹⁴¹

On the night of May 14, the City Council met to discuss the police petition, which by that night had over 130 signatures. The Union and Bee both covered the meeting on the front page on the following day. The City Council, in a seven to one vote, offered, “Wholeheartedly [to] support our police chief.” The City Council established the Bernard Bennett Rewards Fund and put up a five thousand dollar reward for the capture of Bennett’s murderer(s). Uproar ensued immediately over the City Council’s decision to support an increase of law enforcement in Oak Park and the offer of a reward. Concerning the reward, LaMont Porter, an Oak Park resident, stated that the reward was “a $5,000 bounty for some poor black man.”¹⁴² Mark Teemer was also present at the City Council meeting where the council passed Resolution No. 169, resolving that all citizens in the community of Sacramento take interest, support and contribute to the Fund of officer Bernard Bennett to apprehend and convict those involved in the murder. Porter and Teemer expressed the outrage that many people in the African-American community were feeling. During the May 14th City Council meeting an emphasis was placed on how


police officers did not patrol areas of Sacramento uniformly, discussing the unequal law enforcement procedures that were happening in Oak Park.\textsuperscript{143}

*The Sacramento Union* and *The Bee* reported on the lack of law enforcement in the Oak Park community and supported an examination of the “double standard,” but their editorials failed to address the African-American community’s concerns over police hostilities in Oak Park. Josephine Harris recalled that, “when the Panthers made it on the scene, I think that’s when the police started getting hostile, because they pointed [to] a lot of things…[that] the police [were doing] and their mistreatment of the black community.”\textsuperscript{144} The shooting of Bernard Bennett increased the tension, and “unnecessary police visibility in Oak Park.” Regina Gulley remembered that after the shooting, “police were rolling four deep in Oak Park” during the day and the numbers increased at night.\textsuperscript{145} On May 21 the *Observer* reprinted a letter regarding to police presence in Oak Park. A Mrs. Anderson recalled that on May 9, the night of the sniper attack, at 8:30 p.m. her two sons stopped at a traffic light next to a police car in the Oak Park area. As her sons

\textsuperscript{143} City Clerk, City of Sacramento, *Proceedings of the City Council* vol. 74, (Sacramento, Ca: City of Sacramento, 1970), 175.

\textsuperscript{144} Josephine Harris, tape interview by author, Sacramento, CA, 26 October 2003. The quotation was based on portions of the interview when Josephine Harris and I discussed J. Edgar Hoover and his negative sentiments regarding black organizations, and the police raid on the Black Panther Party headquarters in Sacramento, CA in 1969. Ms. Harris in 1970 was a twenty-two-year-old student and the treasurer for the “Oak Par Seven/Four” defense fund.

\textsuperscript{145} Regina Gulley, 26 October 2003.
waited for the light to change, “The Officers placed a large Card or Paper in the window which read as follows F------- Niggers.”\textsuperscript{146}

Not surprising, the promised reward for Bennett’s murderer(s) and increased law enforcement led to the subsequent arrests of African-American males in Oak Park. On May 27, \textit{The Sacramento Bee} and \textit{The Union} ran headline stories on the arrest of seven African-American males charged with the murder of officer Bennett. While \textit{The Union} did not disclose the suspects’ names, \textit{The Sacramento Bee} listed both the names and addresses of the seven charged. \textit{The Bee} also elaborated on one of the seven suspects. In “Police Arrest, Charge 7 In Slaying Of Officer,” Mark Teemer was profiled as a former Black Panther Party member and author of the “Black Panther Coloring Book.” By affiliating Teemer with the Black Panther Party and quoting revolutionary jargon \textit{The Bee} immediately shifted the focus of the murder investigation towards the ongoing confrontation between the black community and the local police. The paper quoted a previous statement Teemer made when he had addressed the City Council on May 14 and admitted, “We don’t look at police officers like you do.”\textsuperscript{147} While Sacramento residents watched the nation confront black political protests with violence, black Sacramentans were confronted with police harassment. Maryann Wyatt recalled a waistline party that the police broke up in Del Paso Heights stating “twenty police cars came …we were afraid we were going to get killed and none of us had any guns…the men tried to get the


\textsuperscript{147} Bill Crosby, “7 Suspects Arrested In Officer’s Murder,” 27 May 1970, 1, 2; Warren Holloway, “Police Arrest, Charge 7 In Slaying Of Officer,” 27 May 1970, A1, A28.
women out so that we wouldn’t get hurt.” The fear and threat of police violence and intimidation was always present in predominately black areas of Sacramento and intensified after the murder of Officer Bennett.\textsuperscript{148}

According to The Sacramento Union, “one of the most intense manhunts ever conducted by local police,” led to the arrest of Ceariaco Cabrallis, 23; Booker T. Cook Jr., 20; Jeffrey Howell, 17; Dale McKinney, 20; Lamont Rose, 21; Jack Strivers, 19; and Mark Teemer, 23. The seven charged were arraigned on May 28, 1970, and held without bail. Both The Bee and The Union ran articles on the arraignment.\textsuperscript{149} In “Police Lure Sniper Plot Is Charged,” The Bee article described the arraignment and proceeded to identify the charges as the “alleged conspiracy,” allowing for the then Oak Park Seven to be given their time in court to prove their innocence.\textsuperscript{150} On the other hand The Union article, “Ambush of Bennett—Was a Trap Set?” described the arraignment and labeled the conspiracy to commit murder an “…overt act…” and “…an ambush…” on Bernard Bennett.\textsuperscript{151} The inflammatory language used by The Union towards to explain the

\textsuperscript{148}Maryann Wyatt, 5 December 2003. In the interview with Ms. Wyatt, she recalled that while many black communities faced police brutality Sacramento faced police harassment. In her interview Ms. Wyatt explained to me why she left the Black Panther Party in 1968, due to the Del Paso incident with the police busting up their party. Waistline parties are parties were they charge a nickel or dime every inch of your waist as admission fees. Del Paso Heights was a predominantly African American community in North Sacramento.

\textsuperscript{149}“Conspiracy Arraignment Today,” The Sacramento Union, 28 May 1970, A2. Conspiracy to commit murder is a capital crime, so none of the seven could be released on bail.

\textsuperscript{150}“Police Lure Sniper Plot Is Charged,” The Sacramento Bee, 28 May 1970, A5.

\textsuperscript{151}“Ambush of Bennett—Was a Trap Set?,” The Sacramento Union 29 May 1970, A3.
arrangement led members of the African-American community to suspect that the government was setting up the seven men arrested.\textsuperscript{152}

The African-American community of Oak Park, in a heightened sense of panic, quickly assembled a defense fund for the seven charged with “Conspiracy to Commit Murder,” a charge that carried the death penalty if the defendants were convicted. Over fifty college students created the Oak Park Legal Defense Fund, sponsoring dances, car washes, bake sales and selling artwork from Mark Teemer, one of the suspects, in order to provide legal assistance and raise funds for the accused men.\textsuperscript{153} A Defense Fund rally held at the Sacramento City College Auditorium was scheduled for June 3, in order to shed light on the Oak Park Seven and their community activism. By highlighting their leadership in Oak Park, the rally sought to draw attention to the need of public support for these seven and actively fight for their freedom stating, “the Sakkkramento news media have already convicted these young men... we are now asking for your support to keep these Brothers [sic] out of the Gas Chamber, and to protest the Occupation Forces in Oak Park.”\textsuperscript{154} In interviews with the author, Josephine Harris and Regina Gulley, spoke of the lack of newspaper coverage of other people arrested in possible connections with

\textsuperscript{152}Maryann Wyatt, 5 December 2003.

\textsuperscript{153}“50 Create Oak Park Legal Defense Fund,” \textit{The Sacramento Bee} 24 July 1970, D2.

\textsuperscript{154}“Oak Park 7 flyer,” 1970, Special Collections, Sacramento City College Library, Sacramento City College, Sacramento.
the shooting. Regina Gulley stated, “there were others before the seven that you will never know about.”

Akinsanya Kambon, one of the “Oak Park Four,” confirmed what many in the community believed was happening all along to the young black men being arrested on conspiracy charges. In interviews with the author, he stated the police tried to have him waive his rights, which he reluctantly admitted he almost did. “…I remembered what they [Black Panthers] had taught us—name, age, address, if you ever get arrested, so that’s what I did. I gave them name, age, and address.” He recalled, “I was locked in a closet [jail cell] for seven hours and I was so scared.” Then the police took him to a room where he was “…chained to a radiator poll…” while the police proceeded to play “the good cop, bad cop routine…” in order to get information on the shooting of Officer Bennett. He recalled at his arraignment that he had been the key to all seven being charged. He remembered that the seven “…didn’t know each other—but I knew all of them…."

Although *The Bee* and *The Union* did not address the number of African-Americans rounded up, *The Sacramento Observer* on May 28, noted, “Police officials refuse [d] to [give] any information other than the name and age of those arrested. Rumors indicate more arrests are in the offering.” The article also provided information on how the African-American community could become involved with the defense fund.

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155 Josephine Harris, 26 October 2003; Regina Gulley, 26 October 2003.

156 Akinsanya Kambon, written interview by author, 5 December 2003, Sacramento, CA. Akisanya Kambon, formerly known as Mark Teemer, was one of the “Oak Park Four.” The arraignment was the first time Kambon saw the men arrested for the murder.
team, because as one defense committee organizer stated, “If they can convict these men of conspiracy to commit murder, then anyone Black who has talked to them about anything could be arrested on the same charge.” The revolutionary language that came to symbolize black political culture was now being used against black Americans to imprison anyone on conspiracy charges who expressed discontent with the government and law enforcement. Government informants, who were planted throughout college campuses across Northern California, sought to prosecute anyone “daring to be black” and directly challenged the status quo.

**The Oak Park Four**

In a rush to create a defense fund, and as fundraisers went door to door asking for donations, family and friends referred to the accused as the “Oak Park Seven.” The *Sacramento Observer* used the title “Oak Park Seven” first, in a May 28 article in reference to Cabrallis, Cook, Howell, McKinney, Rose, Strivers, and Teemer. Subsequently, the conspiracy to commit murder charges for Dale Edward McKinney, Lamont Rose, and Jeffery Howell, were dismissed, leaving the once “Oak Park Seven” down to the “Oak Park Four”: Mark Teemer, Jack Strivers, Booker T. Cook Jr. and Ceariaco Cabrallis.

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159 Josephine Harris, 26 October 2003.
Immediately following their arrest and arraignment, the “Oak Park Four” garnered support from both younger and older members of the community. With the events seen as a “set up” by many, the African American community mobilized in defense of the four.\textsuperscript{160} Clarence Caesar, a former member of the Black Student Union (BSU) at Sacramento City College, recalled, “While BSU and the Black Panther Party were sometimes at odds, we really rallied together behind this [the Oak Park Four trial]….\textsuperscript{161} With the four individuals standing trial, community residents expressed concern over whether the “Oak Park Four” would receive a fair trial. The press profiled the accused young men. Indeed, \textit{The Sacramento Bee} and \textit{The Union} focused on the involvement of Teemer, Strivers, Cook, and Cabrallis in local militant black organizations, while \textit{The Sacramento Observer} described the positive attributes of the men and their active involvement in the community to counter the negative image of the “Oak Park Four” in the mainstream Sacramento press as violent criminals who belonged to violent organizations.\textsuperscript{162}

Mark Teemer, stricken with polio as a child, found therapy in drawing. A well-known local artist and creator of “The Black Panther Party Coloring Book,” he helped to

\textsuperscript{160} Josephine Harris, 26 October 2003; Regina Gulley, 26 October 2003; Clarence Caesar, 13 November 2003; Maryann Wyatt, 5 December 2003.

\textsuperscript{161} Clarence Caesar, conversation with author, 13 November 2003, Sacramento, CA. Mr. Caesar was a student in 1970. His M.A. Thesis “An Historical overview of the development of Sacramento’s Black Community, 1850-1983” briefly covers the “Oak Park Four” trial.

\textsuperscript{162} “‘A Look At Those Charged’,” \textit{The Sacramento Observer}, 4 June 1970, 2.
implement the breakfast program in Oak Park after serving valorously in the Vietnam War and receiving a purple heart for being wounded in battle.\textsuperscript{163}

Jack Strivers, a former player for the Golden Bears, a Pop Warner football team, and later a member of Sacramento High School’s Track and Football teams was known as a star athlete in the community. Strivers attended Sacramento City College, until his arrest. A former Black Panther, Strivers’ ambition to “help his people,” led him to join BSU and participate in a number of community outreach programs.\textsuperscript{164}

Booker T. Cooke Jr., a former president of BSU attended Sacramento City College in hopes to obtain a degree in sociology. As BSU president he focused on making sure that “… students understood world and national events and their relationship to them.” He helped to create the BSU breakfast program in order to feed children, who would otherwise go to school without eating breakfast.\textsuperscript{165}

Ceariaco Cabrallis, best friend of Mark Teemer, attended Sacramento City College in hopes of becoming a physical education instructor. Married with two children, Cabrallis spent much of his time volunteering for the Big Brother program in


\textsuperscript{164} Wilson Harris, conversation with author, 25 November 2003, Sacramento, CA; “Jack Strivers, Youngest of ‘Oak Park Four’,” \textit{The Sacramento Observer}, 1 October 1970, B7. Wilson Harris coached Strivers when he played Pop Warner. Mr. Harris recalled Strivers as being a star player for the Golden Bears and Strivers involvement in helping his father establish a baseball team in Oak Park.

Sacramento. He also planned, along with Teemer, to establish an African-American cultural center for the youth of Oak Park.\(^{166}\)

The direct link between the arrest of the “Oak Park Four” and their political involvement concerned the African-American community. All four were active Sacramento City College BSU members, with Jack Strivers and Mark Teemer both being former Black Panthers, Teemer being the former Lieutenant of Culture for the Sacramento Chapter of the Party.\(^{167}\) *The Observer* ran a supplemental newspaper on October 1, 1970, to address the concerns of the community. Titled the “Oak Park Four,” the supplemental issue ran articles dealing with every aspect of the arrest and trial, such as: “The Controversial Trial of Four Young Men of Protest,” “The Setting for Protest,” “Defense Attorneys Ask For Witness Test,” “The Grand Jury,” and “Oak Park Defense Fund Investigates Slaying,” to name a few. The supplement newspaper raised key issues, which *The Bee* and *The Union* did not address such as issues of race, revolutionary politics and the fight for social justice. All three newspapers however, did address the Grand Jury and the implications the Grand Jury had on the “Oak Park Four” going to trial. County district attorneys in criminal cases mostly utilize a Grand Jury. The prosecutor of the case presents the jury with evidence they have obtained, and based upon the probability that the suspects committed the crime an indictment from the jury can be


obtained. Grand Jury trials are performed in secret, and the defense attorneys cannot cross-examine witnesses for the prosecutor.\textsuperscript{168} Many blacks viewed the Grand Jury as a racist instrument of the state that “systematically excluded blacks from juries” and acted as a means by which the government could try anyone without sufficient evidence.\textsuperscript{169}

**The Trial**

Instead of having a preliminary trial to see whether sufficient evidence had been obtained to prosecute the “Oak Park Four,” the district attorney insisted on a Grand Jury trial. On June 12 1970, the Grand Jury indicted Mark Teemer, Jack Strivers, Booker T. Cook Jr. and Ceariaco Cabrallis on two counts—conspiracy to commit murder and murder. In a June 22 editorial, *The Sacramento Bee* lashed out at the Grand Jury process. In “All Elements of Communities Should Be Represented On County Grand Juries,” the article states:

> The method for picking grand juries in California amounts to an elitist system by which the white, well-to-do professional and business elements of the community hold undue power over criminal indictments and investigations of government matters which often intimately concern their own self interest…. ‘The present system results in giving seats on county grand juries almost exclusively to the wealthy, the white and the well-educated.’\textsuperscript{170}

*The Bee* sought to reform the grand jury system, which it viewed as corrupt because it pandered to the white wealthy power structure of Sacramento. People of color were virtually absent from the Grand Jury along with women. The editorial performed an


\textsuperscript{169} Mickie Reinaldo, “Black Attorney Cooper Speaks Critically Against Grand Jury,” 1.

important role in drawing attention to the methods being used in the “Oak Park Four”
trial.

After the Grand Jury indictment, attorneys representing the “Oak Park Four”
immediately subpoenaed judges, legislators, and county officials “to have the
composition of the Sacramento County Grand Jury declared unconstitutional.” The
subpoena, based on the grounds that the jurors had been chosen in a discriminatory
manner, sought to investigate the methods used to obtain prospective members for the
jury. The attorneys asserted that the district attorney, “called the Grand Jury primarily
because he did not have sufficient evidence to avoid dismissal if a preliminary hearing
were held.” 171 Questions regarding the legitimacy of the Grand Jury and witness
testimony lasted throughout the trial.

The “Oak Park Four” trial set to begin on October 5, 1970, raised additional
concerns within the African-American community, based on the previous methods used
to pick Grand Jury members. Fred Foote, coordinator of the Oak Park Community Legal
Defense Fund, described the Grand Jury as being used to “…gain [a]n indictment and
supplement the weak conspiracy charge with a charge of murder.” 172 Foote further
commented on the Grand Jury by stating, “the above incidents [conspiracy to commit
murder charges] are not extraordinary isolated incidents. This pattern of ghetto control is
common to almost every Black Community within the United States. The politics of


terrorism and oppression embody attacks on the community leadership….

This procedure is always a ‘legal’ reaction to some supposed threat from the Black Community.”

In The Sacramento Observer’s “The Grand Jury” article pointed out key issues in the “Oak Park Four” attorney’s subpoena such as: the unconstitutionality of the Grand Jury’s denial of the defendant’s due process of law the denial of equal protection of the law, due to the lack of an unrepresentative jury; and that the Grand Jury denied the defendants the right to cross-examine the witnesses against them, which a preliminary trial would have allowed.

Primarily based on the testimony of Lamont Rose, suspect turned State’s evidence; the Grand Jury indicted the “Oak Park Four” on conspiracy to commit murder and murder. Due to the composition of the jury, when the trial began on November 30, 1970, all white jury, which consisted of four women and eight men, the black community believed that the “Oak Park Four” would not receive a fair and impartial trial. Several key witnesses in the “Oak Park Four” trial were former suspects. On December 4, 1970, The Sacramento Union article “Prosecutor Details ‘Pig Killing’ Laughter” described the opening remarks of the prosecution. The article illustrated the attack “After the sniper shooting from the rooftop of the old Black Panther party building in Oak Park…. Teemer told chief prosecution witness Lamont Rose and co-defendants Striver and Cabrellis, ‘the


175 Regina Gulley, 26 October 2003.
pig got shot’.” Sensationalizing the violent rhetoric and placing the shooting on top of The Panther headquarters The Union actively engaged in corroborating false imagery and descriptions of the “Oak Park Four” into public consciousness.

The defense issued a motion to throw out the prosecution’s star witness Lamont Rose’s testimony; based upon Rose’s mental status as a reliable witness against the defendants. Lamont Rose, a former Black Panther member, was seen by Josephine Harris as the “…best thing that could have happened for the defense…” Rose was well known in the community. The “reformed” local gangster had been addicted to drugs since 1967. During a gang fight three months prior to the shooting Rose had suffered a concussion. The defense questioned Rose’s testimony and asked for psychiatric testing. After Dr. Walter Bromberg administered psychiatric tests, he found that Rose,

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176 Mike Otten, “Prosecutor Details ‘Pig Killing’ Laughter,” The Sacramento Union, 4 December 1970, 1, 3. The Sacramento Union’s accounts of were the shooting took place, first begin by stating the incident took place on top of an abandoned building in Oak Park and gave the address of the building 2941 Thirty-Fifth Street. After the trial began, The Sacramento Union told readers that the abandoned building was in fact the former headquarters’ of the local Sacramento Black Panther Party branch. Whereas, The Sacramento Bee’s article “Sniper Critically Wounds Sacramento Policeman,” May 10, 1970 stated that, “The bullet…apparently was fired from the rooftop of Joe’s Style Shop, 2962 35th St.” Later, in a December 11, 1970, Bee article “Bennett Defense Questions Credibility of Prosecution Witness Rose,” The Bee stated “…shots were heard from the Panther building…” Also The Sacramento Bee frequently misspelled Cabrallis’ name throughout the newspaper articles from May 1790- January 1971 occasionally spelling it correctly.

177 Josephine Harris, 26 October 2003.

178 Akinsanya Kambon, 5 December 2003; Maryann Wyatt, 5 December 2003; “Rose Testifies: Tells Bennett Jury He Heard Plot to Kill Officer,” The Sacramento Bee, 10 December 1970, C1, C2. Kambon’s recollection of Rose was that he known as “the gangster” or at least he tried to be a gangster, he was small in stature. Maryann Wyatt, remembered Rose, when he wanted to join the Panthers. She said, “We all knew Buster [Rose’s nickname] was a drug addict, but he said he wasn’t anymore…cause as a Panther you couldn’t do drugs…. He said he wanted to help the community….”
“may have impaired his mental functions, judgment and memory.”\textsuperscript{179} Despite testimony from Dr. Bromberg, Superior Court Judge Joseph DeCristoforo denied the defense’s motion to have Rose’s testimony thrown out.\textsuperscript{180}

The Bennett murder trial began to fall apart after Rose took the stand for the prosecution. Rose, who took the stand for over two weeks of testimony, testified that he witnessed the plot to kill Officer Bennett.\textsuperscript{181} The prosecution built their case upon Rose and other witnesses were brought in to confirm Rose’s testimony. When the prosecution called Joseph Ramey to the stand to testify that he had heard the defendants discussing “offing a pig,” Ramey pled the fifth.\textsuperscript{182} Ramey went on to testify that he was “…so afraid the police were going to kill him – or at least book him on murder conspiracy—he concocted a story from police reports that would link others to a possible murder conspiracy.”\textsuperscript{183} Ramey also testified that the police awoke him with the barrel of a shotgun, and then arrested him.\textsuperscript{184}

The defense, charging that the prosecution obtained a coerced statement, asked that Ramey’s testimony be stricken. Judge DeCristoforo ruled that the statement given

\begin{itemize}
  \item \textsuperscript{179} “Psychiatrist Say Bennett Case Star Witness May Be Mentally Impaired,” \textit{The Sacramento Bee}, 7 December 1970, B1.
  \item \textsuperscript{180} Steve Gibson, “Bennett Case Judge Refuses to Throw Out Rose Testimony,” \textit{The Sacramento Bee}, 12 December 1970, A6.
  \item \textsuperscript{181} Mike Otten, “The ‘Plot’ to Kill Bennett,” \textit{The Sacramento Union}, 11 December 1970, 1,3.
  \item \textsuperscript{182} Mike Otten, “Witness Balks At Murder Trial,” \textit{The Sacramento Union}, 22 December 1970, 3.
  \item \textsuperscript{183} Mike Otten, “Bennett Trial Witness ‘Concocted a Story’,” \textit{The Sacramento Union}, 29 December 1970, 3.
\end{itemize}
by Ramey “was given to police involuntarily and therefore was inadmissible as evidence in the trial of Booker T. Cooke, Mark Teemer, Ceariaco Cabrellis, and Jack Striver.” Immediately following DeCristoforo’s ruling, the defense moved for a mistrial on the grounds that Ramey’s testimony “cannot be erased from the minds of the jurors—even though DeCristoforo instructed them to disregard it…” and that it would be impossible for the “Oak Park Four” to receive a fair trial. Without a jury present, the prosecution called Kenneth Daigre, to determine whether his testimony could be admitted as evidence. Daigre’s testimony confirmed the defense’s suspicions that evidence was obtained by coercion; therefore, striking it from evidence. The prosecution’s next witness, Grove Hawkins refused to testify, invoking his Fifth Amendment right.

On January 26, 1971, The Sacramento Bee ran a front-page article, “DA Seeks Dismissal Of 4 On Trial In Officer’s Killing.” District Attorney William Ridgeway asked Judge DeCristoforo to dismiss the charges of conspiracy to commit murder and murder against the “Oak Park Four.” On January 29, 1970 both the Sacramento Bee and The Sacramento Union, ran front-page articles noting the release of the “Oak Park Four.” However, The Sacramento Observer went one step further than both The Bee and The Union. In “‘Oak Park Four’ Decision: All Freed!” The Observer mentioned the historical significance of the trial stating, “The ruling of Judge DeCristoforo marked the

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187 “Bennett Trial: Prosecution Loses Another Witness, This One On Refusal to Testify,” The Sacramento Bee, 22 January 1971, B3.
first time in the history of America that Blackmen[sic] accused and charged with the murder of a white policeman, have been released.”

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188 “‘Oak Park Four’ Decision: All Freed!,” *The Sacramento Observer*, 28 January 1971, 1,2.
Chapter 5

CONCLUSION

The “Oak Park Four” case jolted the African American community in Sacramento into political action. In “An Historical overview of the development of Sacramento’s Black Community, 1850-1983” Clarence Caesar stated, “Not since the Archy Lee case in 1857 had a local criminal case involving blacks attracted the kind of support the Oak Park Four case did within the community.” Caesar recalled that the support for the “Oak Park Four” came out of many years of tension between the police and African American community in Sacramento. Police and government agencies targeted the Black Panther Party in Sacramento, because nationally the white community viewed the Party as a threat. Files on the Sacramento members were used to dismantle the Sacramento chapter and ultimately assisted in the arrest of the “Oak Park Four.”

While discussing the media coverage of the “Oak Park Four” Caesar stated, “newspapers

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189 Clarence Caesar, “An Historical overview of the development of Sacramento’s Black Community, 1850-1983” (M.A. thesis, California State University, Sacramento, 1985), 225. The Archy Lee case involved the Californian slave Archy Lee who refused to be sent back to the south by his master. Lee fought for his freedom and won. For extensive information on Archy Lee and the Archy Lee case see Rudolph M. Lapp, Archy Lee: A California Fugitive Slave Case (San Francisco, 1969). Archy Lee: A California Fugitive Slave is a rare book, with only 500 copies published. It can be located in the California State University, Sacramento Archives and Special Collections.

190 Clarence Caesar, 13 November 2003.

191 Maryann Wyatt, 5 December 2003. Conversations with Wilson Harris also confirm police files on African American political organizations and rallies held in Sacramento. Wilson Harris recalled his picture being posted in the police station after a protest of Coca-Cola for their hiring practices. Mr. Harris believed that the pictures were used to see exactly who was leading the protest and connect them to organizations.
will never tell you the story.” \(^{192}\) Newspapers try to relate facts, but they will not give you all the facts, they will not tell you—why? \(^{193}\) In an interview Akinsanya Kambon was asked how he felt the newspapers represented the case. He stated, “I haven’t read so many lies about me in my whole life… The Bee tried to report and be accurate, but The Union was a little more bias[ed] in favor of the cops… .” \(^{194}\)

The “Oak Park Four” was a “wake up call” to the African-American community of Sacramento, and California. There was no concrete evidence that linked Mark Teemer, Jack Strivers, Booker T. Cook Jr. or Ceariaco Cabrellis to the murder of Bernard Bennett, but that did not stop four young black males from being tried. \(^{195}\) And at the time it was not a unique situation for black activists to be imprisoned through the Grand Jury system. \(^{196}\) Although the “Oak Park Four” case took place over thirty years ago, the community support and participation in freeing the “Oak Park Four” spoke to the historical way blacks turned to their own community institutions and resources for support against racial hostilities. When the Sacramento police department descended on Oak Park, the African American community knew without a doubt it was an extension of government repression facing the rest of the country.

\(^{192}\) Clarence Caesar, 13 November 2003.

\(^{193}\) Clarence Caesar, 13 November 2003.

\(^{194}\) Akinsanya Kambon, 5 December 2003.

\(^{195}\) Regina Gulley, 26 October 2003.

\(^{196}\) Regina Gulley, 26 October 2003; Maryann Wyatt, 5 December 2003; Akinsanya Kambon, 5 December 2003.
As history, the portrait of the Black Panther Party cannot be separated according to Edward P. Morgan from “propaganda attacks and popular culture representations” which drew “heavily on the images and texts popularized by the mass media of the 1960s.”

Capitalizing on the emerging consumer culture, the media sensationalized the Black Panther Party’s behavior, appearance, political thoughts and open defiance adding to the spectacle drama already unfolding across newspapers around the country.

In the course of eight months *The Sacramento Bee* had eight front-page articles dealing with the “Oak Park Four” and articles that dealt with the case. However *The Sacramento Union* ran seventeen front-page articles, twice as many as *The Bee*, with *The Sacramento Observer* publishing nine front-page articles plus an eight page supplemental newspaper. While the number of times newspapers ran stories might not mean anything, it does bring attention to what they felt was news worthy at the time.

Also, the language and types of articles used in conjunction with the “Oak Park Four” is important to note. *The Sacramento Observer* embraced the “Oak Park Four” case and discussed the implications that the trial had on the black community as a whole. For example *The Observer* ran a three-part article explaining the Grand Jury and the problems associated with the process such as race and sex. In response to the lack of representation of African Americans on the jury, the article “The Jury Selection Process,”

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199 *The Sacramento Observer* microfilm used for the research is missing several issues at the California State Library and Central Library. The California State Library is also missing the original paper copies.
stated that, “More blacks have been appointed to judgeship in the state than have sat on Sacramento County Grand Juries in the past six years,” emphasizing the high educational requirements used to weed out non-white jurors. In response to the lack of women on the Grand Jury the article linked the sex of the jurors to the judge, who it felt overtly screened out women from the jury by making only one-fourth of the Grand Jury female.

*The Sacramento Union* on the other hand ran articles that played on people’s fears. In the article, “Underground newspapers: Glorifying murder, dope,” *The Union* described the Sacramento underground newspaper the *Outlaw* as “…very sick.” The *Outlaw* creators were described as militant students from Sacramento State College. The article further insinuates that the underground paper, first published in May 1970, was in response to the shooting of Officer Bennett and the “…glorification of ‘killing a pig’….”

The article referenced the “Oak Park Four” numerous times in conjunction with this new underground paper, even going as far as to connect the trial with the name of the newspaper, “On Oct. 16, Capitol Outrage ceased to exist. In its place, urging ‘all power to the sisters and brothers who struggle against the real enemy’ and ‘visiting the courtroom where the four brothers from Oak Park are being tried for the murder of pig Bennett,’ was Outlaw, the old paper with a new look.”

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201 Paul Merz, “Underground newspapers: Glorifying murder, dope,” *The Sacramento Union*, 12 December 1970, 1, 2. I could not find the *Outlaw* newspaper during my research.
In the pictures used for the article on the *Outlaw, The Union* used illustrations from the newspaper, which depicted the state capitol being crushed by a black fist and an article that has the name “Oak Park Four” scrawled in the background.

Some believe that readers can only know how a newspaper feels about a certain subject matter by looking at editorials, but ultimately the editor has a say on what is printed. Relatively few editorials were written in regard to the “Oak Park Four” case. However, all three newspapers in an editorial covered the Grand Jury issue, which frequently surrounded the trial. Depending on how the editor viewed the Grand Jury process, one can infer that the sentiments were felt about the “Oak Park Four” trial. Based upon how the Grand Jury was chosen, could the “Oak Park Four” receive a fair trial?

According to Christian Davenport state repression focused on two categories in dealing with the Black Panther Party, protest policing and court activities.²⁰² Protest policing predominately happened in public and private events and included police questioning, harassment, raids, and arrests. Court activities pertained to trials, rulings, and grand juries. There was beyond a reasonable doubt that the “Oak Park Four” had anything to do with the murder of officer Bernard Bennett; however, in the court of public opinion they were guilty before they were tried. All three newspapers highlighted the “Oak Park Four’s” political activism and reflected the Sacramento community’s attitude towards the “Oak Park Four” and the African American community.

It seems that *The Sacrament Bee* and *The Sacramento Observer* from the beginning of the trial called into question the problems with the Grand Jury and ultimately the problems that would arise once the “Oak Park Four” went to trial. *The Sacramento Union* did not address the Grand Jury process until a month before the “Oak Park Four” case was dismissed. *The Sacramento Union* defended the Grand Jury system in the editorial “Shouldn’t Be Weakened: Grand-Jury System’s Role as ‘Watchdog’ Is Essential.” In response to the call for Grand Jury reform, *The Sacramento Union* stated that, “It should be reviewed with a basic conviction that any tinkering with the way grand juries are impaneled and go about their work must not be allowed to cripple them as public watchdogs of government and our judicial system.”

When reviewing the newspaper articles it seems that *The Sacramento Union* as well as the other newspapers knew that the “Oak Park Four” case would result in a mistrial based upon the happenings of the trial. And even though there were indications of a mistrial, with key witness testimony being thrown out, *The Union* still had faith in a questionable legal system.

In analyzing the case of the “Oak Park Four” patterns of state repression can be seen throughout. Mark Teemer, the Lieutenant of Culture of the Sacramento chapter of the Black Panther Party, was an active member in the African American community and facilitated many of the social service programs around Oak Park and Del Paso, which made him and those around him a target of state and local repression. Teemer’s illustrations, which were confiscated in the raid of the Black Panther’s Sacramento

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headquarters in 1968 and disseminated nationally by the government, continued to fuel the perceptions that anyone working towards community self-determination in the African American community were terrorists and needed to be investigated, surveilled, and stripped of their rights. The “Oak Park Four” case was yet another example of the extent a government would go to suppress a movement dedicated to social and economic justice and the unity of all oppressed people.

The popular memory and images of the Black Panther Party that formed from its inception in 1966 to 1970 were one dimensional. But by 1970, the Black Panther Party was a “fully entrenched component of mass culture.” The news media sensationalized and exploited the rhetoric of the Black Power Movement to maximize profits, while looking past the oppressive and violent conditions African Americans were living in on a daily basis. Through the media’s perpetuation of mythical images of black rage and violence in the streets of America, openly sanctioned state repression and government intimidation became routine. According to Jane Rhodes, three-quarters of The New York Times “reportages about blacks during the 1960s [were] concerned with some aspect of the civil rights struggle. Most of what appeared in the daily press was focused on crisis and conflict—riots, interracial violence, protests and demonstrations and white resistance

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205 Jane Rhodes, Framing the Black Panthers, 51.
Before the 1960s news about African Americans rarely graced the cover of any newspaper.

As African Americans began to penetrate the mainstream news, the media fueled the “long simmering anxieties in white America” in regards to blacks in the country. 207 For African Americans however, the images being portrayed in the media were contrary to their own cultural knowledge of the black community. Many blacks viewed the Panther’s as a “once in a life time” vanguard political party “that had purpose, but could not sustain itself overtime.” 208 Josephine Harris saw the Black Panthers taking an active role in the community of Oak Park. Vividly remembering the Free Breakfast Program, Harris credits the Party with many of the country’s mainstay government social service programs, stating, “The Panthers did a lot for black folks, the breakfast program, free clinic, and sickle cell screenings. The government did not do that— the Panthers did! Now they never talked about that.” 209 The news coverage of Officer Bennett’s murder in The Sacramento Bee and The Sacramento Union never bothered to look at the “Oak Park Four” as four young black men, some of whom served their country in war, and as outstanding community members trying to better their neighborhood. Instead they played on fear and racism by invoking the mediated memory of the Panthers—an armed and angry anti-white militant criminal gang, further constructing a violent narrative and visual

206 Jane Rhodes, Framing the Black Panthers, 52.
207 Jane Rhodes, Framing the Black Panthers, 52.
208 Josephine Harris, 26 October 2003; Regina Gulley, 26 October 2003; Maryann Wyatt, 5 December 2003.
209 Josephine Harris, 26 October 2003.
representation of the group. Forged out of a long struggle for social justice, the black community of Sacramento fought to save the “Oak Park Four” from a fate of incarceration and death suffered by many other Panther members. Without the support of the black community, who publicly defended the “Oak Park Four,” and *The Sacramento Observer*, it is quite possible the “Oak Park Four” would have been convicted of murder. The creation of a counter narrative not only served to exonerate the “Oak Park Four” who were pigeonholed by the mainstream news media, but it challenged the very notion of memory creation emphasizing the power of alternative ways of remembering.
Figure 1 The Oak Park Four Acquitted. Reprinted from The Black Panther: Black Panther Community News Service, 6 February 1971, 3. Illustration by Mark Teemer.
Jack Survers, ex-Panther and BSC member at Sacramento City College, is the youngest of those indicted. He has always been known as a quiet, soft-spoken youth with a zeal to build. He was one of the most active of those involved in the Breakfast for Children Program. He was also, however, very vocal and quick to point out that, "It's no accident that Black people are poor and oppressed. This system, through the various police agencies, segregation, discrimination and education attempts to kill the will of Black people. We must not ever allow our determination to be free, to be dampened with fear," he said.

Figure 2 Zeal To Build. Reprinted from The Sacramento Observer 1 October 1970, B10
Figure 3 Feeding the Youth. Reprinted from The Sacramento Observer 1 October 1970, B10
Figure 4 Oak Park Four Supplemental Issue. Front page of The Sacramento Observer supplemental issue on the “Oak Park Four” Reprinted from The Sacramento Observer 1 October 1970, B5.
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