

# **PRISONERS' STRUGGLES**

## **JUSTICE FOR NUTTY & RICK**

Rick Sauve and Gary Comeau, former members of Satan's Choice Motorcycle Club are serving (25 years minimum) life sentences for first degree homicide in Ontario, Canada. With four other members they were convicted of a shooting death of a rival club member in 1979. Their trial was part of a well orchestrated police campaign to clear the streets of Canadian bikers. The police investigation and trial were highly controversial, including lost evidence, pressured witnesses and manipulated identification procedures. For example, Gary Comeau was identified as the gunman, though this was impossible since he had also been shot with the same revolver as the victim, a fact established only in the last days of the trial, but without impact. A fellow accused, Gary Hoffman, later had his conviction overturned when his lawyer discovered a police wiretap of a Choice Clubhouse which firmly established that he was 200 miles away at the time of the homicide. This information had been withheld by the police at the trial. Another member of the Club testified in the court that he was responsible but was not believed, assuring the conviction of the six. This case has been thoroughly analyzed in a book by Mick Lowe (1988), *Conspiracy of Brothers*.

In 1988, the *Sauve Comeau Defense Committee's* lobby efforts for a new trial lead to a reappraisal of the case by the Justice Department. The decision has not yet been handed down.

The S.C.D.C. is asking supporters to demand justice be done by writing to:

The Honourable Kim Campbell  
Minister of Justice Canada  
House of Commons  
Ottawa, Ontario  
K1A 0A6

Mr Warren Allmond, M.P.  
Justice Critique  
House of Commons  
Ottawa, Ontario  
K1A 0A6

Mr Svend Robinson, M.P.  
Justice Critique  
House of Commons  
Ottawa, Ontario  
K1A 0A6

### ***For more information or donations, write to:***

Carol Cosby  
Secretary  
Sauve Comeau Defense Committee  
33, Hexham Dr.  
Scarborough, Ontario  
M1R 1J5

## ***MARK CURTIS FIGHTS BACK!***

Mark Curtis was arrested on March 8, 1989, convicted of rape and burglary in September and sentenced to 25 years in prison in November of the same year. Mark Curtis is 31 years old and a former meat-packing worker at the Swift Independent Packing Co. of Des Moines (Iowa). He is a trade-unionist and a human rights activist, who vigorously opposed the attempted firing and deportation of 17 Latin American co-workers. With the help of the company, the U.S. immigration and naturalization service (I.N.S.) arrested and accused them of being illegal workers. By acting so, the I.N.S. violated the amnesty program defined by U.S. Congress. As a matter of fact, most of the workers arrested had applied for legal status under the provision of this program.

On the day of his arrest, Mark Curtis mobilized support for these Latin American workers and commenced the organization of a protest. After the meeting, he went with other workers to a tavern and continued the discussion. On his way home, a young black woman, claiming to be pursued by a man, asked him for a ride to her home. While waiting for the woman to get inside her house and feel safe, he was grabbed by police officers, taken to jail and charged with rape. As soon as he was jailed, he was interrogated, and as he refused to answer without the presence of a lawyer, the policemen insulted him ("Mexican-lover, friend of the coloureds"...). Curtis was hand-cuffed, stripped of his clothes and beaten with clubs. He received 15 stitches at the left eye and the x-rays showed a cheek-bone fracture. Six months after being bailed out by his wife and friends, he was charged of sexual abuse in the third degree and burglary in the first.

His trial was filled with irregularities. The accusers were police officers who said they arrested Curtis in the middle of the crime; access to their records was denied (at least one of the policemen had been suspended from the force for making false statements in the other cases); his attorney was not allowed by the judge to bring those facts to the jury's attention. The black woman who gave testimony at the trial was not the one to whom he had given a ride. At the time she was allegedly attacked, Curtis was at the tavern with some of his co-workers. The State's own forensics expert testified that there was no physical evidence of any kind linking Curtis to the woman. The vast majority of the jury were white and only 2 out of the 12 were workers. Moreover, after Curtis' conviction, one juror signed an affidavit stating she was convinced of his innocence and that she was pressured to change her vote to guilty. Curtis was not allowed to present evidence of the police brutality he had suffered.

Before and during the trial, city officials and the local press ran a campaign to vilify Curtis and demanded his punishment, thus violating the principle that every accused is presumed innocent until proven guilty. Since imprisoned at the Iowa State Men's Reformatory in Anamosa, he has been harassed by prison authorities who try to prevent him from communicating with other prisoners, from receiving publications, from

speaking languages other than English and from playing his role as secretary of the Martin Luther King Jr. Organization, a prisoners' group. The same authorities also try to victimize Curtis by adding false charges to the sentence, accusing him of disruptive behaviour and gambling. As penalty, the right to use phone or typewriter was denied.

A *Mark Curtis Defense Committee* was created and his case has been taken to the United Nations Secretary General, Mr. Perez de Cuellar, and presented to the U.N. Commission of Human Rights in Geneva (Switzerland). An international campaign is under way to reopen his case. Protests should be sent to:

John A. Thalacker  
Warden  
Iowa State Men's Reformatory  
Anamosa  
Iowa 52205, U.S.A.

**with copy to:**  
Paul Grossheim  
Director  
Department of Corrections  
Capitol Annex, 523 E., 12th  
Des Moines  
Iowa 50319, U.S.A.

***Please send copy and any response received from Iowa officials to:***

**Mark Curtis Defense Committee**  
P.O. Box 1048  
Des Moines  
Iowa 50311, U.S.A.  
(any kind of support is welcomed).

## ***HUNGER STRIKE VICTORY IN SPAIN***

A hunger strike at the Almeira Prison started by several political prisoners ended on September 21, 1989 with the acceptance of all their requests. They will be transferred from the penitentiary hospital in Madrid to a prison with better conditions (no punitive rules, treatment or restrictions) and they gained the right to free association. Initiated by Hierro and Pedrero, the strike was later joined and supported by the majority of the prisoners.

As their state of weakness increased — in 3 cases particularly, Pedrero, Brotons and Hierro — and fear for their lives became real, the Spanish Interior Ministry acted more and more repressively: prisoners were beaten, transferred by force to the penitentiary hospital and isolated from each other. After 30 days of the hunger strike, Hierro Chomon was transferred to Alcalá-Meco Centre and put in solitary confinement.

At this stage, a solidarity chain was established throughout correctional institutions, thanks to women prisoners at Carabanchel, Besauri and Castellón soon joined by the prisoners of Soria and Daroca. Popular protest on the streets was organized by AFAPP with the support of different professional associations (lawyers, physicians...). During this fight, and by contrast, the "democratic" media remained silent!

## ***THE MATSQUI PRISONERS' JUSTICE INITIATIVE***

The Matsqui initiative is comprised of prisoners serving sentences at the Federal Prison at Abbotsford, B.C.. Most are participants in the Simon Fraser University Prison Education Program, which offers post-secondary education to prisoners throughout the Pacific Region. For the past 4 years, the M.P.J.I. has been actively attempting to educate members of the Parliament and the Senate on issues of justice in this land. To date, the group held four well attended colloquia at the prison, with the participation of members of both Houses. Informal presentations to such legislative bodies as the Standing Committee on Justice, the General Solicitor and the Correctional Law Review. Further, the M.P.J.I. has sent a copy of the proceedings of the third colloquium (on prisoner rehabilitation) to every M.P. and Senator.

The 4th colloquium of the M.P.J.I. was held at the Matsqui prison on April 6. The event was filmed for use by the media and various university courses. The presentations delivered by prisoners concerned "The Crisis in Corrections: Policies, Problems and Prospects". Senator Earl Hastings and prisoners' rights advocate Claire Culhane also made presentations and became honorary members of the M.P.J.I.

Another project of the group concerns the publications of a book combining the results of the members research, the critique of the Matsqui Prison and its operational problems and the proceedings of the colloquium.

All the financial support and ideas which will make this project succeed (including wide distribution of the book) are welcomed. Do participate to keep M.P.J.I. alive! For more information, contact:

Erle MacCaulay  
Coordinator  
Matsqui Prisoners' Justice Initiative  
Matsqui Federal Prison  
Abbotsford, B.C.  
V2S 4P3.