

Mr. REIN. It has been quite some time.

Mr. WATSON. In fact, Mr. Rein, you were identified by two witnesses under oath before this committee as a member of the Communist Party, were you not, sir?

Mr. REIN. I have not been subpoenaed as a witness.

Mr. WATSON. I just thought we would give you an opportunity to tell us whether or not you were still a member of the Communist Party.

Mr. REIN. I am appearing here as counsel.

Mr. WATSON. Are you still a member of the National Lawyers Guild?

Mr. REIN. I said I am appearing here as counsel.

Mr. WATSON. In fact, Mr. Rein, when given an opportunity to repudiate the testimony by two witnesses that you were a member of the Communist Party, you pleaded the fifth amendment, the same thing that you have recommended to Mr. Dixon here this morning; did you not, sir?

Mr. REIN. I think I have stated I am appearing here as counsel.

Mr. WATSON. The question was, earlier when you were given an opportunity to state whether or not you were a member of the Communist Party, you pleaded the fifth amendment, the same as you recommended to Mr. Dixon. You pleaded the fifth amendment then; didn't you?

Mr. REIN. I think I have responded.

Mr. WATSON. Thank you, Mr. Chairman. I have no further questions.

Mr. PREYER. Thank you, Mr. Watson.

In view of this development, the hearing will recess for about 5 minutes and then we will resume with our next witness.

(Brief recess.)

Mr. PREYER. The committee will resume its hearings.

Counsel, you can call your next witness, please.

Mr. ROMINES. Richard Shaw.

Mr. PREYER. Mr. Shaw, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SHAW. I do.

TESTIMONY OF RICHARD A. SHAW

Mr. ROMINES. Would you please state your full name?

Mr. SHAW. Richard A. Shaw.

Mr. ROMINES. By whom are you employed, Mr. Shaw?

Mr. SHAW. I am an investigator for this committee.

Mr. ROMINES. How long have you been an investigator for this committee?

Mr. SHAW. Ten months.

Mr. ROMINES. Mr. Shaw, have you had occasion to investigate the activities of the Black Panther Party in the city of Seattle, Washington?

Mr. SHAW. I have.

Mr. ROMINES. Over what interval of time did you conduct such an investigation?

Mr. SHAW. Approximately 4 weeks.

Mr. ROMINES. Mr. Shaw, in the course of your investigation did you ascertain whether any members of the Black Panther Party spoke at any high schools in the Seattle area?

Mr. SHAW. I did.

Mr. ROMINES. At what high schools did they speak?

Mr. SHAW. On March 12, 1969, there were members of the party who spoke at Bellevue High School, in Bellevue, Washington.

Mr. ROMINES. Were they invited to speak there?

Mr. SHAW. Yes, they were invited to speak to a class known as the 20th Century Contemporary Problems.

Mr. ROMINES. Were they paid for their appearance?

Mr. SHAW. There was no pay.

Mr. ROMINES. What was the basic format of the Panther presentation, Mr. Shaw?

Mr. SHAW. The basic format involved the presentation, in each of the three classes to whom they spoke, of the Panther 10-point program and the Panthers' basic demands and goals.

Mr. ROMINES. Were there any question-and-answer sessions held?

Mr. SHAW. There were.

Mr. ROMINES. What type of questions and answers arose therefrom?

Mr. SHAW. During the question-and-answer session the Panthers indicated that all black prisoners should be freed from jails because they were put there by racists, that is, white racist juries. Blacks also should not be made to serve in the U.S. Army as it was an army of a racist power structure. They made it clear that, as for blacks in the United States today, their problems could not be solved by the working-class whites. They believe that whites would never be their friends.

Mr. ROMINES. Did they indicate anything about the whites with respect to the ghettos?

Mr. SHAW. Not in this session.

Mr. ROMINES. Were the speakers who were present at that high school identified to you, Mr. Shaw?

Mr. SHAW. They were. They were Cornell Garden and David Hendrix.

Mr. ROMINES. Did either of those Panther members have guns present at that session?

Mr. SHAW. There were no guns present within the school.

Mr. ROMINES. Do you know whether there were any guns present in their cars outside the schools?

Mr. SHAW. There were.

Mr. ROMINES. Did any of the members of the Black Panther Party want to bring their guns into the school?

Mr. SHAW. As a matter of fact, there was a concession made in this regard and it was finally agreed they would not bring their guns into the class, but they would bring them in their automobile.

Mr. ROMINES. Did any of the Panthers attempt to go outside and get their guns and bring them inside?

Mr. SHAW. As the question-and-answer session proceeded and the Panthers had some difficulty answering the questions to their own satisfaction, Cornell Garden reportedly left the classroom very dramatically, went out to his automobile, and retrieved a bolt-action rifle.

However, another student followed him out and encouraged him not to bring this rifle into the school, which reportedly he did not.

Mr. ROMINES. Did you ascertain what type of rifle it was?

Mr. SHAW. Nothing other than a bolt-action rifle.

Mr. ROMINES. Did you ascertain whether it was loaded or not?

Mr. SHAW. It apparently was not loaded, according to the information, as the bolt was removed.

Mr. ROMINES. Mr. Shaw, was Mr. Brian Boyle, guidance counselor of Bellevue High School, interviewed?

Mr. SHAW. That is correct.

Mr. ROMINES. Did he discuss with you at all what, in his opinion, were the recruitment tactics of the Black Panther Party?

Mr. SHAW. Yes, with respect to his employment at Garfield High School in Seattle, Washington. He stated that it was his experience at Garfield High School that the Panthers would come into the schools and recruit from the Black Student Union, that is, at the high school level. The Panther members would ask members of the Black Student Union if they really wanted to do something about oppression and other situations in the United States or did they just want to talk about it. If they chose to just talk about it, then stay in BSU, or if they wanted to do something, then become Panthers.

Mr. ROMINES. Did Mr. Boyle express an opinion as to what general type of student the Black Panther members tired to recruit?

Mr. SHAW. Yes. In most cases the Panthers would recruit fairly poorly educated blacks, ones with perhaps a fourth grade education, but attending high school nevertheless.

Mr. ROMINES. Did he indicate why he thought they tried to recruit such individuals?

Mr. SHAW. They regarded these people as expendables. These expendables were not strong enough or trustworthy enough to really get involved in the party policy involving bombings and shootings. When their usefulness had been expended, or it was determined that they were not trustworthy enough to be involved in bombings and shootings, they were told that they would perhaps do best by leaving the Panther Party and returning to BSU.

They were very careful to not cause these people to think that they were being kicked out, but, rather, their usefulness was much greater in BSU. This provided the party with some protection in that these individuals did not turn out to be renegades or alienate themselves from the party to the extent that they would tell anything that they knew.

Mr. ROMINES. Mr. Shaw, was Captain Charles A. Meyer of the detective division of the Bellevue Police Department interviewed?

Mr. SHAW. Yes.

Mr. ROMINES. What was the general import of that interview?

Mr. SHAW. Captain Meyer stated that on August 1, 1968, members of the Panther Party, Seattle Chapter, attended a meeting conducted by the East Side Committee on Race and Religion which was held at the First Congregation Church of Bellevue, Bellevue, Washington.

At this meeting five members of the Black Panther Party were invited to acquaint East Siders with the purpose of the party. The only individual identified was captain of the party, Aaron Dixon.

Mr. ROMINES. Did you ascertain what the remarks and comments were that were made by Captain Aaron Dixon?

Mr. SHAW. Essentially it was the moderator who asked the questions. It was primarily a question-and-answer session, but the moderator tended to control or direct this session.

Later it involved the audience's participation with regard to the questions. Members of the audience were permitted to ask questions, but during the speech the Panthers indicated that their goals and their attainment of political power comes from the barrel of a gun.

Mr. ROMINES. Did they advocate blacks being armed?

Mr. SHAW. They advocated arming each black household with a .357 magnum and an automatic shotgun for use in self-defense against the "pigs." They indicated that they are not in favor of causing riots because it gives the "pigs" an excuse to initiate the slaughter of blacks.

Also during the speech they advocated arming blacks with rifles and moving in small groups of twos and threes so they could operate quickly and quietly during any future revolutionary guerrilla action.

Mr. ROMINES. Do you know approximately how many people attended that meeting?

Mr. SHAW. There were approximately 200 persons, all white.

Mr. ROMINES. Do you know what the general response of the audience was to these statements made by Mr. Dixon?

Mr. SHAW. Yes, they responded to the tune of \$200. They passed a hat and collected that amount of money.

Mr. ROMINES. Mr. Shaw, was an interview conducted at Mercer Island High School?

Mr. SHAW. Correct.

Mr. ROMINES. Who was interviewed?

Mr. SHAW. Mr. Robert Tate.

Mr. ROMINES. Did he give the facts concerning speeches made by members of the Black Panther Party at Mercer High School?

Mr. SHAW. Yes. Mr. Tate explained that on March 5, 1969, the Panthers appeared at this high school for a session that was sponsored by the students' organization known as S.T.U.M.B.L.E., which stands for Students Trying to Understand More about a Better Life for Everyone.

Mr. ROMINES. Did he indicate approximately how many people were present?

Mr. SHAW. He could not recall.

Mr. ROMINES. Did he indicate whether the Panthers received any money for being present at that time?

Mr. SHAW. They did not receive any.

Mr. ROMINES. Was a tape recording made of that presentation, Mr. Shaw?

Mr. SHAW. Yes, there was.

Mr. ROMINES. Did you listen to that tape recording?

Mr. SHAW. The recordings were reviewed.

Mr. ROMINES. Would you summarize for the committee, please, the import of that tape recording?

Mr. SHAW. Yes. Larry Tasino, David Hendrix, and Cornell Garden were the individuals identified as representing the party. They spoke about the 10-point program of the Black Panther Party and indicated that they were guided by quotations of Mao, that in order to get rid

of the gun you had to take up the gun. They put much emphasis on lack of black history in high schools, the inaccuracy of the high school history books and courses being presented today.

Mr. ROMINES. Did he indicate anything about a revolution?

Mr. SHAW. Yes. They indicated that a revolution is coming; it is in its cold stage now, but it is going to get hot.

Mr. ROMINES. What was their expressed attitude toward the police departments?

Mr. SHAW. The Panthers, first of all, indicated that they were the police of the black community and that there was really no place or they had no regard for what we regard as a police force today.

Mr. ROMINES. Did they have any comments to make pertaining to separatism between blacks and whites?

Mr. SHAW. They advocated separatism, or separation, if they could not obtain all of the goals set forth in the Panther 10-point program.

Mr. ROMINES. Did they give any estimation at that time of the membership strength of the Black Panther Party?

Mr. SHAW. They indicated that there are 200 to 300 Black Panthers in the Seattle Chapter and that there were 75 functioning every day, or from the hard core of the chapter.

Mr. ROMINES. Now what was the date of this tape recording, when were these speeches made, Mr. Shaw?

Mr. SHAW. March 5, 1969.

Mr. ROMINES. Did they indicate anything about property or money that should be given to them?

Mr. SHAW. They indicated that at the end of the Civil War they were supposed to have gotten 40 acres and two mules. They never received this so, as a result, today every black man should be able to have the equivalent, which is two El Dorados and a \$50,000 house.

Mr. ROMINES. Did they say anything about the Seattle Police Department, what their attitude towards them was?

Mr. SHAW. Racists, Fascists. Harassing them all the time.

Mr. ROMINES. Did they indicate whether they followed the writings in Chairman Mao's "red book" pertaining to Marxist-Leninist philosophy?

Mr. SHAW. They did.

Mr. ROMINES. Did they indicate whether they believed in it?

Mr. SHAW. Yes.

Mr. ROMINES. Did they indicate anything about whether Panther members should have their own guns?

Mr. SHAW. They indicated that every Panther owns his own gun and that the Panthers are being taught how to use these same guns.

Mr. ROMINES. Mr. Shaw, in the course of your investigation in the Seattle area, did you ascertain whether the Black Panther Party there has established a breakfast for children program?

Mr. SHAW. I did.

Mr. ROMINES. Over what period of time have they established such a program? Do you know?

Mr. SHAW. Approximately May 1968 through the present time.

Mr. ROMINES. In how many different locations have they had breakfast programs?

Mr. SHAW. Four.

Mr. ROMINES. What was the first one, Mr. Shaw?

Mr. SHAW. The first breakfast program was located at the Madrona Presbyterian Church, located at 832 32d Avenue.

Mr. ROMINES. Have you discussed or interviewed anyone who participated in that breakfast program at the Madrona Church?

Mr. SHAW. Yes. The information indicated that the peak attendance of the children at this particular breakfast program would average from 20 to 25. The program itself was not well run. The place was dirty; they did not keep it clean. According to the information there were guns displayed during the breakfast program from time to time, and there was evidence marijuana was being smoked to some extent during this same breakfast program.

Mr. ROMINES. Do the Panthers still run the breakfast program at the Madrona Church?

Mr. SHAW. They do not. As a result of their conduct, their behavior, as it was described to me the congregation decided that the breakfast program would cease.

Mr. ROMINES. Do you know when that breakfast program ceased at the Madrona Church?

Mr. SHAW. In the early part of the 1968-69 school year.

Mr. ROMINES. What was the second location established and run by the Panther Party?

Mr. SHAW. The second location was in the Seattle Atlantic Street Center located at 2103 South Atlantic Street.

Mr. ROMINES. When did the Panthers establish a breakfast program there?

Mr. SHAW. Approximately October 1968.

Mr. ROMINES. Is that still in existence?

Mr. SHAW. Correction. October 1969.

Mr. ROMINES. Do the Panthers still run that breakfast program?

Mr. SHAW. They do.

Mr. ROMINES. Did you interview anyone, Mr. Shaw, with respect to that breakfast program at that location?

Mr. SHAW. I did.

Mr. ROMINES. Whom did you interview?

Mr. SHAW. I interviewed several children who attended that program who requested that their names not be used.

Mr. ROMINES. What were the results of those interviews, Mr. Shaw?

Mr. SHAW. I interviewed the mother, first, who essentially indicated that her children were permitted to go to the breakfast program because (1) it provided a rather well-balanced menu and that otherwise her children would have to go to school with cold cereal and things of that nature. I asked this mother if her family was qualified to receive food stamps. She stated that they were; however, her husband being a laborer does not make much money and she could not see putting out that money, that cash money, for food stamps when there were other things that she wanted to do. I also asked her if she could take advantage of the food commodity distributions. To this she replied yes. I asked her why she did not, and she stated that she did not know the locations of any of these distribution centers.

Mr. ROMINES. Was this woman Caucasian or Negro, Mr. Shaw?

Mr. SHAW. Caucasian.

Mr. ROMINES. Are her children still attending the Panther breakfast program?

Mr. SHAW. They are.

Mr. ROMINES. Did you talk to any of the children, Mr. Shaw?

Mr. SHAW. I talked to one, a 9-year-old daughter.

Mr. ROMINES. What did she tell you about the Panther breakfast program?

Mr. SHAW. She stated that the numbers attending would vary between 8 and 10 each day, that there are posters of Panther heroes that are placed on the walls each morning during the breakfast program, and that they teach them hate regarding the police and the Establishment. She stated that due to the Panthers' talking with them each day the children have learned to recite, at the direction of Panther breakfast leaders, the following:

PANTHER: What do the Panthers believe?

CHILDREN: All power to the people.

PANTHER: Who are the capitalists?

CHILDREN: They are the pigs who control the country.

PANTHER: What do the capitalists do?

CHILDREN: They steal from the poor.

PANTHER: How do they steal from the poor?

CHILDREN: They make the poor pay taxes and this makes the capitalists richer and the poor poorer.

PANTHER: What should happen with capitalists?

CHILDREN: Off the pig.

PANTHER: Should the capitalist share his money with the poor?

CHILDREN: Yes.

PANTHER: If they don't, what should we do?

CHILDREN: Take it, because it belongs to the people.

QUESTION: Who do we love?

ANSWER: The people.

QUESTION: Who are police?

ANSWER: They are the pigs.

QUESTION: What do they do?

ANSWER: They work for the capitalists.

QUESTION: How do they work for the capitalists?

ANSWER: They put poor people in jail, they kill people, and they keep the people poor by not letting them get good jobs and be free.

QUESTION: What do the Panthers believe?

ANSWER: Off the pig.

QUESTION: Why are the pigs going to kill Bob Seale?

ANSWER: Because he wants freedom for all people.

QUESTION: Why do the pigs kill Panthers?

ANSWER: Because they want freedom for all people.

QUESTION: What happened to Eldridge Cleaver?

ANSWER: He had to leave the country to keep the pigs from killing him.

Mr. ROMINES. Did this individual indicate to you, Mr. Shaw, what he understood the term "off the pig" to mean?

Mr. SHAW. This 9-year-old explained that "off the pig" means to kill him. She replied, "no" when asked if the Panthers might mean that instead of killing the pig it was an expression of asking him or causing him in some means other than violence to leave your community.

Mr. ROMINES. So very clearly this 9-year-old stated by "off the pig" the Panthers mean kill the policemen?

Mr. SHAW. That is right.

Mr. ROMINES. Did you interview anyone else, any children who attended that breakfast program, or did you interview the mothers or the parents of anyone else who attended the programs?

Mr. SHAW. I did. The information was essentially the same. There were some things that were offered by some which other children could not respond to. For example, one child said that she could re-

member posters of Bobby Seale seated in the electric chair, Huey Newton, and Eldridge Cleaver. These posters were constantly on the walls during the breakfast hours.

Also a poster that depicts a pig in a policeman's uniform with his arms, legs, and head separated from his body was also hung on the wall. She said that the Panthers point to the picture and laugh because the pig is cut into pieces. She said that they do tell them, while pointing to this particular poster, that Bobby Seale is going to be murdered by the pigs because he wants food and freedom for the people; Huey Newton is in jail because he wants freedom for the people and an end to police brutality; and Eldridge Cleaver had to leave because the pigs were going to kill him.

Mr. ROMINES. Mr. Shaw, how would you summarize the results of your interviews with the parents and the children who have attended that breakfast program in Seattle?

Mr. SHAW. These individuals were identified by various youngsters that were interviewed: Aaron Dixon, Elmer Dixon, Bobby White, and Michael Dean.

The children believe that the Panthers, for the most part, are a rather wholesome force in that they are interested and concerned about the plight of our poor society. They view, I think, our Government and our police with far more suspicion than I consider usual for children of this age. There were other children talked with on a casual basis who do not attend this breakfast program. Their responses to questions with regard to the police and the Establishment were, I think, much more typical of an 8-, 9-, 10-, and 11-year-old child than were those of the children who attended the breakfast program.

Mr. ROMINES. Let me ask you this question, Mr. Shaw: As a result of your interviewing these children and these parents, what is your opinion as to what the Panthers are trying to inculcate in, or teach to, these children?

Mr. SHAW. The Panthers have made it clear themselves, and, as a result of my various interviews of individuals around the country, it seems abundantly clear that they are interested in indoctrinating the youngsters because they are putting their hopes on the tomorrows, that is, the eventual growing up of this child where one day he will be of service to the party, to the revolution.

Mr. ROMINES. Mr. Shaw, you testified a few minutes ago that the Panthers have maintained four different breakfast programs. You have identified two of them, at the Madrona and the Seattle Atlantic Center. Where are the other two?

Mr. SHAW. One is located at 6558 35th Avenue Southwest, which is the High Point Community Church.

Mr. ROMINES. How long have the Panthers been operating a breakfast program there?

Mr. SHAW. Approximately 6 months.

It is interesting to note in this case that the Panthers provided food for this breakfast program, according to the information, for 2 or 3 days. After that time, according to the minister of this church, and because of the lack of responsiveness on the part of the merchants, it was necessary for the church to begin to provide the food in order to keep the breakfast program operating.

Also, on the one particular morning I visited this program, there were approximately 70 to 75 children who attended. However, these numbers did not increase to this level until after the Panthers ceased to function in the program each day. The program is now being run primarily by volunteers from the community and church volunteers.

Mr. ROMINES. That would be three of the four. What would be the fourth one, Mr. Shaw?

Mr. SHAW. The fourth one is located at 7001 35th Avenue South. This is the Holly Park community park.

Mr. ROMINES. Are the Panthers presently running that one?

Mr. SHAW. On the occasions that I observed this program there were no Panthers present, there were no posters, there was no political information or literature about, nor conversations of that nature, which was the case also at the High Point Community Center.

Mr. ROMINES. Do you know whether the Panthers established the Holly Park breakfast center?

Mr. SHAW. Yes; it was explained that basically the Panthers had expressed a desire to only start the programs until such time as they became strong enough or attended well enough that they could support themselves and then turn the programs over to the community.

Mr. ROMINES. As I understand your testimony then, Mr. Shaw, the original one started at Madrona is no longer in existence. Is that correct?

Mr. SHAW. Correct.

Mr. ROMINES. The Seattle Atlantic Center is still being operated by the Panthers; is that correct?

Mr. SHAW. Correct.

Mr. ROMINES. And the last two, High Point and Holly Park, were started by the Panthers, but are not now actually operated by the Panthers?

Mr. SHAW. Correct.

Mr. ROMINES. So the only food for children, or breakfast center, that they are now actually running and operating and sustaining would be the one at the Seattle Atlantic Center. Is that correct?

Mr. SHAW. That is right, which has 8 to 10 children a day.

Mr. ROMINES. What do the two average which are not run by the Panthers?

Mr. SHAW. The Holly Park averages about 20 to 25 per day, about three-fourths Negro children and the others are Caucasian. The High Point breakfast program averages around 60 children a day.

Mr. ROMINES. Mr. Shaw, in the course of your investigation of the Black Panther Party activities in the city of Seattle, did you have the opportunity to ascertain whether any members of the Black Panther Party received any funds for going to school?

Mr. SHAW. Yes.

Mr. ROMINES. Who would those individuals have been, what funds would they have received, and for what period of time?

Mr. SHAW. Aaron Dixon received a National Defense loan of \$800 for the 1968-69 academic year. He also received an Educational Opportunity grant for the winter quarter of '69 in the amount of \$250. Elmer Dixon received a National Defense student loan of \$1,000 for the 1968-69 school year. He also received an Educational Opportunity grant for the school year 1968-69 of \$450.

Sherry Lynn Bailey received a National Defense student loan, 2-year period, that would be the 1968-69 and the 1969-70 school years, in the amount of \$1,200. She also received an Educational Opportunity grant for those same 2 years in the amounts of \$250 and \$800, respectively.

Maude Allen received a National Defense student loan of \$600 for the 1968-69 school year. Also she received an Educational Opportunity grant for the 1968-69 school year in the amount of \$350.

Willie Brazier, Jr., received a National Defense student loan for \$350 for the academic year of 1968-69. He also received an Educational Opportunity grant for the same academic year of \$250.

Chester Edward Northington received a National Defense student loan in the amount of \$400 for the 1968-69 school year and also he received an Educational Opportunity grant for that same school year of \$150.

Mr. ROMINES. Mr. Shaw, with respect to the National Defense student loans, when are they to be repaid?

Mr. SHAW. Nine months after the school attendance is terminated.

Mr. ROMINES. Are any of those loans due and payable at this time?

Mr. SHAW. No, they are not.

Mr. ROMINES. When is the first payment on any one of those loans due?

Mr. SHAW. July 1970.

Mr. WATSON. May I interrupt, Counsel, at that point?

Now are they to be paid in toto 9 months after the completion of the school year? It is my understanding that they are to commence payments at that time.

Mr. SHAW. They are to commence payments; that is right.

Mr. WATSON. They are not to be paid in toto?

Mr. SHAW. That is right.

Mr. ROMINES. Mr. Shaw, in the course of your investigation in Seattle did you have the opportunity to interview a Mr. Benjamin Brill?

Mr. SHAW. I did.

Mr. ROMINES. Who is Mr. Brill?

Mr. SHAW. Mr. Brill owns a real estate agency located at 1127 34th Avenue.

Mr. ROMINES. Has he had any connection or relationship with the Black Panther Party in Seattle?

Mr. SHAW. Yes.

Mr. ROMINES. What would that relationship be?

Mr. SHAW. Mr. Brill rented one of his properties, located at 1127 1/2 34th Avenue, to the Seattle Chapter of the Black Panther Party in which they located their headquarters.

Mr. ROMINES. How did the Panthers treat this property that was rented to them by Mr. Brill?

Mr. SHAW. They caused considerable damage to the interior. They had boarded up the front with plywood and they had painted their slogans on this same plywood.

Mr. ROMINES. Did Mr. Brill inform you what the rental payments were to be?

Mr. SHAW. Yes, the rental payments were supposed to have been \$61 per month. He explained that initially he had requested \$65, but

they had forced him, through threats of violence to himself and to the property, to agree to \$51 a month.

Mr. ROMINES. Did he indicate to you whether any of those payments had, in fact, been made?

Mr. SHAW. Brill indicated that he had received 3 payments out of a total of 19.¹

Mr. ROMINES. Did he indicate to you whether there had been any civil action taken to recover his rental payments?

Mr. SHAW. There has not.

Mr. ROMINES. Did he indicate to you whether there have been any arrests, prosecutions, or complaints to the police department for the way the Panthers treated him?

Mr. SHAW. He explained that he had discussed it on many occasions with the police department, but for fear of his own safety he chose not to prosecute. He also explained that the reason why he presented this property to the Panthers initially was that he had been approached by Aaron and Elmer—correction—by Aaron Dixon and Curtiss Harris, who requested to rent the property. He attempted to explain that he had rented this property to a church mission. According to Mr. Brill, they informed him that it would be better if he rented the property to them, and there was an exchange of obscenities. Brill explained that this same night this establishment was firebombed. And in 2 days Aaron Dixon returned and requested to rent the property and asked Brill had he changed his mind. Brill had changed his mind, and he rented them the property.

While I was there talking with Mr. Brill, he said his windows were knocked out the previous night. But it certainly cannot be suggested that the Panthers were responsible for this. However, I think it is interesting to note the life of many of the Caucasian and Negro businessmen also in these ghetto or inner city areas. If they choose not to succumb or submit to the demands of this group or that group, in many cases they do meet with some problems. In this case, Mr. Brill's windows had been knocked out. He was approached while I was sitting there by unidentified subjects who told him, after pointing to a business place in that same area, "If you have your windows replaced by that man, I can guarantee you this won't happen again."

Mr. Brill asked him how he could guarantee this, and he simply stated that "You are inconsiderate. I have told you many times to deal with the blacks and you will survive."

This also is indicative of why it is, I think, Mr. Brill was as scared as he was. The man is 73 years old. There is quite a bit of fight in him, but it can't be too much when you reach the age of 73.

Mr. ROMINES. Mr. Shaw, have the bank records of the Seattle Black Panther chapter been subpoenaed by this committee?

Mr. SHAW. They have, Mr. Counsel. However, they are incomplete.

Mr. ROMINES. Are they being forwarded to the committee and evaluated by the committee?

Mr. SHAW. They are being forwarded and evaluated.

Mr. ROMINES. But they are not all here yet; is that correct?

Mr. SHAW. Correct.

Mr. ROMINES. I would like permission to have inserted in the record at this point the results of our compilation and evaluation of the bank

¹ A sum equivalent to 2 months' rent was paid by the Panthers as a deposit and retained by Mr. Brill.

records when they have been received in toto, compiled, and evaluated by the committee staff.

Mr. PREYER. Permission granted.¹

Mr. ROMINES. I hand you what has been marked Committee Exhibit 7 and I ask you if you can identify that, please.

Mr. SHAW. Yes. Would you want it picture by picture?

Mr. ROMINES. Is it a series of pictures?

Mr. SHAW. Yes.

Mr. ROMINES. Would you please identify for the record what each picture is?

Mr. SHAW. The first picture is the Black Panther Party headquarters of Seattle, Washington. That is called the Black Panther Party community center.

Mr. ROMINES. Is that their current headquarters?

Mr. SHAW. That is their current headquarters.

Mr. ROMINES. Where is that located?

Mr. SHAW. 173 20th Avenue. This establishment also houses the Sidney Miller Medical Clinic.

Mr. ROMINES. What is the second picture?

Mr. SHAW. The second picture is that of 1127½ 34th Avenue, which is a storefront and is the property of Benjamin Brill.

Mr. ROMINES. What is the third picture?

Mr. SHAW. The third picture is 7001 35th Avenue South, the site of the Panther breakfast program.

The next picture is that of High Point Community Center located at 6558 35th Avenue Southwest.

The next picture is the Seattle Atlantic Street Center located at 2103 South Atlantic Street.

The next photograph is the Madrona Presbyterian Church located at 832 32d Avenue, a previous breakfast program site.

Mr. ROMINES. Mr. Shaw, as a result of your investigation in the Seattle Chapter of the Black Panther Party, would you have an opinion as to the effect they have had on the community in general in that area?

Mr. SHAW. Yes. One of the primary problems in getting accurate readings or assessments as to what the community attitudes really are is the fact that so many people, particularly Negroes, are fearful of ostracism because the climate today represents to them an overwhelm-

¹ Pursuant to subpoena duly authorized, the Dixon-Pike Branch of the Seattle-First National Bank, Seattle, Wash., furnished data concerning an account of the Black Panther Party of Seattle, Wash. Bank records disclosed that the Panther chapter, 173 20th Avenue, Seattle, Wash., opened a checking account #2333508 on May 15, 1969 with a deposit of \$110.06. Any one of the following officers was designated as authorized to draw upon the account: Gwen D. Morgan, cotreasurer; Maude H. Allen, secretary; and Kathleen M. Halley, treasurer. The preponderance of deposits was made in cash. The account reflected an average monthly balance of \$200. The account was discontinued on Sept. 18, 1969, at which time a deposit of \$139.65 was made to cover a 3 month overdraw of the account. Seven checks of \$100 or more were deposited in the account during the time it was active. The total amount deposited to the account was \$6,420.58. Monthly deposits reached their highest total of \$1,313.08 in October 1968 and showed a steep decline beginning in March 1969.

Pursuant to subpoena the Liberty National Bank of Seattle furnished data concerning the Black Panther Party Breakfast for Children Fund account, number 60004793. The bank records showed that a checking account had been opened on July 22, 1969, with a cash deposit and that Elmer J. Dixon III was the person authorized to draw on the account. The records furnished covered the period from the inception of the account through May 1970. The average monthly balance was shown as \$361.62. Most deposits were by check. Most of these were less than \$25. Five were in amounts of \$200 or more. The total amount deposited in the account during the above period was \$5,953.42. Monthly deposits fluctuated between a low of \$100 for October 1969 and a high of \$1,281.74 for January 1970.

ing belief that the majority of the persons of that same community share or at least are sympathetic with regard to the Panther philosophy as it relates to violence, liberating, et cetera.

So I am saying, in so many words, that it is necessary when getting these readings to cause a person first of all to be interested or desirous of telling you precisely how he feels as opposed to something more evasive.

We have been rather successful in this regard and when we do this we find out that the readings that we are getting from various sources indicate that an overwhelmingly sympathetic attitude with respect to the Panthers is very inaccurate.

There is a great amount of fear that runs through the community, and I think that many people are confusing this fear, which engenders a lack of vocal response, with sympathy. This just has not been my experience.

Mr. ROMINES. Could I summarize what you have just said, then, by the statement that (1) you encounter a great amount of fear of the Black Panther Party and (2) very little actual support?

Mr. SHAW. Correct.

Mr. ROMINES. I have no further questions of this witness, Mr. Chairman.

Mr. PREYER. Thank you.

Mr. Watson.

Mr. WATSON. Thank you, Mr. Chairman, and thank you, Mr. Shaw, for this very helpful and lucid discussion of what you found concerning the Black Panther activities out in Seattle. You gave us one specific instance where they had spoken at Bellevue High School and you did mention others. Did you ascertain whether or not they had a rather active program of speaking at various high schools or could you ascertain that?

Mr. SHAW. Mr. Watson, what they would generally do, they particularly enjoyed speaking at high schools that were predominantly white. This caused some joy because of the inherent fear that runs through these youngsters who are unaccustomed to, perhaps, this behavior, which is so ugly. They knew that their likelihood of donations and the moneys in other form would be greater in these types of environments than they would be in the inner city. They had representatives in most of the high schools so they recruited primarily on the basis of that as opposed to rallies, speeches, et cetera.

Mr. WATSON. I see. In other words, it was principally an individual-to-individual recruitment program, rather than the massive effort made through meetings such as that?

Mr. SHAW. Correct, as it relates to high schools.

Mr. WATSON. What was the average age or general age of the Black Panthers?

Mr. SHAW. The average age would be in the neighborhood of 19 to 20. That does not remain constant; it varies. The party in Seattle began with a minimum age of 16 and sometime after that it dropped to 14. The ages don't run much over 23, 24 years old.

Mr. WATSON. Are most of them students?

Mr. SHAW. The majority of them—or dropouts. I guess I could safely say the majority of those who participate regularly in the Panther functions are not the best of students. What really happens,

those individuals who are students that come from the colleges and the high schools who are on the ball and have something going for themselves very seldom stay long anyway, so this leaves them, of course, the dropout and the individual less interested in development.

Mr. WATSON. The Dixon boys, do I understand correctly Aaron and Elmer are their first names?

Mr. SHAW. Yes.

Mr. WATSON. Are they brothers?

Mr. SHAW. Yes, sir.

Mr. WATSON. Are they students or dropouts?

Mr. SHAW. I don't think they are students.

Mr. WATSON. Yet last year each one of them had various NDEA loans as well as OEO grants¹ supposedly for educational purposes?

Mr. SHAW. Correct.

Mr. WATSON. Now you mentioned that when the Black Panthers were at Bellevue High School, at one stage of their speech someone went out to get a gun? I am sorry I did not follow that closely. What was the purpose for going out to get the gun, if you know?

Mr. SHAW. During the exchange that developed in the question-and-answer session, it appears that the Panthers were having extreme difficulty in answering the questions to their own satisfaction. In other words, there was a reaction on the part of the students—the audience was asking rather mature and substantial questions that were not bringing about the type of answers that apparently the Panthers would like to have been able to give. As a result of this, Cornell Garden dramatically stormed out of the classroom and went to his car and proceeded towards the school with this bolt-action rifle. He was followed by another student of that same high school who encouraged him not to do this.

Mr. WATSON. Then I assume he was going to get the gun to try to demonstrate that he could answer the questions by power if he could not answer them by word power?

I am still trying to understand why he did this. I am not trying to put words in your mouth at all. Why did he go out to get the gun; how does that relate to his inability to answer the questions?

Mr. SHAW. Mr. Watson, I think you have answered a question that there seems to be considerable difficulty in answering around this country today. That is precisely what it is. When you run out of logical answers, then you resort to something violent, something of a degenerate nature.

Mr. WATSON. Apparently that was it.

Now I believe you said that they advocated that each family be armed with what?

Mr. SHAW. .357 magnum or an automatic shotgun. However, I think basically these terms are used because they are common calibers and people understand them.

¹ These grants were inadvertently referred to as "OEO" grants. These are Educational Opportunity grants, which are administered through the U.S. Department of Health, Education, and Welfare.

Members of the Seattle Black Panther chapter attending local colleges in the 1968-1969 school year included Aaron and Elmer Dixon and Curtiss Harris, who were enrolled at the University of Washington.

The committee has been advised that, at the time of its hearings in May 1970, those still associated with the Panther chapter no longer included anyone in the status of student. Nor were any of those most recently active known to be gainfully employed at other than Panther enterprises.

Mr. WATSON. This breakfast for children program has a very appealing name, and I was beginning to think that the Black Panthers may have some constructive ideas on the line. But do you sense, through the course of your investigation, that program was designed out of an altruistic desire to take care of the children or to use it as a vehicle to propagandize and capture the minds of these children?

I heard you recite this, I guess, daily ritual and daily recitation here. What is your opinion of the breakfast program there?

Mr. SHAW. I regard the breakfast program, as do those people who have taken the time to inform themselves and are attempting to be honest regarding the breakfast program, as a vehicle designed to capture as many students or youngsters as possible for the purpose of orienting them with regard to revolution.

Mr. WATSON. And you said you even found evidence that guns were displayed and marijuana was used at one of the breakfast programs?

Mr. SHAW. Correct. I think, Mr. Watson, there is a breakdown, and I don't think the separation is quite clear with regard to how people answered that question with respect to the good or bad of the breakfast program. Of course, the separation is that if children are hungry most certainly they should be fed. So that obscures the answer. I think that only half of the question is being answered when it is framed this way.

Mr. WATSON. I agree with you. You can't deny the fact that, if a child is hungry, to put something in his stomach is good, but at the same time if you poison his mind you probably are doing the youngster a disservice.

It was interesting to note that you had discussed the matter with, I assume, people of both races who would qualify for various government programs—the food stamp programs and others—but yet they would not go to the trouble of doing that. Apparently that is it; they would rather take the easy way out and just let the children go over to be fed by the Black Panthers.

Mr. SHAW. That is a part of it. Another part that I have never heard discussed, but I think it is real, is that if a parent does not happen to be particularly apprehensive with regard to sending his child to a breakfast program, the average child or many of the children would go to the breakfast program simply because he wants to get out of the house earlier in the morning than he would normally be able to do and he has a chance to be with his buddies and friends and eat his breakfast, which tends to tune up his day. And I do not think this has been overlooked.

Mr. WATSON. I have two final questions. You mentioned Mr. Dixon and someone else went over to talk with Mr. Brill about renting this place, and Mr. Brill apparently had another tenant in mind. Then I believe you said for a couple of days there was some difficulty with this place; Mr. Brill had some firebombs, I believe you said, thrown at his property?

Mr. SHAW. That same night, one, sir.

Mr. WATSON. Then 2 days later Mr. Dixon came back and they negotiated with Mr. Brill. Did he have any subsequent firebombs thrown at his property after he agreed to rent this place to the Black Panthers?

Mr. SHAW. According to Mr. Brill he did not.

Mr. WATSON. He did not.

I guess we are philosophizing a little bit here, but I'm searching for an answer, as we all are. You said that you did not believe that most of the black community really followed the philosophy and the hatred, obvious hatred, propaganda of the Black Panthers, but it was more out of fear than real belief in their teachings. Did I understand you to say that, basically?

Mr. SHAW. Yes, sir; fear plus the fear of ostracism; I think that's probably one of the greatest reasons.

Mr. WATSON. Of being called an Uncle Tom and a member of the Establishment?

Mr. SHAW. Yes.

Mr. WATSON. I believe you are right in that regard. And the next question naturally follows that oftentimes a person is motivated by fear of either damage by an individual or harm by an individual or ostracism by his peers, but after a while cannot that fear really be developed into a belief, since people normally don't like to continue to function under fear?

I am asking you to think with me that ultimately this fear can develop into a real belief. "I am going to dispel this idea simply because I am fearful of something, but ultimately I will join them"; do you follow me?

Mr. SHAW. Yes; I think it is a combination of fear and exposure. A continuing exposure to anything tends to cause you to be, I think, more tolerant of it if it is presented in its proper vein.

Mr. WATSON. We thank you very much for your testimony, Mr. Shaw.

Mr. PREYER. Thank you, Mr. Shaw.

I think we have one other witness that we do want to at least begin with his testimony so I will not ask you questions about your testimony, although it raises a number of interesting questions.

I would just make two comments. There have been a number of themes that I think apply when we consider the Black Panthers today. One of the themes is, "Are they romantic heroes or are they criminals?"

You have put some evidence in on that; Mr. Brill, who I understand is 73 years old, described how he rented his place, how it was pretty badly damaged, how he was not paid rent, and I believe also he suffered quite a bit of physical abuse from them as your evidence indicated.

Mr. SHAW. Yes, that is correct.

Mr. PREYER. We have heard evidence concerning Herman Moore, who blew himself up while he was trying to bomb his girl friend. So on the romantic hero side I would say the evidence tends to show something other than Robin Hoods.

Another theme which is of great interest: Are they purposeful terrorists or are they mostly big talkers? I don't think all the evidence is in on that.

In Seattle it seems to lean toward the big talker side. But you said one interesting thing on that, assuming that is all they are doing, that they are big talkers. You pointed out that the 9-year-old said he knew what "off" a pig meant; it meant "kill," it did not mean generally try to change ghetto conditions or something of that sort.

So I think the important thing there is that talk has an effect on people who excuse militants' rhetoric on the grounds of "Well, this is just the way you talk; they don't really mean it." They don't realize that people are responsible for the language they use. Language does have a catalytic effect; it makes things happen where there are psychotic people around to hear these things. So I think if you are just big talking, even that is a dangerous enough situation.

Thank you, Mr. Shaw.

We will try to get into the next witness here, Mr. Counsel. We will probably have to stop pretty shortly.

Mr. ROMINES. I call Mr. Thomas Simmons. Would you swear the witness, Mr. Chairman, please?

Mr. PREYER. Mr. Simmons, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SIMMONS. I do.

TESTIMONY OF THOMAS Q. SIMMONS

Mr. ROMINES. Would you please state your name?

Mr. SIMMONS. Thomas Q. Simmons.

Mr. ROMINES. By whom are you employed, Mr. Simmons?

Mr. SIMMONS. By this committee, sir.

Mr. ROMINES. In what capacity?

Mr. SIMMONS. As an investigator.

Mr. ROMINES. Did you, in the course of your duties as an investigator for this committee, have occasion to conduct an investigation on the Black Panther Party chapter in Seattle, Washington?

Mr. SIMMONS. I did.

Mr. ROMINES. Over approximately what period of time did that investigation last?

Mr. SIMMONS. Approximately a 3-week period.

Mr. ROMINES. Mr. Simmons, did you have occasion to ascertain whether any members of the Black Panther Party were receiving food stamps?

Mr. SIMMONS. Yes, sir, they are.

Mr. ROMINES. I hand you what has been marked Committee Exhibit 8 and ask you if you can identify that, please?

Mr. SIMMONS. This is a food stamp application form filled out by Mr. Aaron Dixon.

Mr. ROMINES. What is the actual title of that form, please?

Mr. SIMMONS. It is a "RE-CERTIFICATION FOR THE FOOD STAMP PROGRAM."¹

Mr. ROMINES. Is there anything written on it which would indicate it is otherwise?

¹The food stamp program is administered in the State of Washington through its Department of Public Assistance. This program operates under guidelines established by the Department of Agriculture.

According to the U.S. Government Organization Manual—1970/71—the food stamp program is administered by the Food and Nutrition Service pursuant to authority of the Food Stamp Act of 1964 and:

"Under an approved State plan of operation and through State welfare agencies, FNS provides food assistance for needy persons to help them feed their families properly. Participants exchange the amount of money they normally would spend for food for an allotment of food coupons of higher monetary value, and sufficient to provide a more nutritionally adequate diet. The coupons are used to purchase food in any retail store which has been approved by FNS to accept and redeem the food coupons."