

BIUs June 26, 2020, Statement for the Release of Jalil Muntaqim (Anthony Bottom) and Others Named and Unnamed

If we, as communities and as a nation, fail to free people in this pandemic because we'd rather risk their lives than allow them to come home earlier . . . we should consider ourselves guilty of utter disregard for human life.—Michelle Alexander, “Let Our People Go,” *NYT*, May 13, 2020.

Incarcerated for nearly half a century, since the age of nineteen when he was a member of the Black Panther Party as it sought to assist and defend black communities, Jalil Muntaqim (Anthony Bottom) is currently held in New York State's Sullivan Correctional Facility on a 25-year to life sentence for his role in the deaths of two police officers during the height of political conflict and repression instigated by US police forces. On April 27, 2020, a New York State superior court judge ordered Mr. Muntaqim to be released from Sullivan Correctional Facility based on his high level of vulnerability to the COVID-19 virus. The ruling granting Mr. Muntaqim's release into a monitored home of an approved family did not abrogate his sentence set at trial. Mr. Muntaqim is 68 years of age, with chronic bronchitis and hypertension. NY Attorney General Letitia James appealed the ruling. Within weeks, Mr. Muntaqim contracted COVID-19 and was moved to an Albany hospital, only to be later returned to the Sullivan Correctional prison infirmary. Mr. Muntaqim's precarity reflects the vulnerabilities of communities throughout the nation that have been devastated by the pandemic, neglected by governments, and put at risk by authorities. Over 40,000 incarcerated people in the US have been sickened or killed by the virus, according to the [Marshall Project](#).

Now in his 49th year of incarceration, Mr. Muntaqim has served nearly double the 25-year minimum. His legal sentence was not a death sentence. We agree with the informed public: “[Jalil Muntaqim should not die in prison.](#)” The June 2020 letter to AG James—signed by forty Howard Law alum—including Justin Hansford (Director of Howard's Thurgood Marshall Civil Rights Center) and NY Bar attorneys Andrea Ritchie, Nareissa Smith and Meron Wondwosen—states:

From an early age, Mr. Muntaqim was moved by the efforts of Dr. Martin Luther King, Jr. and other civil rights activists. As a youth, Mr. Muntaqim supported the National Association for the Advancement of Colored People (NAACP) . . . he participated in his high school's Black Student Union. Eventually, he joined the Black Panther Party. He dedicated his early life – and his present life – to bettering the conditions faced by African Americans . . . Mr. Muntaqim has earned several degrees, including a Bachelor of Arts in Sociology, a Bachelor of Science in Psychology, and a Certificate in Architectural Drafting. He has founded, participated in, or led several programs designed to uplift other inmates. These programs include courses in African Studies, Black Studies, computer literacy, G.E.D. studies, poetry, therapy, and sociology. The prison awarded Mr. Muntaqim two commendations for preventing prison violence. Clearly, Mr. Muntaqim has used his incarceration to improve his life and the lives of others . . . Keeping Mr. Muntaqim imprisoned does nothing for liberty or justice . . . he is not a danger to anyone . . . Your actions suggest that Mr. Muntaqim's life is less valuable because he was convicted of a crime. However, as Howard Law's most

illustrious graduate, Thurgood Marshall, once stated, “When the prison gates slam behind an inmate, he does not lose his human quality.”

The first black woman elected to a state wide post as prosecutor, James [used her powers as a punitive tool to support the preferences of police unions](#). A betrayal of black communities hindered by legalized repression through prosecutors, police, attorney generals, and judges who do not serve black communities historically reflexively exonerates police violence with impartial immunity. During the May 2020 court hearing to uphold the appeal to keep Mr. Muntaqim incarcerated, SG Frank Brady acknowledged that [DOCCS's](#) had only released slightly more than 350 people (at the time of the hearing) from the more than 40,000 incarcerated in NYS. On June 4, 2020, when the court upheld James's appeal to stop Mr. Muntaqim's release, it set a precedent to strike down future attempts to release the incarcerated back to their families and communities (with the necessary support to heal and survive trauma and disease). Presiding judges admitted that they could not verify DOCCS statements that prison protocols could minimize pandemic in prisons. The BIUs members who witnessed the hearing found that allowing the state to fabricate an “apolitical” context for its ruling against release as “impartial” and the upholding of “law and order,” with no reference to US historical predatory acts against racially-discriminated people who resisted repression, to be an exercise in the falsification of history and political reality.

In a June 2020 open letter, Professors Kathleen Cleaver, Jamal Joseph and Kit Kim Holder, as members of the Black Panther Party, encouraged “the next generation of freedom fighters, cultural workers and activists” to learn from rather than mystify or intellectualize past revolutionary struggles: “[A]n oppressed people can resist domination from one generation to the next without reinventing failures, pitfalls, or the mistakes of the previous generation . . . it is our enemy's job to . . . isolate one generation from the other . . . [and] denigrate the history of militant and radical traditions and burnish the history of integrationist[s] who think we can simply vote our way out of this problem.” The Panther veterans write that they “have stepped forward at this neo-fascist moment in history driven by the current crisis of capitalist culture, an ongoing pandemic and the now renewed attention and massive demonstrations brought on by ongoing police murders in our community.” Writing of armed combatants in the revolutionary Black underground which followed the murderous Cointelpro war waged by the FBI, CIA, and local police against activists, they assert that the **Black Liberation Army (BLA)** is part of the “history in our people's struggle [that] has been kept away from you and seemingly [is] unavailable to your generation as you reinvent what was done in the past.” Although “circumstances and conditions” change, the educators assert that the “enemies” of black communities seeking to free themselves from poverty and police violence “remain the same”:

[W]e who write this letter are former members of the original **Black Panther Party**. We were targets of the FBI's infamous Counter Intelligence Program (codename **COINTELPRO**) which killed many of our comrades, including **Fred Hampton, Mark Clark**, and numerous other Panthers and revolutionary freedom fighters. We are veterans of government search and destroy missions that forced our beloved Comrade Assata Shakur into exile. We are former Black Political Prisoners who spent decades in U.S. prisons, like our comrades **Russell Maroon Shoatz, Romaine “Chip” Fitzgerald, Sundiata Acoli, Jalil Muntaqim**, and **Mumia Abdul-Jamal** who are still locked down today. In short, we were on

the front line of government efforts to kill and destroy the Black radical movements for civil/human rights including the right to self-determination.

Restorative justice from horizontal violence in our communities is possible as noted by [ANWO](#). We add that restorative justice has no efficacy against vertical violence and asymmetrical warfare from state agencies and police forces—from foster care to the FBI. Those in “custodial care” remain the “property” of a state which valorizes mechanisms of disposability and violence, codified in part by the 13th Amendment, and deploys them disproportionately against black and indigenous peoples. Having no recourse to “restorative justice” in the matter of state violence, we will merely call for justice. Release and return the incarcerated, and those who serve(d) communities inside and outside of jails and prisons, to their communities with the resources to assist in our collective recovery from trauma and loss. **Grant Mr. Muntaqim, and others named and unnamed in this statement, immediate release through Medical Parole, clemency from Governors, or parole.**

Joy James, Williams College* Janine Jones, UNC-Greensboro*
Selamawit Terrefe, Tulane Univ.* Axelle Karera, Wesleyan Univ.* (*ID purposes only.)
[Abolition Collective Letter of Support for Jalil Muntaqim](#)