

Tucson Coalition For Justice

P.O. Box 5279
Tucson, Az. 85703

COALITION UPDATE - JUNE 6, 1980

OFFICERS

Hector E. Campoy, Co-chairperson
Erika Kreider, Co-chairperson
Patty Moreno, Secretary
Joe Robles, Co-treasurer
Peggy Hutchison, Co-treasurer

MEMBERS

ACCORD

Alerta
Amigos de Cuba
Barrios Unidos - El Rio
Center for Social Change
Clergy United for Justice
Cochise County Committee for Justice
on the Hanigan Case
Design Center
El Rio Neighborhood Center
Hispanic Community Ministry -
Lutheran Church
Iglesia Luterana - San Juan Bautista
La Raza Legal Alliance
Manzo Area Council
MEChA, University of Arizona
National Coalition on the Hanigan Case
Nuclear Free State
San Ignacio Yaqui Council
Social Justice Commission,
W. Prov. Redemptorists
Southern Arizona Chapter
National Lawyers Guild
Spanish Speaking Apostolate of Catholic
Diocese of Tucson
Teatro del Pueblo
Traditional Indian Alliance
Tucson Committee on Human Rights
in Latin America
Tucson Consortium for Chicano Issues
Tucson Friends of the Farmworkers
Tucson Metropolitan Ministry
Women's International League for
Peace and Freedom
Worker's World Party
Young Worker's Liberation League

LEGAL COUNSEL

William Risner, Tucson
Ruben Sandoval, San Antonio

Next meeting will be Wednesday, June 11, 7 p.m. at El Rio
Neighborhood Center. We will discuss:

HANIGAN CASE. Opening date of the trial is June 25. We
need to plan for it.

ALERTA. We now have office space at Tucson Metropolitan
Ministry, 40 W. Veterans Blvd. For a start, we plan to have
someone in the office on Tuesday and Thursday afternoons.
Will you be able to volunteer a few hours a week?

SINOHUI CASE. On May 22, Lupe Sinohui, Dave Eisenstein,
Hector Campoy and Fr. Ricardo Elford went to Washington
for a press conference (see enclosure) and meetings at the
Justice Dept. and White House. The Grand Jury's time is
about to expire next month, even if no decision is made.

PLANS FOR A DEMONSTRATION. To demand an indictment of
Dean for killing Joe Sinohui, a vigorous and diligent
prosecution of the Hanigan brothers. And to show solidarity
with other victims of police brutality and injustice in
the courts (McDuffie) and support of the Low Riders in the
face of police harassment.

We hope to see you this Wednesday.

THIS WILL BE A WORKING MEETING.

Erika Kreider
Erika Kreider
Co-chairperson

Hector Campoy
Hector Campoy
Co-chairperson

U.S. & WORLD

Hispanic leaders rap US on 'police abuse'

By Aaron Epstein Knight Ridder Service

WASHINGTON — At his Senate confirmation hearing last August, Attorney General Benjamin Civiletti defused criticism from Hispanic leaders by declaring:

"I want to be measured as Attorney General — and the Justice Department ought to be measured — by the responsiveness and attention to Hispanic-American rights and the improvement of those."

Yesterday, nine months later, leaders of the nation's largest Hispanic organizations gave a rating of almost zero to the Civiletti-led Justice Department's record in prosecuting police abuse of Hispanics.

They credited Civiletti with moving swiftly this week to investigate alleged police brutality in Miami after the riots there. But they accused him of doing nothing about similar cases affecting Hispanics, especially in southwestern states.

"What does it take to get these (Justice Department) people off their ass?" shouted Ruben Sandoval, a San Antonio civil rights lawyer, at a press conference called by the La Raza Legal Alliance.

Sandoval, general counsel for the League of United Latin American Citizens (LULAC), displayed pictures of the battered faces and bodies of Hispanics, purportedly beaten by police, saying of the Justice Department:

"They just don't want to do a damn thing about it."

A Justice Department spokesman said the charge that Civiletti was insensitive to police abuse against Hispanics was "not accurate — to put it mildly."

Civiletti, the spokesman said, had done more than any previous Attorney General to protect the rights of Hispanic-Americans. The Attorney General has halted sweeping searches of residential neighborhoods for illegal aliens, employed more Hispanics, appointed a Hispanic advisory committee and started a study to establish federal standards for the use of deadly

force by police officers, the spokesman said.

Nevertheless, Hispanic leaders charged, Civiletti has been unwilling to investigate and prosecute local police abuse cases until the state authorities have completed their work — and often not even then.

The Hispanic groups are trying to focus national attention on the 1977 killing of Jose Sinohui Jr., 24, who was shot in the back by police officer Christopher Dean in Tucson.

They compare the Sinohui case to the beating death of black insurance man Arthur McDuffie in Miami. The acquittal of white police officers by an all-white jury in the McDuffie case triggered the Miami riots last weekend.

In the Sinohui case, too, an all-white jury acquitted the officer. However, Sinohui's parents did obtain \$200,000 damages after an Arizona judge concluded last March that Dean had violated Sinohui's civil rights by intentionally or recklessly firing at Sinohui.

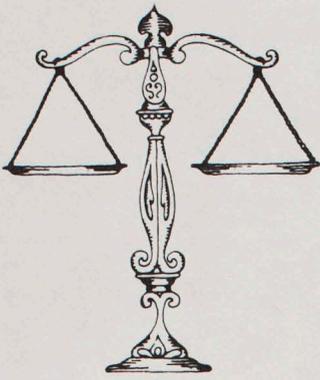
Lupe R. Sinohui, mother of the dead man, said she still seeks "justice according to the law" — the criminal prosecution of Dean by the Justice Department.

"It is now a year since they announced a federal grand jury investigation," Sinohui told reporters. "And still we get silence, broken only by dozens of form letters . . ."

"How can the Justice Department claim to be dealing out even-handed justice when an army of lawyers and FBI agents are sent to Florida to take swift and just action within a few days — while in Arizona, in the southwest, nothing has been done?"

Representatives of LULAC, La Raza, American G.I. Forum, National IMAGE and other Hispanic organizations said the Justice Department has enough laws and policies to protect civil rights of minorities.

But, they asserted, the federal law enforcement agency lacks the will to do so unless certain of victory in court.



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June 25, 1980

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OPENING DATE FOR THE HANIGAN TRIAL IS JUNE 26. JURY SELECTION WILL TAKE AT LEAST TWO DAYS, PROBABLY MORE. WHENEVER POSSIBLE PLEASE MAKE EVERY EFFORT TO ATTEND THE TRIAL. IT WILL BE HELD IN THE FEDERAL COURTHOUSE AT BROADWAY AND SCOTT. (Ask the guard for more specific directions.) WHILE THE FIRST FEW DAYS WILL PROBABLY BE WELL ATTENDED, IT IS CRUCIAL THAT WE MAINTAIN A COURTROOM PRESENCE THROUGHOUT THE TRIAL.

About two weeks after the opening of the trial, we will send out a mailing with an update on the trial.

Enclosed is a fact sheet on the case. We recommend that you make copies for the members of your organization and to circulate among your friends near and far.

See you in court,

THE EXECUTIVE COMMITTEE

1. What is the Hanigan case?

On August 18, 1976, 3 Mexicans were brutally tortured in the Douglas area. The next year the Hanigans were indicted on 22 felony counts and a state trial was held. Following the trial, laden with anti-Mexican hysteria, Thomas and Patrick Hanigan were acquitted. The case has been taken up by the Justice Department, which is charging the Hanigans with violation of the Hobbs Act, a federal statute.

2. Isn't that double jeopardy?

No. According to the 5th amendment, no one may be tried twice for the same offense. In the Hanigan case both state and federal laws were violated. The first indictment was by the State of Arizona, the second by the United States.

The federal government has a crucial role in civil rights cases when evidence shows that unbiased trials are not possible on a local level. As in the South in the 1960's, federal intervention is necessary to insure justice.

3. Is this just a political case?

Of course the Hanigan case is political. So are all court cases. The Hanigan case involves foreign relations (U.S. and Mexico) and minorities in this country, specifically undocumented workers and Hispanics in general.

4. But the Hanigan case is unusual in terms of violence, isn't it?

Unfortunately it is not. Violence against Mexicans is not new. What is new is that public attention is being directed to this serious and chronic form of violence in the Southwest.

5. Aren't the Hanigans being prosecuted because they're Anglo?

Whenever any crime has been committed, it is the obligation of the government to determine the perpetrators. Ask yourself this: Would there be widespread criticism of the prosecution if the Hanigans were Mexican and the 3 men tortured had been Anglo?

6. Don't undocumented workers cause major economic problems to the U.S. economy?

No. According to Governor Babbitt, "These people contribute much more in economic terms than they draw out in social services."

7. What happens now? How can I help win justice?

The Hanigans will be tried in Federal Court in Tucson shortly. You can contact the Tucson Coalition for Justice and offer your ideas and support, and for more information. Tell your friends.

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1. ¿Qué es el caso Hanigan?

En Agosto 18, 1976, tres Mexicanos fueron brutalmente torturados en el área de Douglas. El año siguiente los Hanigan fueron acusados formalmente de 22 felonías y se celebró un juicio estatal. Debido a un clima de histeria anti-mexicana Thomas y Patrick Hanigan fueron declarados inocentes. El caso ahora ha sido tomado por el Departamento de Justicia que ha acusado a los Hanigan de violar el Hobbs Act, un estatuto federal.

2. ¿No es esto doble riesgo?

No. De acuerdo con la quinta Enmienda de la Constitución de los Estados Unidos ninguna persona puede ser llevada a juicio dos veces por la misma ofensa. En el caso Hanigan las leyes federales y estatales fueron violadas. El primer proceso fue hecho por el Estado de Arizona, el segundo por el gobierno federal.

El gobierno federal juega un rol crítico en los casos de derechos civiles cuando la evidencia indica que es imposible obtener un juicio imparcial a nivel local. Como en el Sur en los 60, la intervención federal en este caso es necesaria para obtener justicia.

3. ¿Es este un caso político?

Sí...como todos los casos en la corte. El caso Hanigan envuelve las relaciones entre México y los Estados Unidos y a las minorías en este país, particularmente a los trabajadores indocumentados y a los Hispanos en general.

4. Pero el caso Hanigan, ¿no es raro en términos de la violencia?

Desafortunadamente no lo es. La violencia contra los Mexicanos no es cosa nueva. Lo que es nuevo es la atención que está recibiendo esta forma seria y crónica de violencia en el Suroeste.

5. ¿No les están procesando a los Hanigan porque son Anglos?

No. Siempre que un crimen se comete es obligación del gobierno determinar quiénes son los culpables. Pregúntese lo siguiente: ¿Hubieran habido críticas del proceso si los Hanigan hubieran sido Mexicanos y las víctimas de la tortura Anglos?

6. ¿No causan los trabajadores indocumentados problemas en la economía de los Estados Unidos?

No. Como dijo el Gobernador Babbitt: "Esta gente contribuye más desde el punto de vista económico de lo que reciben en servicios sociales."

7. ¿Qué va a pasar ahora? ¿Cómo puedo ayudar a que se haga justicia?

Los Hanigan van a ser enjuiciados en la corte federal de Tucson muy pronto. Usted puede ponerse en contacto con la Coalición por la Justicia para ofrecer sus ideas y apoyo o simplemente para recibir más información. Dígaselo también a sus amigos.

Libertad y Justicia

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