

Campaign Seeks Pardon for Wilmington 10

Ben Chavis says now is the time to clear names for 1971 injustice in North Carolina

By Brian Stimson
Of The Skanner News

The National Newspaper Publishers Association this week announced that they will be leading a campaign to formally pardon the "Wilmington 10."

The Wilmington 10 were a group of Black activists convicted of arson, conspiracy and other charges in 1971 during a period of racial unrest and violence. The convictions stemmed from the firebombing of a grocery store in Wilmington, NC.

Despite alibis for the accused, and witnesses who later recanted and testified that they were given favors and gifts in exchange for their testimony, as well as evidence that the police and prosecutors fabricated evidence and intimidated witnesses, it wasn't until 1980 that an appellate court overturned the convictions.

while trying to call in a fire alarm. And one older White man, after firing his pistol near a barricade, was shot dead by those defending the church and nearby houses.

When Mike's Grocery was firebombed, firefighters responding were fired upon by snipers. Fourteen months later, 10 people who had been inside the Gregory Church were charged and convicted with the firebombing and conspiracy on the testimony of a mentally disabled convict who recanted upon cross-examination, another man serving a sentence for murder and a 13-year-old who was housed in a detention facility. The jury contained known members of the Ku Klux Klan.

It was later revealed that other witnesses had been intimidated by police into not testifying. Those that had testified for the prosecution had been coached, given shorter sentences for other, unrelated crimes, and deceived by police into thinking threats had been made against their family that were in fact made by the police.

When Amnesty International investigated the case in 1977, they determined that the Wilmington 10 "were not arrested for the crimes for which they were charged, but because of their political work."

Chavis says now – 40 years later – is the time for a full pardon. The racial and political tension of that era has changed, allowing for a pardon that then-North Carolina Gov. Jim Hunt refused to grant at the time.

"I think that some of the polarization that was very much in existence is no longer present in the city of Wilmington or the state of North Carolina," Chavis said.

He said the exact plans to seek a pardon are still being worked out. He anticipates seeking a pardon from the North Carolina governor's office. If that fails, they would likely petition the president.

As for the prosecutorial misconduct, Chavis said he believes in redemption for former Prosecutor James 'Jay' Stroud.

"I think it's an opportunity for the prosecutor to seek redemption where an injustice was done," he said.

He believes there is evidence that Stroud was assisted by those in the federal government at the time.

Chavis says that a pardon would also help today's young people discover what they should be vocal about.

"I think it would have a benefit for communities and young people to connect what is happening today ... don't forget, this was about young people standing up for racial justice," Chavis said.

In a turn of fate, Stroud is currently – as of March 18 – incarcerated in the Gaston County Jail in Gastonia, NC. He had been working as an attorney in the small town, but vol-



untarily gave up his license to practice law after a series of arrests that began in 2006 for assault with a deadly weapon, simple assault, hit and run, domestic violence and violating a domestic violence restraining order. The Gaston Gazette reported in December 2010 that Stroud's son blames his father's behavior on mental illness.

Visit <http://triumphantwarriors.ning.com> for more information, photos and blogs by and about the Wilmington 10.

Visit www.theskanner.com to read an interview with Wilmington 10 defense attorney James Ferguson II

Dr. Ben Chavis, Jr., now a nationally syndicated columnist and member of the Wilmington 10, says a formal pardon of innocence is different from the court's finding of constitutional rights violations related to the original case.

"I think it would clear names, records, and the reputations of the Wilmington 10," he told The Skanner News.

He said it would also serve as a reminder that in 2011, the issue of school segregation remains. In 1971, the Rev. Chavis was sent to Wilmington by the United Church of Christ to help lead a boycott of the schools after years of stalled and flawed integration policies.

But the fight for school equality quickly dissolved into violence.

Tensions rose as members of the Ku Klux Klan and another White supremacist gang began patrolling the streets and firing on the Gregory Congregational Church. African Americans, without the protection of the police, armed and blockaded themselves inside the church. During the ensuing violence, an unarmed 17-year-old was killed by police

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