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Volume 9, Number 25 (Issue 414)

In Two Parts

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June 23-29, 1972

POLICE FINK SORRY

Admitted perjury gets innocent man 41 years in jail

LEW IRWIN

The summer of 1967 had been a restless time in the east-side black ghetto of Buffalo, New York. There had been some sporadic rioting and looting in the area during May and June. Police believed that a revolutionary bookstore, The Afro-Asian Bookstore, operated by Martin Sostre — who called himself Martin X — was the center of trouble. The place, after all, was filled with books about black nationalism, black culture, periodicals from Red China, and other such upsetting publications.

Martin Sostre was Buffalo's Malcolm. Fortyish, fierce-looking, scholarly, commanding, he was by far the most threatening figure in Buffalo's conservative, anti-intellectual society. Much of the

male population of Buffalo in 1967 still wore white socks. The last President who ever bothered to visit the city, William McKinley, was shot and killed there in 1901.

On July 15, 1967, Arto Williams was in jail, awaiting trial on a grand theft charge. Williams was a thirty-year old junkie and ex-con who knew the ins and outs of prison life. On that day, he was visited by Alvin Gristmacher, a detective-sergeant for the Buffalo police narcotics bureau.

Williams, who now lives in Venice, California, recalls today: "He explained to me what he wanted ... to bust Martin Sostre ... and that if I would co-operate, I would be immediately released. I just had to set up Martin Sostre, get him busted on a drug charge, possession and sale."

Williams agreed to the deal, as he had apparently agreed to similar deals with police in the past. And on the very next day, he was released on his own recognizance. (Later he would be placed on probation on the grand-theft charge, even though he had a long record of arrests and convictions on similar charges).

"I had to report to Gristmacher after I was let out," Williams remembers. "He gave me twenty dollars immediately and told me what we were going to do. I took the twenty dollars and went out and scored. That was the life I was leading. Later on, I met Gristmacher on Winslow and Fillmore — it was about eight o'clock that night — and we went back down to the police department, and he picked up another policeman, and we proceeded to

Martin Sostre's bookstore."

The bookstore kept late hours. It attracted a varied assortment of ghetto-types. Williams had visited the store in the past and had engaged in the repeated dialogue about "the establishment" and what to do about it.

"I went into the store," Williams says, "while another policeman stayed outside. I handed Martin Sostre some money and asked him to hold onto it for me. The police had given it to me, but Sostre didn't know where I got it. After I did that, I

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Single mothers groups

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furniture, clothing, schools ... and suddenly companionship, and a sense of sharing and belonging replaced the agony of isolation and frustration.

In March the first issue of *Single Mother's Newsletter* was published by Momma. In it the first child care cooperative was described with reasonable success. All problems related to divorce, pregnancy, child care, careers, support, dating, time budgeting, and the ex-husband were laid out along with active positive solutions.

This Tuesday, Karol Hope, one of the four original organizers, talked to members, new and old. She explained that the program contained

Local peaceniks to visit Japan

The Peace Action Council of So. Calif., 3420 W. Pico Blvd., Los Angeles, is now organizing the first annual delegation to the 18th Conference of the Japanese Council Against A & H Bombs, known as Gensuikyo, in Japan.

A Gensuikyo Conference is a festival of cultural events, demonstrations, official observances of Hiroshima Day, etc., and will take place in Tokyo, Nagasaki, and Hiroshima. Kyoto sightseeing is included in the itinerary.

Gensuikyo is the largest and most influential peace organization in Japan. The Gensuikyo Conference will commemorate the holocaust caused by the atomic bombing of Nagasaki and Hiroshima and will relate to the continuing war in Southeast Asia. Delegations from countries around the world are expected, including a large U.S. delegation.

The conference will be held Aug. 2nd to Aug. 13th, and on the three prior days, July 30, 31, and Aug. 1, the religious community of Japan is hosting a Conference of Religionists for Peace and Justice in Indochina to which American religionists are invited.

From Los Angeles or San Francisco, a travel package of air fare and ground expenses, including hotels, breakfasts and ground transport, for a total of \$775.00 is being arranged through Travel Consultants at 29135 S. Western Ave., San Pedro, Ca. 90732. Those attending may participate in conference

four specific areas that would be explored consistently:

- 1) Kids and Us: Our relationship to our children, how we really feel about one another.
- 2) Self-Identity: How do we really feel about ourselves?
- 3) The legal and social position of the single mother.
- 4) The political position of the single mother: Taxes, insurance, legislative action re: child care, who in politics is aware of us.

Dynamic Karol, now serving as coordinator of Momma, is endeavoring to make the public aware of the single mother. "They do not know we exist," was her first observation. Since then, she has spoken at YWCA meetings where officials were appalled as well as enlightened by statistics on the subject. They promise to introduce a proposal at the National meeting of the YWCAs this summer to donate their facilities all over the country, to develop halfway houses and to help raise money for single mothers in distress. In Ohio and Minnesota the Y's have already got facilities for this purpose.

Lucia Pierce, member and child care expert, spoke next about her plan for a 24-hour "children's house." This is designed to be a total home for children of all ages who for whatever reason and whatever duration of time, cannot be with their parents. Many different types of programs for age variances and special needs are being devised. Lucia, who worked with the Head Start Program extensively, is convinced that present day care centers are costly, inadequate, and are nothing more than punitive baby-sitting institutions. "Bureaucrats create repressive societies for children ... like schools." Ms. Pierce, who is trying to get the plan funded, finds that "People with money do not understand our needs ... they want a profit-making organization."

A discussion ensued that revolved about who was suited to care for children. It was generally agreed that loving care was of primary importance, and it was pointed out that interested adolescents make excellent workers. Also the inclusion of men in programs of child care and education was encouraged. A book, *I Am Not Just a Sitter*, was suggested for reading. Its stress is on neighborhood care centers.

Future meetings will be divided



"WELCOME T' FLOR'DA, Y'ALL."

Police fink sorry for perjury

(continued from page 1)

went outside of the bookstore and told Gristmacher I had what he wanted. I gave him part of the bag of heroin I scored the day before. I still had a half-bag left, because I had been clean for three weeks while I was in jail, and I couldn't use the whole bag."

Gristmacher took the half-bag of heroin from Williams, marked it, had Williams sign a slip of paper, and they headed back for the police station. A short while later Williams saw police bring Sostre and his girl friend into the station and book them on charges of possession and sale of heroin and second-degree assault on a police officer.

A few months later Sostre went on trial. Gristmacher told the court that he had approached Williams the night before the arrest and secured his aid in the case. He said he then gave Williams marked money and sent him to Sostre's book store. Williams returned with a glassine envelope of powder. The arrest ensued forthwith.

Williams then took the stand to corroborate Gristmacher's testimony. He told the court how he had bought a bag of heroin from Sostre. He spent less than fifteen minutes on the stand.

Sostre was convicted and sentenced to serve between 31 and 41 years in prison. He was incarcerated at Greenhaven State Correctional Facility.

But if Sostre was marked as a trouble-maker by the lawmen of Buf-

falo, he was marked as a dire menace by the officials at Greenhaven. They warned him about his revolutionary spoutings, and when those warnings went unheeded, they locked him up in solitary.

But even that did not stop Sostre. He sued the prison. And in 1970 U.S. District Judge Constance Baker Motley, who is black, ruled that Sostre was improperly punished for expressing political opinions. She awarded him \$13,000 in damages. The ruling was upheld by the 2nd circuit court of appeals in Manhattan and was allowed to stand by the U.S. Supreme Court. Sostre had won a landmark decision. And at the same time, he became a local cause celebre on college campuses, where the Ad Hoc Committee for Martin Sostre became active.

In the meantime, Arto Williams was going the drug-rehabilitation route. Last November, at one treatment center in Venice, during a group therapy discussion, he blurted out the story of how he framed Sostre. A counselor persuaded him to sign an affidavit admitting the frame and sent it off to Sostre. On the basis of that affidavit, Sostre asked the Erie County Court in March to re-open the case. But the court demanded that Williams make a personal appearance, and Williams, worried now that he himself might be arrested for perjury, was not about to return to New York unless he were guaranteed immunity. The New York court,

however, refused to make any more deals with Williams and instead issued a subpoena for him to appear. The subpoena proved unenforceable in California.

Also in the meantime, Alvin Gristmacher had been appointed to the rank of Captain in the Buffalo police department's narcotics bureau. Late last year, however, certain "irregularities" concerning Gristmacher's conduct were reported to Police Commissioner Frank Felicetta. The Commissioner ordered an investigation. And on March 15, Felicetta called Gristmacher before the Commission and fired him. Felicetta's investigation had shown that Gristmacher was guilty of a number of departmental charges, some of them relating to the disappearance of heroin from the police crime laboratory.

From prison, Martin Sostre announced that he had filed a motion in federal court, which again demanded a new trial. Sostre claimed that the state's inability to produce Williams denies him the right to due process of law. He also said that he intended to subpoena Gristmacher if the court agreed to consider his motion.

Meanwhile in Venice Arto Williams thinks about Martin Sostre every once and a while, and contemplates the fate he imposed on him.

"Forty-one years, whewww. That's a long time. He'll probably never see daylight again, walk the street again."

The Los Angeles branch of the American Civil Liberties Union says it wants to talk to Williams. It wants him to sign another affidavit concerning yet another man it claims Williams helped frame.

(Lew Irwin can be heard daily on KDAY Radio News Broadcasts)

