

# Malcolm X assassination: 50 years on, mystery still clouds details of the case

Despite freedom of information act requests throughout the years, New York still will not release records to the public and claim files would endanger the safety of police officers and constitute unwarranted invasions of privacy



Malcolm X in Rochester, New York, 1965. Photograph: Michael Ochs Archives

## Garrett Felber

Saturday 21 February 2015 13.43 EST

**F**ifty years on, questions surrounding Malcolm X's assassination still contribute to the atmosphere of suspicion and distrust between law enforcement and the black community. And while the murders of John F Kennedy, Martin Luther King Jr, and Emmett Till have all been re-examined through federal intervention, Malcolm X's assassination remains a blindspot in US jurisprudence and historical memory.

Malcolm X was a dangerous man. Not dangerous as the widely circulated image of him holding a rifle and peeking through the curtains in his home would suggest. Nor because he disagreed with the nonviolent wing of the civil rights movement and its assertion that racial integration was the primary objective of the black freedom struggle. By challenging integration as a primary goal, Malcolm X threatened to undermine the tenuous support that mainstream civil rights leaders were receiving from the government and white liberals. For many white people, Malcolm and the Nation of Islam embodied their greatest fears.

As the public face of the National of Islam, he confronted racism well beyond the confines of southern segregation. He worked tirelessly to denounce America as a damaging imperialist and neo-colonialist system. “Just as a chicken cannot produce a duck egg”, he charged, “the system in this country cannot produce freedom for an Afro-American.” And with his characteristic wit, he added that if it did, “you would say it was certainly a revolutionary chicken.”

By 1963, Malcolm had been suspended from the NOI for calling President Kennedy’s assassination a case of “chickens coming home to roost.” The rift deepened after Malcolm revealed that the group’s leader, Elijah Muhammad, had fathered children out-of-wedlock with NOI secretaries. This public feud combined with competing political visions to cause deep divisions within the Muslim community. Malcolm formed two independent groups in 1964: the Organization of Afro-American Unity (OAAU) and Muslim Mosque, Inc. (MMI). A year later, he prepared to release a new political program which would have likely included voter registration drives, local organizing against police brutality, and a call for the United Nations to denounce American racial practices as human rights violations. He was gunned down on the very day he was set to unveil it.

### **A cast of co-conspirators**

When Malcolm X was killed at the Audubon Ballroom on 21 February 1965, a man named Talmadge Hayer (now named Mujahid Abdul Halim) was pulled from the scene of the crime. Yet some witnesses claimed a second figure was also taken into custody by the police.

The late Herman Ferguson, a founding member of the Organization of Afro-American Unity (the OAAU, founded by Malcolm X after he left the Nation of Islam), recalled a police car which pulled up alongside the ballroom and brought out a man with an “olive complexion ... obviously in great pain.” Ferguson, thinking that the injured man was one of “our guys,” watched as the squad car sped away and over the Hudson River. The Associated Press also reported the day after the assassination that “two men were taken into custody.”

In the following days, the NYPD also arrested two other members of the Nation of Islam’s Mosque 7 in Harlem: Norman 3X Butler (Muhammad Abd Al-Aziz) and Thomas 15X Johnson (Khalil Islam). Both men, as well as key witnesses who knew them, denied they were at the ballroom that day. Hayer also testified at the end of the 1966 trial that the two men had not been involved. But he refused to name any other accomplices, and all three received life sentences.

A decade into his incarceration, Hayer came forward with new information, identifying four co-conspirators. He signed an affidavit offering the names and addresses of these men, along with a detailed timeline of their plot. With the help of the self-described “radical attorney” William Kunstler, Butler and Johnson appealed their convictions.

Hayer named William Bradley, a NOI member called Willie X, as the man who fired the

fatal shotgun blast, adding that Bradley was “known as a stick-up man.” The petition noted that Bradley was “upon information and belief presently incarcerated in the Essex County Jail, Caldwell, New Jersey.” Kunstler added that he did not know of “any comparable case in American jurisprudential history” in which an accomplice had described a crime in such detail without a thorough reinvestigation. Yet, judge Harold Rothwax rejected a motion to reopen the case.

Bradley (who now goes by Al-Mustafa Shabazz) is living in Newark. Earlier this week, The New York Daily News published an interview with him in which he rejected the claims. “It’s an accusation,” he said. “They never spoke to me. They just accused me of something I didn’t do.”

### ‘The investigation was botched’

In the weeks following Malcolm’s assassination, the organizations he created after his falling out with the Nation of Islam struggled without his leadership, and his friends and comrades attempted to make sense of their loss. Most of his followers had witnessed the murder, and the dangerous climate and mistrust of the aftermath drove some underground for decades.

On 6 March 1965, members gathered for the weekly Saturday class at the OAAU’s Liberation School. That meeting had been lost to history until recently, when a detailed account reveal its contents. In 2011, the personal papers of James Campbell, housed at the College of Charleston’s Avery Research Center for African American History and Culture, were made available to the general public.

Campbell is an educator and civil rights activist who founded the Liberation School along with OAAU member Herman Ferguson in 1964. His papers include handwritten notes taken by the late Japanese American activist Yuri Kochiyama. The meeting, the notes explain, was held “to establish stability from this crisis.” And the notes contain an unexpected piece of information. Kochiyama’s scrawl at the bottom of the 6 March meeting reads:

Ray Woods <sup>is said to have been</sup> ~~was~~ seen also running out of Audubon; was one of two picked up by police. Was the second person running out)

‘Ray Woods is said to have been seen also running out of Audubon; was one of two picked up by police. Was the second person running out.’

The notes appear to substantiate the accounts of Herman Ferguson and the AP of a “second man” taken into police custody. That a name should resurface 50 years later is remarkable. But more significant is that the “Ray Woods” named in the note was likely Raymond A Wood, an undercover New York City police officer with the Bureau of Special Services and Investigation (BOSSI).

Wood began his career by infiltrating the Bronx Congress of Racial Equality (CORE) chapter under the name Ray Woodall in 1964. There, he posed as a 27 year-old graduate of Manhattan College studying law at Fordham. He was soon named CORE's housing chairman and oversaw a voter registration project.

Wood earned his activist bonafides by getting arrested with two others at city hall while attempting a citizen's arrest of mayor Wagner for allowing racial discrimination on a public construction project. Feminist Susan Brownmiller, a fellow CORE activist at the time, recalled that if "CORE had placed an advertisement in the Amsterdam News describing what it was looking for, Woodall would have fit the bill."

By 1965, "Woodall" had been reassigned under his real name to infiltrate a group calling itself the Black Liberation Movement (BLM). He was credited with foiling a bomb plot by the BLM that allegedly targeted the Statue of Liberty and other national monuments, just a week before Malcolm X's assassination. One of the four arrested in the plot was Walter Bowe, who also co-chaired the cultural committee in Malcolm's OAAU. Wood's close association with an OAAU member makes it likely that others within the organization would also have known and recognized him.

Wood was promoted to detective second grade for making the arrests in the BLM case. And although his name and a photo of the back of his head circulated throughout the press in the week leading up to Malcolm X's assassination, the NYPD reported that he was put back to work because his "face is still a secret."

### *The Statue of Liberty caper*

## Did police agent hatch bomb plot?



POLICE AGENT WOOD HIDES FACE FROM PHOTOGRAPHER At ceremony where Commissioner Murphy promoted him.

By SUSAN KASTNER  
Special to The Star

NEW YORK  
When does an undercover agent cease to be an infiltrator and become an instigator?  
The question is being raised about Raymond A. Wood, the rookie New York policeman who became a hero last February when he uncovered a plot to dynamite the Statue of Liberty, the Liberty Bell, and other U.S. national monuments.

After two months of undercover work by the 31-year-old Negro, police arrested three New York Negroes, members of an extremist organization called the Black Liberation Front; and a Montreal girl vaguely connected with the separatist Rassemblement pour l'Indépendance Nationale.

The men were Robert Collier, 28, a library clerk; Khalief Saye, 22, a student; and Walter Bowe, 32, a student-house judo instructor. After their trial in May they and Michelle Duclos, 26, were convicted of conspiring to blow up national monuments, and smuggling dynamite from Canada.

Judge William B. Horlands imposed conditional sentences of 10 years on each man and five years on Miss Duclos, then put the case off for 90 days for a report on the prisoners before passing final sentence.

Patrolman Wood was promoted

Callender and another CORE aide were arrested in the attempt as well, for disorderly conduct. Callender was remanded to Bellevue hospital for mental examination; after they gave him a clear bill of mental health, he was sentenced to 60 days in the workhouse. "Wood" and the other man were fined.  
Wood denied CORE workers' allegations that he had conceived the idea of arresting Mayor Wagner for "misappropriating" public funds for a project which was worked by a union that discriminated against Negroes.

#### Rented plotters' car

A New York Herald Tribune reporter covering the abortive citizen's arrest quoted "Woodall" as saying, when Wagner appeared: "Success! I said it would be the scoop of the year if we could get him."

Under cross-examination, Wood also admitted he had given the plotters an army field manual on explosives, supplied them with material to make Molotov cocktails, and traveled with Collier to Canada to visit Miss Duclos, in a car rented by Wood. (Collier, who was broke, had had his telephone and electricity cut off.)

Wood said he was acting on "frequent and explicit instructions" from his superiors, and kept in touch with them daily. In January the FBI was called in to keep an

Agent Wood hides face from photographer. Photograph: Star.

There is no question that the police were keeping close tabs on Malcolm X in the period prior to his assassination. Tony Bouza, a former BOSSI detective and lieutenant from 1957 to 1965, explains that the NYPD, and not the FBI, was the primary agency conducting this surveillance. Gene Roberts - a man known affectionately within the OAAU as "Brother Gene" and photographed trying in vain to resuscitate Malcolm X at the assassination - was later confirmed as an undercover agent.

Bouza argues that the NYPD failed to take basic and minimal steps to protect a prominent public figure from a threat that was widely believed to be imminent. And he is harshly critical of its subsequent failure to disclose all that it knew about the assassination of Malcolm X. “The investigation was botched,” he said, and a “parallel tragedy lies in the NYPD’s obvious stonewalling of any release of records.”

But Bouza also insists that Wood had nothing to do with the case, and there are other reasons to doubt this latest eyewitness account placing Ray Wood at the Audubon. Such reports are unreliable, even those recorded shortly after the assassination. Accounts of what happened at the Audubon Ballroom that day are also conflicting. One OAAU member named Willie Harris was interviewed by the NYPD while being treated at a medical center after a stray bullet hit him at the ballroom. Harris claims he sought help from a police officer who then took him to the hospital. Is it possible that the unnamed witness mistook Harris for Ray Wood? Finally, there is the question of why BOSSI would send an undercover agent back into a place where he might be recognized after his name had been in the press.

The simplest way to resolve these questions would be for the NYPD to release its surveillance files and disclose what Ray Wood, Gene Roberts, and its other undercover officers reported in the years surrounding the assassination. But the department has repeatedly refused to release them.

My attempts with professor Manning Marable and the Malcolm X Project at Columbia University in 2008-2009 to access BOSSI files through the Freedom of Information Act (FOIA) ended in a full denial. In denying the requests, the department’s legal bureau cited a number of Public Officers Laws, claiming that the files would endanger the safety of officers and constitute unwarranted invasions of privacy. A more recent FOIA request this year produced some materials relating to the assassination case, but only documents that were already publicly available at the New York Municipal Archives. The release did not include any files related to BOSSI’s surveillance.

### **‘Failed promise to families’**

The most obvious avenue for reopening the investigation into Malcolm X’s assassination is the Emmett Till Unsolved Civil Rights Crime Act. In 2011, the Justice Department responded to calls to reopen the case with the statement that “the matter does not implicate federal interests sufficient to necessitate the use of scarce federal investigative resources into a matter for which there can be no federal criminal prosecution.” The Till Act, however, was specifically crafted to render these objections moot. It allocates \$10m annually for such investigations, and requires the Justice Department to work in concert with local law enforcement to implement state law.

Janis McDonald, who co-directs the Cold Case Justice Initiative at Syracuse University College of Law, told me that rulings such as this ignore “the intent of Congress when the Emmett Till Act was enacted.” Its implementation, she said, “has been a failed promise

to the families of those who were killed and a disregard of the congressional intent to preserve the integrity of the law for everyone. This Act has never been a priority for the Department of Justice.” It is set to expire in 2017 if not renewed by Congress.

According to Paula Johnson, co-director of the Syracuse Cold Case Justice Initiative, the “purpose of the Emmett Till Act is to fully investigate and resolve just such killings.” The account placing Ray Wood at the scene, she said, “warrants further investigation into the knowledge or role of law enforcement in Malcolm X’s death.”

Until Malcolm X’s assassination case is reopened and surveillance files are made fully available, the injustice to one of America’s boldest civil rights figure continues, while one or more of his killers may roam free.

As the case turns 50 this week, the NYPD and other surveillance agencies must make their records public. It is time to for a new investigation into the assassination of this civil rights leader that will lay to rest the lingering questions about the case, and ensure that all those involved have been brought to justice.

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