THE CONVICTION WAS A RESULT OF FALSE TESTIMONY BY JOSEPH GONZALEZ, A DES MOINES COP WHO HAS BEEN DISCIPLINED AS A PROVEN LIAR

Former Des Moines Police Chief Wendell Nichols suspended officer Joseph Gonzalez for two weeks and put him on probation for a year for fabricating evidence, lying on a police report, and brutalizing suspects. Nichols told the *Des Moines-Register* "if he screws up one more time, I'll fire him." When Curtis's lawyer tried to inform the jury about Gonzalez's record, the judge ruled it out.

In addition, Gonzalez and his partner, Richard Glade, told different and contradictory versions of the arrest. Gonzalez testified that he sat Curtis down on the bed to handcuff him. Glade testified that he came into the bedroom and found Gonzalez handcuffing Curtis's hands behind his back with Curtis lying on the floor.

During deliberations the jury asked the judge to have the contradictory testimony of the two cops read back to them. The judge denied the request.

Gonzalez's testimony was crucial to gaining a conviction of Mark Curtis. It had to overcome the fact that there was never a shred of physical evidence linking Mark Curtis to the alleged victim. This was proven by the testimony of the medical witnesses, police evidence technician and police forensics expert.

CURTIS DEFENSE PROHIBITED FROM PRESENTING KEY EVIDENCE

Before the trial even began, the prosecution succeeded in winning improper and unconstitutional court rulings which barred key defense arguments from being raised at the trial.

In rulings made at a September 4 pre-trial hearing, the jury was prohibited from learning:

1. Mark was beaten by the cops in jail;

2. the cops called him a "Mexican lover just like you love those coloreds";

3. he was illegally spied on by the FBI for his political activities as a leader of the Committee in Solidarity with the People of El Salvador (CISPES);

4. Keith Morris tried to attack Curtis from the day after his arrest until the trial, and the county prosecutor refused to take any action.

CURTIS WAS FRAMED UP AND CONVICTED BY THE AUTHORITIES, THERE IS NO "CAMPAIGN OF VILIFICATION" AGAINST THE MORRIS FAMILY

Morris claims his daughter and entire family "have been subjected to a national and international campaign claiming we are part of a police conspiracy to frame up Curtis." He wrote that after the arrest, "the Socialist Workers Party began a campaign of vilification against my family." This is false.

Mark Curtis was framed up by the police themselves and convicted through the actions of the County Attorney's office.

In addition, the defense committee has never even referred to the name of Morris's daughter. Her name was made public for the first time by him, in an interview he gave to the *Des Moines-Register* on July 3. The Defense Committee has referred to Morris himself only since July 15 when Morris tried to assault Mark.

We do not know why Morris's daughter and son gave false testimony at the trial — identifying Mark Curtis as the person who attacked her. Whatever pressure they were under to do this makes them victims. The political frame-up was carried out by Des Moines cops.

THE DES MOINES POLICE ARE RACIST, SEXIST AND BRUTAL

In the material you received Keith Morris claims he has had experience in civil rights and states "in my opinion conditions in Des Moines have improved greatly since then [the 1960s]." He defends the Des Moines police and charges that "Curtis and his followers are using the charge of police brutality as a smokescreen." Working people in Des Moines, especially Black workers and immigrants, know this is false.

A scandal has been uncovered here which lays bare a wide-spread pattern of police abuse. On November 18, the same day the judge ruled against the motion for a new trial and sentenced Mark Curtis, the *Des Moines Register* ran a front-page article which began: "The Des Moines Civil Service Commission issued a stinging report Thursday accusing the police department of widespread racism and sexism."

This report was based on a hearing about the firing of a Black woman police cadet who protested a police lieutenant calling a Black suspect a "coon." When the commission ordered her reinstated, the police chief refused.

Des Moines cops are well known for beating people under arrest in the city jail. Alfredo Alvarez, chairman of the Des Moines Human Right's Commission, said at a May 12 Commission hearing where Mark Curtis testified about his frame-up and beating: "We do know these beatings occur."

Another woman who was forced to resign from the police department sued the city. Testimony at her trial revealed that white cops wore Ku Klux Klan robes to terrorize a Black police officer. Another Black officer was kept out of a social because the cop holding the party said "he would not let a nigger in his house."

Male cops admitted sexual harassment of female cops: they would request sex acts and post pornographic pictures; one cop unzipped his pants in public asking for sex. The federal Justice Department has been called in to look into the department.

Des Moines police officers Charles Wolf and Daniel Dusenberry beat Mark while supposedly "interrogating" him after the arrest. Referring to his union and political activities, they called him a "Mexican lover, just like you love those coloreds."

Curtis lodged a complaint with the police for the beating. Their response, in an April 19 letter to Mark's attorney, read: "I believe based upon a review of this matter that the officers involved acted properly given the aggressive actions of Mark Curtis." The letter was signed by the police chief and the commander of the inspectional services section.

The new Civil Service Commission report from the case of the Black police cadet said: "But when the Internal Affairs Unit functions as it did in this case, how can a citizen who lodges a complaint have any faith that it will be dealt with fairly, impartially and independently?" The report charged the internal affairs unit with working to clear the supervisor, not investigating the charge of racism.

These facts show the real character of the police department and help explain how they could participate in the frame-up of Mark Curtis. The jury was not allowed to hear about the interrogation, beating and fake internal investigation of the police attack on Mark Curtis.

WHO SUPPORTS MARK CURTIS?

Morris repeatedly identifies Mark Curtis supporters as being members of the Socialist Workers Party, the party Mark belongs to. In fact it is thousands of people, the vast majority not members of the Socialist Workers Party, who have spoken out in his defense.

Morris writes "members of the SWP apparently have no problem defending a sadistic child rapist." He denounces other supporters of Mark, saying either they knew "nothing about the facts in the case" or are "like jackals. They can only find strength in an unthinking pack. They need this type of association, right or wrong, moral or immoral, to fill a void in their lives."

This is a traditional right wing charge against activists fighting for social change. The amoral socialists lead and trick the unthinking, who follow blindly.

THREATS VERSUS FACTS

Morris claims that defenders of Mark Curtis asked for support without telling people all the facts in the case. That is not true.

All the materials of the defense committee are a matter of public record. At every stage in this fight, all the available information was printed.

The reason there is growing international outrage against the arrest, beating and conviction of Mark Curtis is because people have learned the facts.

One of the most effective arguments in Mark's defense is the nationally broadcast television program *On Trial*, which broadcast actual videotapes from the trial on November 11 and 12. It is difficult to have observed the trial and not recognize the lack of evidence and impossible contradictions in the prosecution case.

It would be even better if the transcript could be used. In Morris's letter he says "every fact I have presented to you can be checked against the official court transcripts." However, the transcript is not yet available from the court reporter. When the transcript is ready, we will make it available.

Morris claims "leaders of the Socialist Workers Party" came to him "to laugh in my face and wave a wad of hundred dollar bills at me to show how much money they were making from the case. Then they threatened that I would have big trouble if I continued to oppose them." This charge is outside the world of facts.

But threats and attacks by Morris against Mark Curtis and his supporters are documented in police reports and court transcripts:

Threat: July 12, Morris testifies at a court hearing: "I have five grown sons, older than she is, and I constantly have to keep those boys talked to—they're not boys they're grown men—to keep control and let the judicial system run these courts..." (transcript, page 32)

Attack: July 15, Morris to Des Moines cops: "I'm going to 25th Street to kick ass." (police report) - Mark lived on 25th Street at the time. Neighbors saw Morris pound on the door of Mark's house. No one was home. Morris went to the bookstore and saw Mark through the glass door. He broke out the window to get at Mark. Mark escaped out the back door and Morris smashed out all the remaining windows.

New threat: November 10, Morris testifying in court about the attack: "I broke them out just as fast as I could, and if they keep harassing me and my family, I will break them out again, only I will do a better job." (transcript, page 27)

Despite repeated requests, the County Attorney has refused to file charges against Keith Morris. The bookstore owner was forced to sue Morris for damages in small claims court. On November 10 Judge Joel Pasternak ordered Morris to pay for replacing the windows.

In his letter, Morris asks: "Are you so morally weak that you will prostitute yourself and your standards for these people, blindly? If so, you are probably more dangerous than they are." You are supposed to fear you may be subject to the same kind of attacks as Mark Curtis supporters in Des Moines.

On October 12 Morris informed the news media that leaves had been burned on his lawn in the form of a cross. Morris blamed the Defense Committee for carrying out a cross-burning. His supporters in the Workers League say that Mark's defense has attracted support from the KKK. Defense committee supporters, lifelong fighters against racist attacks, were forced to mobilize to answer this slander.

MORE FALSE CHARGES

Additional charges against Mark Curtis that the prosecution never pursued or failed to prove in court are resurrected in Morris's letter.

Morris says that Mark Curtis himself, while out on bail awaiting trial, followed Morris's children.

In addition, Morris wrote "Detectives hired with money contributed to the Mark Curtis Defense Fund — now over $70,000 — have followed me and my family."

The first time these charges were raised was in a court hearing July 12 when the prosecution tried to subpoena the defense investigators' files, speed-up the trial date and get Mark's bail revoked. Judge Luther Glanton ruled against the prosecution on every point. If Morris had any evidence that Mark had followed his son or daughter, the judge would have revoked his bail immediately.

The investigators who worked with the attorneys in preparing the defense never followed Morris or anyone in his family.

Morris falsely claims Curtis supporters singled out the high school his daughter attends to distribute defense literature. Defense committee literature has been distributed at almost every high school, college, shopping center and factory gate in Des Moines over the last eight months to get out the facts about the frame-up. A number of high school students, including at her high school, are supporters of the defense effort.

This point was raised in court also. The prosecution tried to get an order stopping defense literature from being distributed and again threatened Mark's bail. The prosecution lost that round too before Judge Anthony Critelli.

HOW DID MARK CURTIS GET TO MORRIS'S HOUSE?

The letter describes Mark Curtis's account of how he was brought to Morris's house March 4 as a "cock and bull story not even a little child would believe."

Mark stopped to help someone. On Friday evening March 4, a little after 8:45 PM, Mark was stopped at a traffic light and a young woman flagged him down. She said she was being chased by a man from a bar a block away and needed a ride home. Mark agreed. He drove her three and a half blocks and stopped in front of the house she indicated. She said she was afraid the man beat her to the house and asked Mark to wait on the porch while she checked inside. He agreed. She went into the house. A few minutes later a policeman charged onto the porch, dragged Mark into the back of the house, handcuffed him, pulled down his pants and told him he was under arrest.

Morris's daughter, who Mark saw for the first time at a deposition May 31, was not the woman who brought him to the house.

The police computer records of 911 calls show a call from the phone in that house at exactly the time Mark stepped onto the porch. The arresting officers testified they arrived on the scene 30 to 90 seconds later.

Morris attempts to make this sound impossible. But there are many answers to the questions he poses.

"How did this mystery woman get a key to my house?"

- Somebody gave it to her.

"Where did she disappear to?"

- She didn't. She stayed in the house, or she walked out the front door after Curtis's arrest, or she climbed out a window.