



ALEXANDER GALLARDO / Los Angeles Times

Elmer "Geronimo" Pratt with son Hiroji and attorney Johnnie L. Cochran Jr. outside Orange County Jail.

## Pratt Strides Into Freedom

■ **Courts:** Granted \$25,000 bail, former Black Panther is greeted by cheering crowd, including other radical icons of '60s.

By EDWARD J. BOYER  
TIMES STAFF WRITER

SANTA ANA—After more than a quarter-century in custody, former Black Panther Party leader Elmer "Geronimo" Pratt strode out of jail Tuesday into a bright afternoon, free on bail and surrounded by other jubilant radical icons of the 1960s.

Pratt, sentenced to life in prison for a murder he has always insisted he did not commit, was released on \$25,000 bail.

The ruling was made by Superior Court Judge Everett W. Dickey, the same judge who May 29 reversed Pratt's 1972 conviction, ruling that Los Angeles County prosecutors had suppressed material evidence that could have led the jury at Pratt's murder trial to reach a different verdict. Prosecutors, who are appealing Dickey's ruling, still convinced that Pratt is guilty, did not oppose

the bail motion.

Flanked by his attorneys, Johnnie L. Cochran Jr. and Stuart Hanlon, Pratt, 49, raised his fist in the air to hundreds of supporters and well-wishers who gathered outside the jail after the bail hearing to celebrate his first taste of freedom.

He told them he plans to attend his son's middle school graduation in the Bay Area this week and go to Morgan City, La., to visit his 94-year-old mother.

"I need to see my mother," said the decorated Vietnam War veteran. "I'm a mama's boy."

Pratt also vowed that his legal team would dedicate itself to finding the killer of Caroline Olsen, the schoolteacher he was convicted of murdering during a 1968 robbery on a Santa Monica tennis court.

"All these years, no one cared who killed Mrs. Olsen but us," he told the crowd.

His wife, Ashaki Pratt, stood a few feet away with one hand to her chest and a reserved smile on her face, all the while keeping her eyes on her husband as if to savor the moment.

After pushing through the crowd and the cheers that at times muffled Pratt's own words, Pratt

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hugged his daughter Shona, 17, whose graduation from a Marin County high school was scheduled later Tuesday, before embracing his son Hiroji, 11, who will graduate from middle school Friday. Pratt and his wife have had conjugal visits during his incarceration.

He then went to kiss his wife.

"This is wonderful," Ashaki Pratt said as her husband descended a flight of stairs to freedom. "It has just been a wonderful day."

The court session leading to Pratt's release was a reveille for radicals—a gathering of old Panthers who have grown long in the tooth and gray at the temples.

Eldridge Cleaver and David Hilliard, once bitter enemies after an FBI campaign of harassment and disinformation split the Panthers, embraced warily. Cleaver's former wife Kathleen, a firebrand Panther turned law professor, sat at Pratt's defense table. Dennis Banks of the American Indian Movement was there, and several of his followers chanted and beat drums outside the courthouse, demanding freedom for Leonard Peltier. Peltier is a Native American activist who has been serving two life sentences in Leavenworth Prison since 1975 for the shooting deaths of two FBI agents in South Dakota.

After Pratt's release Tuesday, he told his ecstatic supporters that Judge Dickey had given him a chance to "finally lay bare the facts so that everyone could see who killed Mrs. Olsen. I am committed to that end, because the woman was a progressive person. She was savagely killed and thrown to the dogs, and everyone forgets that. We're not going to let that be forgotten because the truth is going to come out."

The heart of Dickey's ruling was that Julius Carl "Julio" Butler, a former Los Angeles County sheriff's deputy and a Panther rival of Pratt's, had lied on the witness stand when he testified that he was not a police informant.

Butler, the linchpin in the prosecution case against Pratt, testified that Pratt had confessed to killing Olsen and critically wounding her husband, Kenneth, during the robbery that netted \$18,

After Pratt's release on bail Tuesday, Butler, now a Los Angeles attorney, resigned as board chairman at Los Angeles' First African Methodist Episcopal Church, the city's oldest and most prominent black congregation.

"As that door opens for Geronimo Pratt, the door closes for Julius Butler as a leader within the First AME Church," said church official Mark Whitlock. "But Julius will continue to be a member here. Now is the time for leaving. . . . We invite Geronimo Pratt to come to the First AME Church and share in the glory of Jesus."

Church sources who asked to remain anonymous, said that Butler's continued presence on the board had created increasing tension among First AME members and that Butler's support in the congregation had collapsed.

Pratt has contended that when Olsen was killed, he was in the Bay Area attending Panther meetings. He has steadfastly maintained that the FBI knew he was in Oakland because the bureau had him under surveillance, an assertion supported by retired FBI agent M. Wesley Svearingen.

Pratt, who earned two Bronze Stars, a Silver Star and two Purple Hearts in combat, had filed four earlier petitions to have his conviction overturned, only to see each one denied. He spent the first eight of his 25 years in prison in solitary confinement.

When Dickey agreed to Pratt's request to have bail set, standing cheers exploded in the packed, 150-seat courtroom, accompanied by a great wave of jubilation outside.

A hearing on Pratt's request for a new trial was transferred to Orange County last year because a Los Angeles County judge was called as a witness.

In an interview after he was freed, Pratt said he had never given up hope that his release day would come—but had never dreamed it would arrive in traditionally conservative Orange County.

Dickey granted him the first full hearing on evidence that his lawyers argued proved prosecutorial misconduct in his first trial. The most damaging of that evidence surfaced last summer when Butler told investigators from the district attorney's office that an investiga-

tor in that office had given him \$200 to buy a gun in 1972.

District attorney's investigators later found Butler's name on a list of confidential informants kept by their office and turned that information over to Pratt's lawyers.

Pratt will remain free on bail while the district attorney's office appeals Dickey's decision. If the decision is upheld, Los Angeles County Dist. Atty. Gil Garcetti will have to decide whether to retry Pratt or drop the case.

Legal observers are nearly unanimous in their belief that a new trial would be unwinnable for the prosecution. Dickey has branded Butler, the key witness, a liar. Kenneth Olsen, who survived the tennis court shooting, is now dead. He identified Pratt as the killer three years after the crime, but neither the jury nor Pratt's lawyers knew then that he had earlier identified someone else as the gunman.

Outside jail Tuesday, Pratt said he wished Butler well.

"I hope he can wake up out of that stupor or whatever he's in and begin telling the truth about his puppet role, his house-Negro status," Pratt said. "Even if he doesn't, the truth is going to come out."

Alluding to the FBI's efforts to discredit the Black Panthers and other radical groups during the 1960s, Pratt said he understood that former FBI Director J. Edgar Hoover and former President Richard Nixon "launched a program to kill us all. We were at the center of the bull's-eye—the Black Panther Party. It's a damned shame what Nixon and Hoover were allowed to do. . . . I hope we can expose this more. We have so many victims. I'm only one of them."

Pratt then inched his way through his supporters, who filled the County Jail's waiting room and

spilled out to the front lawn and the street. The throng of people fighting to get a glimpse of Pratt prompted several bodyguards to encircle him and his family as they made their way to a waiting car.

Enoch Pratt, a nephew who lives in Palmdale, was leaning against a wall observing his uncle's release from jail.

"Everybody is so excited, not for themselves but for him and especially his kids, who can finally come home to their daddy and hug their daddy," he said. "Everybody's feeling like a kid on Christmas day."

As the car carrying Pratt pulled away, one supporter yelled: "Free at last."

Times staff writers Anna Cekola, Miles Corwin, Thao Hua and Joe Mozingo contributed to this story.





CAROLYN COLE / Los Angeles Times

Supporters gather in Leimert Park to celebrate the release of former Black Panther Party leader Elmer "Geronimo" Pratt from prison. Pratt will remain free on bail while the district attorney's office appeals judge's reversal of Pratt's 1972 conviction.

## Case History

The murder conviction of Elmer G. "Geronimo" Pratt, a former Los Angeles Black Panther party leader, has long been a cause celebre for political and social groups that say it symbolizes a legal system that was twisted to prosecute a political enemy. Here is a review of the case:

### BACKGROUND

■ Pratt was deputy minister of defense for the Panthers, a militant black organization whose legacy still divides historians. Some recall the Panthers as a revolutionary attempt by African Americans to control their neighborhoods and fight police brutality. Others view them as violent opportunists whose clashes with police resulted in the deaths of 28 party members and 14 law enforcement officers in the late 1960s and '70s.

■ In 1972, Pratt was convicted and sentenced to life in prison for the Dec. 18, 1968, killing of Caroline Olsen and the shooting of her husband, Kenneth, who was critically wounded but survived a robbery on a Santa Monica tennis court that netted \$18.

■ Steadfastly denying involvement in the crime, Pratt says the FBI knows he is innocent because agents had him under surveillance in Oakland at the time.

### KEY PROSECUTION TESTIMONY

■ Julius Butler, a former Panther rival, said Pratt confessed to him that he shot a teacher and her husband during a 1968 robbery.

### WHAT THE JURY DIDN'T KNOW

■ Documents released more than seven years after the trial disclosed that Butler had provided information to law enforcement agencies—including the FBI and Los Angeles police—for three years before Pratt's trial: a retired LAPD captain said Butler



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Elmer "Geronimo" Pratt at 1972 trial, left, and 25 years later.



MARK BOSTER / Los Angeles Times

acted as an agent provocateur.

■ Shooting victim Kenneth Olsen, who identified Pratt, had earlier identified someone else.

■ A retired FBI agent has maintained for years that Pratt is innocent and was framed as part of the FBI's now-defunct counterintelligence program—covert efforts to "neutralize" what they called "black hate groups."

### PROBLEMS WITH HIS ALIBI

■ Pratt says he was at a week-long series of Black Panther meetings in Oakland at the time of the Olsen murder. It should have been simple to get others at the meetings to verify that Pratt was there, but by the time of the trial he had been expelled from the party in a dispute involving Panther leader Huey P. Newton. Newton forbade any Panthers to testify on Pratt's behalf.

■ Pratt's attorneys have argued that on the day of the murder the FBI had a wiretap on phones at the Panthers' L.A. headquarters and wiretap logs would show that Pratt had several conversations from Oakland with the headquarters. But no logs from that wiretap have been located. A former agent has said

he thinks the FBI destroyed the logs.

### BASIS FOR APPEALS

■ Reports that Butler was a law enforcement informant.

■ Panther co-founder Bobby Seale and former Panther official David Hilliard gave sworn statements in 1992 that placed Pratt in Oakland on the day of the murder.

### 25 YEARS LATER

■ Pratt's lawyers lost numerous appeals over the years. Demonstrations demanding his freedom continued periodically.

■ On May 29 of this year, Orange County Superior Court Judge Everett W. Dickey reversed Pratt's conviction, ruling that prosecutors had suppressed "substantial material evidence" favorable to Pratt. Dickey said Butler lied on the witness stand when he said he was not a law enforcement informant.

■ Dist. Atty. Gil Garcetti said last week that he will appeal the judge's decision. Garcetti said his office conducted an "exhaustive" review of the case and did not discover any new evidence pointing to Pratt's innocence.

# 'I Held Out Hopes That I Would See This Day'

■ Pratt says he feels love of supporters, claims his investigation is close to solving murder of Caroline Olsen.

By EDWARD J. BOYER  
TIMES STAFF WRITER

SANTA ANA—Minutes after his release on bail Tuesday, former Black Panther Party leader Elmer "Geronimo" Pratt was whisked to a nearby hotel where his first request was to take a shower.

"I'm funky," he said, laughing with relatives and friends. "I haven't had a shower in three days."

Freshly showered and in a change of clothes later, he laughed when someone showed him the new \$100 bill, asking if it was real. He knew it would be just one of thousands of things that have changed in the 27 years he has been behind bars.

"I held out hopes that I would eventually see this day," he said in an interview. "but I didn't have any idea that it would be anything like this."

The reception he received from supporters when he walked out of the Orange County Jail was "mind blowing," he said.

"The love I feel from people who seem to be breathing a collective sigh of relief . . . I don't think it's dawned on me yet."

Pratt said his two combat tours in Vietnam prepared him for the "tortuous situation" in prison, where he spent his first eight years in solitary confinement.

And he repeated, as he has throughout his incarceration, that he did not kill Caroline Olsen during a 1968 robbery on a Santa Monica tennis court.

"My mother did not raise a murderer," he said. "The last person I killed was in Vietnam."

Olsen, he said, was an anti-war demonstrator, a woman who embraced progressive political positions.

"She was like a comrade of ours," he said. "No one has championed her cause. She was just forgotten."

He said his investigations over the years have come very close to identifying Olsen's murderers, and he thinks he is close to turning up

the "smoking gun."

He was held so long in prison, Pratt said, because authorities "put themselves in a situation where they framed me for a murder I didn't do. They had to continue to lie because if they stopped, then an investigation would have taken place which would have exposed them."

He described himself as a prisoner of war, rather than as a political prisoner, saying a U.S. Senate committee led by the late Sen. Frank Church (D-Idaho) referred to the FBI's infamous counterintelligence program—COINTELPRO—as a secret war.

"We were actually prisoners of that war," he said.

"My belief is that J. Edgar Hoover sent a directive for his agents to cripple, neutralize the Panthers," Pratt said. "I was personally targeted. We have those documents now."

He said he believes that Olsen's slaying was actually arranged to frame his predecessor as leader of the Panthers in Los Angeles, Al-Prentice "Bunchy" Carter. But Carter was killed in a 1969 shootout between the Panthers and members of the rival US organization on the UCLA campus. Once Pratt assumed Carter's old post, he said he became the target for framing.

He described the justice system that kept him behind bars for 27 years and released him on bail Tuesday as "everything from racist to classist to sexist . . . and I'm talking about the whole shebang, not just the judiciary."

"That system, he said, is a tool that is manipulated by whoever is in power at the time.

He sees the irony in being released by Orange County Superior Court Judge Everett W. Dickey, a Ronald Reagan appointee to the bench.

He threw his head back and laughed, saying he never expected that he would win his freedom in Orange County.

"I just feel so good about Judge Dickey," he said, "a man standing on his own principles and doing what's right."