—Woman held fifty days in fort Meade stockade

(FROM PAGE ONE)

specialist at Ft. Meade are under investigation by the Department of the Army's Office of the Inspector General.

She admits that she has been absent from leave without authority over the last six months several times. But, in her words, "There are extenuating and mitigating circumstances which were pure hell for me. They lied to me and kept me from my daughter. What else could I do?"

The specialist, who suffers from hypoglycemia, an abnormally low level of glucose in the blood, has requested nothing less than a general discharge from the service. Facing her are four charges of violating the Uniform Code of Military Justice.

The specific charge resulting from the attack by superior officers reads:

"Charge II: Violation of the Uniform Code of Military Service, Article 89, Specification 1: In that Specialist Four Ava B. Wheeler, U.S. Army, 526th Military Police Company (Service) did, at Ft. George G. Meade, Md., on or about 22 September 1976 behave herself with disrespect toward Capt. Robert S. Matthews, her superior commissioned officer, by contemptuously turning from him and leaving him while he, the said Capt. Matthews, was talking to her, the said Specialist Four Ava B. Wheeler."

When the AFRO contacted Capt. Matthews this week, he said, "I am sorry, but I have no comment."

Specialist Wheeler told the AFRO: "I feel drained and helpless." Below is a narrative of what transpired in her own words. She is being represented by David Goren of the Antioch School of Law in Washington. The incident involving the attack comes first.

3 P.M.

SEPT. 22, 1976

I was called in from grass detail to see Capt. Matthews by Sgt. First Class F. D. Pauley who escorted me to his office. I reported to Capt. Matthews in a military manner. He began reading me my rights. I had no knowledge of any crime I had committed. I was petrified. I thought of the five days in jail based on his word alone. I turned and walked, almost running, out.

Capt. Matthews called me back to his office and began to run after me. As I reached the door of the hallway, he ordered Sgt. Pauley to stop me. Sgt. Pauley then grabbed me from behind and almost lifted me off the floor. I felt as though I was being attacked. I saw Capt. Matthews draw his fist up. But he grabbed my left arm and I tried to struggle to get away from the both of them. I screamed for help, but no one was around except for one person who stood near the door.

Sgt. Pauley held me against the door while Capt. Matthews closed the door on that person so that they could not see. I felt that my whole life was in danger, so I screamed out that there was a law against what he was doing to me. He then ordered Sgt. Pauley to release me at the same time he took his hands off me.

I than ran and ran until I was exhausted. I entered my apartment almost in shock. I took a shower and noticed that I had warps on my right arm.

AVA'S STORY IN FULL

I came to Ft. Meade on Dec. 20, 1974 after I had been transferred from Walter Reed Hospital where I had been a drug and alcohol counselor with an outstanding military record.

I was re-classified by the Department of the Army by my request as a correctional specialist because of my earlier civilian background in corrections. I was a liaison between the police and the community in Wilmington, Del. where I moved as a teenager. I was born on the Eastern Shore of Maryland.

I was the first female corrections specialist at Ft. Meade. I was assigned as a counselor at the Ft. Meade stockade which was the position that I requested through the Department of the Army. This is the main reason that I requested re-classification. I was a counselor at the stockade for eight months.

My daughter has always been with me since I have been in the military. My daughter is seven years old and is named Karen.

I enlisted in the Army in August, 1973 at which time the new regulations were enforced that females with dependents would be treated the same as male soldiers with dependents. The recruiter told me that I would be allowed to have my daughter with me and that the military would take consideration of the fact that I was solely responsible for the welfare of my child.

I feel that from the beginning that being the first female corrections officer that the facility had a lot of problems in deciding how they would treat me. I was faced with a lot of sexism and distorted communication because of my needs as a parent.

The understanding that I had about being able to keep my daughter with me was broken as far as I am concerned. They gave me unreal hours to work.

UNREAL HOURS

Because they gave me such unreal hours to work, I had to take my daughter home. I had to drop out of the University of Maryland because of this. I lost 12 credits because they pulled me out in the middle of the semester in November, 1975. The people at Ft. Meade never sent a letter to the University of Maryland explaining why they pulled me out.

I have received a number of documents stating that I was an outstanding soldier such as my job performance. All throughout my career in the military until I started having problems with my daughter, I have received my promotions before my peers. And my Soldiers' Evaluation Report had been outstanding. This is given about twice a year. I was made Soldier of the Month" in February of this year.

In April, 1976, First Sgt. Kincaid told me that if it was in his power I wouldn't have become a sergeant. Instead of promoting me out if the field with my peers, he promoted me in his office.

My most serious problems started when I had promised my daughter that she would be with me this summer and then I found out that my job would prevent me from being with her. This caused her to believe that I did not love her and she verbalized this to me. At this point, I felt as those I was losing control over my life and that there was no concern at all for my well-being or that of my child. These were the thoughts that rendered me emotionally incapable of reporting to work. I was out of work for one day in July, 1976.

I reported the next day. I talked very candidly with Capt. Matthews about what had happened and the problems I was having with my child and job duties.

He told me if my child interfered with my military mission she could be removed from me. This was contradictory to what the recruiter told me when I enlisted. This had deterred me whether or not I would enlist in the military.

At this time, Capt. Matthews told me that he would present me with an Article 15 for being absent from work the day before and for other alleged leaves without authority. Article 15 is a form of punitive action taken in the military when one of the Military Uniform Codes are violated. It is the lowest form of punishment in the military. He told me at this time he was considering barring me from the military.

At that time I was so upset that I wasn't even thinking normally. I signed the Article 15 I was so upset. I wanted to get it over with and take some of the 60-day leave that I had and go home and get my daughter in Wilmington.

Later I found out that Capt. Matthews had no intention of letting me take my leave at this time even though I had explained to him the circumstances about by daughter. This just eliminated me from seeing my daughter just that much longer when I knew that I should have been with her.

He took me off road duty which I had been on an M.P. had assigned me to the stockade, but as a guard on shift work. He gave me two hours extra duty for 14 nights from 6 to 8 p.m. This further hindered me from going to see my daughter. This was in June and July of this year.

At this point in late July and early August I just went home to Wilmington and got my daughter and spent three days with her to show her that I loved her. At the end of these three days I turned myself in, after I had taken my daughter back to Wilmington.

• • •

At this time I was dropped from company rolls and given a paper to sign to be transferred to Ft. Dix to obtain an administrative discharge. I refused to sign this document. This caused a lot of confusion. I was escorted back to the company by the M.P.'s.

First Sgt. Kincaid told me that I no longer belonged to the company. I was escorted to the personnel section where they told me that I had been dropped from the company rolls. Then they escorted me back and forth from one unit to another wondering what to do with me.

And finally they took me back to Capt. Matthews office. At this time he presented me with 5 things he could do to me. The last thing was he could drop all charges and send me to Wilmington and let me take care of my family problems.

He smiled and said, "But you know that I am not going to do that. He then asked, "What would you have me do?" I felt that I was a victim of "Catch the Nigger Game." I told him, "Do what you will." He then placed me in the stockade for five days without proper legal grounds.

• • •

On the fifth day, the military magistrate said I should be released and that there were no legal reasons for keeping me there, but that he was going to leave it up to Capt. Matthews. On this same day an assigned military lawyer came to see me. He stated that the best thing for me to do was to take a Field Grade Article 15. This is a battalion level punitive action. He also stated that I had gained the reputation of being a martyr and that I had caused confusion with other military personnel within the company because they thought I should not have been in the stockade.

He suggested that it would be better for the company if I came out of the stockade if I would promise Capt. Matthews that I would not break restrictions. I then asked him if I could go and see my daughter before I begin my 14 days of restriction to the barracks.

Capt. Matthews then stated that his would be up to his discretion. I was ordered to sign a roster every hour on the hour, except for bedtime. I began my 14 days to detail riding the backs of garbage trucks picking up garbage from the main highways and streets of Ft. Meade and going to the garbage dump.

• • •

When I finished my regular eight hour job then I had to clean the first sergeant's office and the commanding officer's (Capt. Matthews') office each night from 6 to 8 p.m.

Even though I had lost rank from Sgt. 5 to Specialist Four, I was treated like I was a private E-2 and some fugitive from justice.

I completed my punitive punishment and had to forfeit half of my pay for two months. This was August and September, 1976.

One of the reasons why I signed the Field Grade was because Capt. Matthews told me I could use my 60-day leave and only report back to be processed out of the army. This would have given me only 7 more days left in the army. He broke his promise after I had completed 30 days leave.

I went on leave August 17, 1976. I returned from leave Sept. 19, 1976. While I was on leave I wrote several letters to the Department of the Army explaining to them some of the discriminatory problems and problems of mismanagement and lack of concern for other personnel in the chain of command and the lack of communication.

When I came off leave I found that there had been an Inspector General's investigation and there was a lot of hostility from my company commander and my First Sgt. toward me.

• • •

Capt. Matthews put me back on duty and assigned me to Sgt. First Class F. D. Pauley who immediately told a private in a very hostile attitude to go and get me a mop and a bucket.

At that time I requested why my leave had been discontinued because he had promised me after I signed the Field Grade 15 that my 60-day leave would exhaust my time and I could leave the army.

I was very candid with my First Sgt. and told him that something more was involved. I asked why couldn't I be assigned to a regular job.

At that time the First Sgt. came out from behind his desk and called me "Young man" with a very hostile tone in his voice. Past events ran through my mind about how I had been treated and with so much hostility and when I realized then why the First Sergeant had ordered that I be treated like any other prisoner in the unit.

I feel that there was too much pressure for him to deal with me as a woman. So he justified his actions by looking upon me as other men. This was how I was treated through the last four months. I have been unduly humiliated, harassed, and falsely labelled. I have been deliberately discredited as a responsible person.

DR. CHESTER WICKWIRE

After vipiting Ava Wheeler several times and talking with her officers and lawyers, I believe that she should be granted no less than a general discharge. She deserves to have a clear record and to retain her rights. Her military benefits will be helpful since she plans to continue her college career and has a seven-year-old child to care for.

Military justice needs to take account of the fact that Ava Wheeler's problems came after a long period of meritorious service.

(Continued on Page 27)

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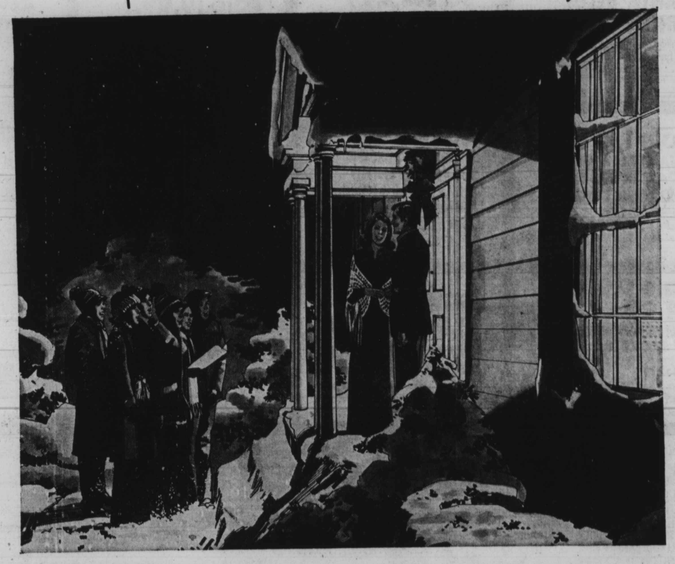

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Appeals Courts nullifies Liddie's 20-year jail term

Convicted heroin kingpin John (Liddie) Jones won a major case against the state Tuesday when the States Court of Appeals, citing his right to speedy trial, dismissed a 20-year prison sentence imposed on him December 1974 by a Calvert County Circuit Court.

In a 5-2 decision, the court ruled that prosecutors erred in not trying Jones for 2½ years after his July 12, 1972 drug arrest.

Despite overturning of the conviction, Jones is without his freedom. He is serving a 30-year sentence in a federal prison in Lewisburg, Pa.

• • •

In its ruling the Appeals Court, remained mute over what could well have been a constitutional skirmish between Jones and nationally renowned criminal lawyer F. Lee Bailey and the justices. Characteristically the defense attorney had challenged the practice in Maryland whereby juries judge the law in a case as well as the fact.

In most states, jurors are bound to follow judge's instructions in deciding legal issues. However, in Maryland since colonial times, criminal juries have not been bound to render verdicts within judges' guidelines.

In their ruling Tuesday, the Appeals Court judges sidestepped the jury procedure, saying the speedy trial issue took precedence.

A Baltimore County grand jury indicted Jones in July, 1972, on conspiracy and narcotics charges. A Calvert County Circuit Court found him guilty of the charges in a trial that was held 2½ years later and sentenced him to 20-years jail term which was to begin after he served his current 30-year federal term.

Reviewing Jones' case, the justice outlined a complex series of delays prompted by prosecution and defense, including the killing of a co-defendant in the case, the indictment of Jones' lawyers in unrelated cases, and escape by Jones and his trial on the escape charge.

A majority opinion written by Judge J. Dudley Digges, the court stated:

"What we have here, thus, is an 11-month delay overwhelmingly charged to the state, sandwiched between an earlier delay of one year and a subsequent delay of nearly six months, both of which are due to neutral reasons or to the action of Jones."

"We are compelled to conclude that the initial year's delay caused to a substantial extent by Jones himself similarly in no way excused the state from its duty to bring the defendant to trial during the crucial 11-month period, particularly in the face of Jones' repeated demands," the judge said.

Citing a letter from the state's attorney's office to the county assistant state's attorney that the corruption investigation and Jones trial would not interfere with one another, Judge Digges said the state could have appointed another prosecutor if it feared the effects of conducting the trial under a cloud of corruption.

He said the simple explanation for the delay was the denial of constitutional rights of the defendant.

[illegible] chief Judge Robert C. Murphy said the state's actions were not [illegible] the [illegible] dismissal of all the charges against Jones.

"That such a result ensued in this case under the majority's opinion should serve as a bitter lesson to prosecutors and judges throughout the state not to risk playing Russian roulette with the public's right to have criminal defendants brought to the bar of justice on a timely basis," Murphy added.

JOHN EDWARD (LIDDIE) JONES

F. LEE BAILEY

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Social Security employe jailed for selling drugs

A 27-year-old woman who was employed at Social Security as a clerk, is now confined to City Jail after being found guilty of conspiracy to distribute drugs and possession with intent to sell drugs.

Ms. Phyllis Poore, 27, of the 4800 block Cordella Ave., faces 40 years in prison. Judge Mary Arabian will impose sentence in January.

Ms. Poore was the first of 20 people involved in one of the largest heroin rings in the city to go on trial.

According to Assistant State's Attorney John Dernheim, police found $2,000 worth of heroin and $514 in cash in Ms. Poore's home when she was arrested.

• • •

Members of three families are scheduled for trial along with 13 other defendants, who are charged with narcotics violations and conspiracy.

The next group of people scheduled to appear in court for trial today (Friday) will be members of the Fortune family.

They are: Raymond Fortune, 25, 3802 Edgerton Rd., or 108 N. Amity St.; Mrs. Harriet Fortune, 30, 108 N. Amity St.; Mrs. Madeline Fortune, 25, 3802 Edgerton Rd. and Ms. Annie Mae Jones, 47, who is also known as "Bootsie," of 3409 Milford Ave.

Court records state six of the 20 defendants live in New York, where the $1 million a year narcotics ring started in 1973.

Police report they received a total of $74,000 in cash from three houses and $40,000 worth of heroin from four houses when they raided several homes May 5.

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Total bail set for all the defendants was nearly $1 million. Others scheduled for trial are Clarence Cooper, 29, 2755 The Alameda;

GERALD DRAYTON, also known as Gerald Cooper, 31, 3409 Milford Ave.

ELTON KNOCH, 2 Marathon Dr., Baltimore County.

CLARENCE SMITH, 45, 3409 Milford Ave.

GRAY GILLMAN, 22, 3409 Milford Ave.

MS. JANIE HARRINGTON BROWN, 45, 1145 W. Saratoga St.

JEROME EATON, 25, 17 S. Calverton Rd.

DWIGHT McNAIR, 30, 2500 Winchester St.

LEROY RICHARDSON, 4900 Beaufort Ave. or 1357 Lenton Ave.

WALTER SALTER, of New York.

MRS. ADELIE SALTER, 43, 142-42 120th Ave., Queens, N.Y.

—'Sex School'

(FROM PAGE ONE)

ralist program teaches youngsters sex education from the age of three until they reach the age of puberty during which period the self-styled high priest allegedly has sex relations with the children, followed by other members of the organization.

Members of the organization are required to sign papers declaring their voluntary involvement in the training and their consent for their children's participation.

The Flaming Sword Society has allegedly been in existence for 13 years and has branches all across the country.

The girls who testified at Mothers trial are now in foster homes. They testified they wore nightclothes in the society's headquarters and that other occupants of the house wore few clothes or none at all.

The mother of the girls and another woman are awaiting trial as accessories to the statutory rape of the girls.

—Yule fete

(Continued from Page 3)

of pests received over 20 nominations.

Nancy Hanks, National Endowment For the Arts, Washington, D.C. — Ms. Hanks lauds Baltimore's museums for their cooperative Bicentennial exhibition in her speaking engagements around the country.

Phillip Horak, 605 S. Caroline St. — Mr. Horak arranged for the Sign Company Association of Maryland to donate time, materials and equipment to apply gold leaf to the USF Constellation.

Jacques Kelly, 2629 Guilford Ave. — The News American feature writer consistently produces articles singing Baltimore's praises.

Jaroslaw Sushko, 3 E. 28th St. — Mr. Sushko's plants and shrubs are grown from seedlings at the city nursery to be later planted around the public schools.

Rev. A. Wenck, pastor, First and Saint Stephen United Church of Christ, 6915 York Rd. — Pastor Wenck organized and promoted a "Baltimore's Best" bazaar at his church to drum up support for Baltimore.

Rosanne Walsh, Mercy High School, 1300 S. Northern Parkway — Ms. Walsh developed and teaches a course at Mercy on Baltimore's history and culture.

CHICAGO, Ill. "Successful Merchandising Campaigns that Work in the Inner City" was the topic of a presentation here, given jointly by Robert K. Powell, project advertising manager of Kraft, Inc.'s Black Consumer Marketing Program, and Ms. Barbara Proctor, president of the Proctor and Gardner Ad.

He was a founder and president of the Brooklyn Local Economic Development Corporation.

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