

many members, Federal Judge Falcon Hawkins eventually reversed the convictions, declaring there were numerous cases of “prosecutorial abuse” by FBI and DOJ officials. “And yet,” he said, “this outrageous, unlawful practice continues to create more victims.”

For this reason, Mitchell announced that he has sent a letter to Kweisi Mfume, Director of the National Association for the Advancement of Colored People, demanding that the NAACP act immediately to halt these operations and punish their perpetrators (see next article). “I told Kweisi that the next century is the economic century, and those left out will never recover,” he said. “What about the next generation? Are we going to allow the powerful to continue to prey upon the weak? We’re going to have to roll up our sleeves and, if we have to, tear the tentacles off this octopus, one by one.”

Mitchell issues challenge to NAACP

An open letter, sent to National Association for the Advancement of Colored People (NAACP) president and CEO Kweisi Mfume by former South Carolina State Senator Theo Mitchell, is reprinted below.

Mitchell served two decades in the South Carolina Legislature, first in the House, and later in the Senate. In 1990, he was the Democratic nominee for Governor of South Carolina, when an FBI sting operation known as “Operation Lost Trust” brought down virtually the entirety of the South Carolina Legislative Black Caucus. Although Senator Mitchell was not caught in the Operation Lost Trust net, the negative publicity surrounding the case weighed heavily on his campaign, and he was defeated by the Republican candidate. (Last year, convictions won in that FBI sting were all overturned, due to what was identified as a long and consistent pattern of prosecutorial misconduct that reached all the way to Washington, D.C. and the Justice Department headquarters.)

In 1994, while serving in the South Carolina State Senate, Mitchell was engaged in what a very promising bid for the office of Lieutenant Governor. In the middle of that campaign, he once again came under heavy attack by the Justice Department, this time in relation to an incident that had occurred six years earlier. When the DOJ threatened to charge Mitchell’s staff with money-laundering and conspiracy to commit money-laundering, he agreed to plead guilty to misdemeanors, in order to protect them.

It was understood that Senator Mitchell would serve no time in jail, and would be permitted to retain his seat in the State Senate, where he was the only African-American to chair a standing committee—Corrections and Penology, from which position he defeated single-handed some of the meanest legislation pertaining to the state’s sentencing and

corrections laws. However, he was sentenced to 88 days in Federal prison, and on Jan. 17, 1995, when he was within 10 days of completing that sentence, he was ejected from the State Senate, without ever having had the opportunity to defend himself.

Mitchell was an outspoken national critic of the FBI/Justice Department “Operation Fruehmenschen” long before he became one of its victims, and continues to work to expose this hideous injustice. Today, he maintains a law practice in Greenville, S.C., and serves on the national board of the Schiller Institute.

Friday, February 13, 1998

Dear Mr. Mfume:

As a life member of the NAACP, along with my wife Greta, I write you to remind you that as the preeminent Civil Rights organization, you are called upon to pay attention to the all-too-long exercise of the Fascist Doctrine of “Operation Fruehmenschen,” the primitive, prehistoric, or early man doctrine . . . specifying that people of color are unfit intellectually and incapable to lead from high places.

You may recall that on Jan. 2, 1988, the Honorable Mervyn Dymally addressed the U.S. House of Representatives on this matter. He placed before the House a document which challenges the very basic tenets of Constitutional rights and abrogation of duty! As the then chairman of the Congressional Black Caucus, he transmitted this document to the chairmen of the House and Senate Judiciary Committees when he gave them the affidavit of the former FBI agent, Hirsch Friedman. This affidavit alleges an established official policy of that body to initiate investigations of black elected officials without probable cause.

While the matter drew some attention, nothing was ever done, or did I miss it? From that day to this, there has been silence on this conspiracy of Richard Nixon and J. Edgar Hoover in the policy of using the U.S. Justice Department, FBI, and the IRS to destroy black elected and high appointed officials. The silence is deafening as the latest victims, Alexis Herman, Larry Young (Maryland), and Ben McGee (Arkansas) are being systematically destroyed.

Why didn’t the Congressional Black Caucus follow up upon Dymally’s fact paper? Were you not a member then? You now have the opportunity to expose this destructive octopus, with others, who feel it must be *now*, and the matter placed high on the NAACP agenda.

While abuse of office must always be of interest to us, are we as black people more prone to abuse the public trust, or is there a deliberate, designed, nefarious, and vile conspiracy to keep us in *our* place? I submit it is all the aforementioned.

For example, by illustration and not limitation, look at . . . the U.S. Congress: Adam Clayton Powell (N.Y.); Edward Brooks (Mass.); Carol Moseley-Braun (Ill.); Floyd Flake (N.Y.); Parren Mitchell (Md.); Harold Ford (Tenn.); Gus Savage (Ill.); Walter Fauntroy (D.C.); William Gray (Penna.); Ralph Metcalf (Ill.); John Conyers (Mich.); Ronald Dellums

(Calif.); Charles Rangel (N.Y.); Louis Stokes (Ohio); Charles Diggs (Mich.); Shirley Chisholm (N.Y.); William Clay (Mo.); and others.

Cabinet Officers: Alexis Herman (Labor); Mike Espy (Agriculture); Henry Cisneros (HUD); Ron Brown (Commerce); Hazel O'Leary (Energy); Samuel Pierce (HUD); Federico Peña (Transportation).

Mayors: Richard Arrington (Birmingham); Coleman Young (Detroit); Marion Barry (D.C.); Johnny Ford (Tuskegee); Maynard Jackson (Atlanta); Charles Evers (Fayette); Clarence Lightner (Raleigh); Harold Washington (Chicago); Kenneth Gibson (Newark); Edward McIntyre (Augusta); Andrew Young (Atlanta); A. Jay Cooper (Pritchard); Carl Stokes (Cleveland); Richard Hatcher (Gary); Charles Joseph (Benton Harbor), among many others.

State Legislators: Andrew Jenkins (N.Y.); Alvin Holmes (Ala.); Leroy Johnson (Ga.); John Ford (Tenn.); Ben Brown (Ga.); Alvin King (Tenn.); James McKinney (Ga.); Julian Bond (Ga.); Tommy Broadwater (Md.); Clarence Mitchell (Md.); B.J. Gordon (S.C.); Luther Taylor (S.C.); Frank McBride (S.C.); Larry Blanding (S.C.); Ennis Fant (S.C.); Harper Brewer (Tenn.); Ken Baily (S.C.); Diane Wilkerson (Mass.); Ben McGee (Ark.); Tom Reed (Ala.), among many others, including yours truly.

Judges: Alcee Hastings (Fla.); Robert H. Campbell, and several others.

Lt. Gov. Mervyn Dymally (Calif.), George Brown (Colo.).

The list goes on and on. You may know some of those who have been preyed upon. The question is, what do we have to protect the new generation of vibrant, bright, and talented blacks and other minority youths who want to participate in their governments? The NAACP, among other organizations, is always advocating equality, opportunity, and raising money to fulfill its goals and mission. I feel the time is now for accountability!

The next century is the economic century, and those left out will never recover. *Barriers* must be removed for the new generation which isn't called "X." That's where you and the NAACP come in.

You know as well as I that the so-called "Sting Operations" and racist conduct against our people aren't accidental. Need I remind you that they are deliberate, conspired, contrived, and designed to destroy black leadership? Out of respect to you and *our* Organization, we must get moving and be proactive to alleviate these old and continuing problems for *our* people.

I hereby challenge you to put on the NAACP agenda the destruction of the "Operation Fruehmenschon Doctrine." As it will take coalition building, please take the leadership!

While this fascist doctrine was born from Hoover and Nixon (both now gone to give their accounting to "The Maker"), this "Octopus" has spread its tentacles from just us to other high-placed leadership. It is touching more than anticipated by these dead men, even the U.S. Presidency. It



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abolishes Due Process, remember?

This is not to say that all investigations of us weren't/aren't justified, but to set up, bait, and execute deliberate traps to discredit our people is so horrendously disproportionate, that it laughs out at us.

I challenge you again as an organization preeminent in its place for Human and Civil Rights, to take the initiative in building the coalition so needed but very necessary to erase for all time, this conspiracy against our people. It has a very decisive influence in deciding our and our children's lives and futures.

This matter has been known, met on, written on, and is still going on! The questions are: Are we doing anything about it? If so, then what more can we do about it, and who's next?

"Are we at a period in our lives, when we allow the arbitrary power of the strong to add misery to the weak?" asked Alexander Hamilton in the American Revolution! Are We?

As the *Baltimore Sun* has been and still is, lynching us—(the Mitchell purge—no relation) and its trial of Larry Young—it is necessary to inform them of our feelings and accusation of racism.

We must never forget that we came here in chains involuntarily, the only people of America who experienced such conditions. *This* is our home and we aren't going anywhere, except to where we rightfully deserve to be in this land, and we will never give up on this Dream. For if one can't make it in America, then they can't make it anywhere.

Many thanks for your kind consideration, and I hope you don't mind my sharing this letter with the following.

Yours in the struggle,

Theo W. Mitchell

Former State Senator, State of South Carolina