NATIONAL RALLY TO SUPPORT

FRANCISCO 'KIKO' MARTINEZ

"The struggle for control of land is the basis for the survival of all people.'

Francisco Martinez



Saturday, January 24,

St. Leanders Parish Hall East 6th & Norwood Sts. Pueblo, Colorado

Speakers ★ ★ Boxing ★ ★ Cultural Entertainment

Meals Provided . . . Housing Available - Bring A Sleeping Bag

First of three federal trials starts **January 27, 1981** in Pueblo, Colorado

Send Contributions To: Francisco Martinez Defense Committee

P.O. Box 753 Alamosa, CO 81101 303-589-2420

Direct All Inquiries To: Kiko Martinez Rally Committee

P.O. Box 5034 Pueblo, CO 81002 303-544-9231

Black Elk Rita Montero Marcos Martinez José López Juán Antonio Corretjer Ernesto Chacon Manuel Baca Reyes López Tijerina Paulio Delgado Dario Madrid Francisco Coca Alberto Gurule Benito Rodriguez José Calderón Ricardo Romero Bea Roybal Celia Vigil Sylvia Zapata

Paul Salas, Attorney **Brown Berets**

José Medina, Attorney

Jerry Otero, Attorney

Father Delbert Blong

Bruce Ellison, Attorney

Rita Melgares, Attorney Sander Karp, Attorney Jeffery Goldstein, Attorney Father Patrick Valdez

Leonard Weinglass, Attorney

Kenneth Padilla, Attorney

Dr. Arnold Chavez

Herman Martinez

del Valle del Rio Grande, TX Land Rights Council, Chama, CO La Gente Por La Raza, Pueblo, CO La Raza Legal Alliance National Lawyers Guild Committee To Free Rice/Pointdexter

Centro Ricardo Falcón, Ft. Lupton, CO Colegio Jacinto Trevino, TX United Mexican American Students, Boulder, CO United Mexican American Students, Alamosa, CO Centro L.U.I.S., Denver, CO Western Slope Action Coalition, Fruita, CO M.E.Ch.A., Tempe, AZ El Comité Contra La Represión de Colorado Black Hills Alliance Ome-Xicana, Pueblo, CO Aztlan Boycott Coors Committee Movimiento de Liberación Nacional, Chicago, IL National Committee To Free Puerto Rican Prisoners Of War New Movement For Puerto Rican

Independence

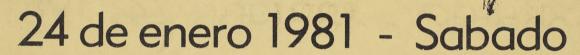
Lennox Hinds, Attorney

MANIFESTACION NACIONAL EN APOYO DE

FRANCISCO 'KIKO' MARTINEZ

"La lucha para la tierra es fundamental para la sobrevivencia de un pueblo."

Francisco Martinez



St. Leanders Parish Hall Calles Norwood y 6 al este Pueblo, Colorado

Oradores ★ ★ Boxeo ★ ★ Entretenimiento Cultural Habra alojamiento y alimientos

El primero de los tres juicios federales empezará el día 27 de enero, 1981, en Pueblo, Colorado

Mande Sus Donaciones A: Francisco Martinez Defense Committee

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Para Aclaraciones Dirigense A: Kiko Martinez Rally Committee

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Chicago, IL
National Committee To Free Puerto
Rican Prisoners Of War
New Movement For Puerto Rican
Independence

Lennox Hinds, Attorney

January 16, 1981

Dear Friends and Supporters:

We are writing to inform you of some of the details for the National Rally in support of Francisco 'Kiko' Martinez set for Saturday, Jan. 24, here in Pueblo.

The following week, Kiko will face the first of three federal trials on charges alleging he sent explosives through the mails in 1973. The trial will also be here.

International, national and regional speakers and activists are expected to attend the afternoon and evening rally.

The community of Pueblo and supporters of Kiko urge you to attend this all important support building rally.

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RALLY SCHEDULE: JANUARY 24, 1981

PUEBLO, COLORADO, AZTLAN

10:30 a.m. - Registration and Lunch

12:00 p.m. - Speakers and cultural entertainment

5:30 p.m. - Dinner and Entertainment

7:00 p.m. - Amateur Boxing Smoker/Speakers

Sunday Noon - Lunch

Other activities are being scheduled in conjunction with the rally and trials. Fundraising dances and cultural functions are planned.

The rally will be held at St. Leanders Parish Hall at E. 6th and Norwood Sts. Directions:

-Coming in on I-25 North and South...Take U.S. Highway 50 By-Pass East. Travel to second traffic light, turn right. Follow Norwood St. (south) about 12 blocks to E. 6th St.

-Coming in on U.S. Highway 50 By-Pass...At second traffic light, turn left. Follow Norwood St. (south) about 12 blocks to E. 6th St.

Housing - It is important for us to know how many persons are coming from your area for the rally or the trial so we can best accommodate you. Sleeping bags and warm clothing will be necessary. We will provide housing and some meals, however supporters should bring some money for incidental costs.

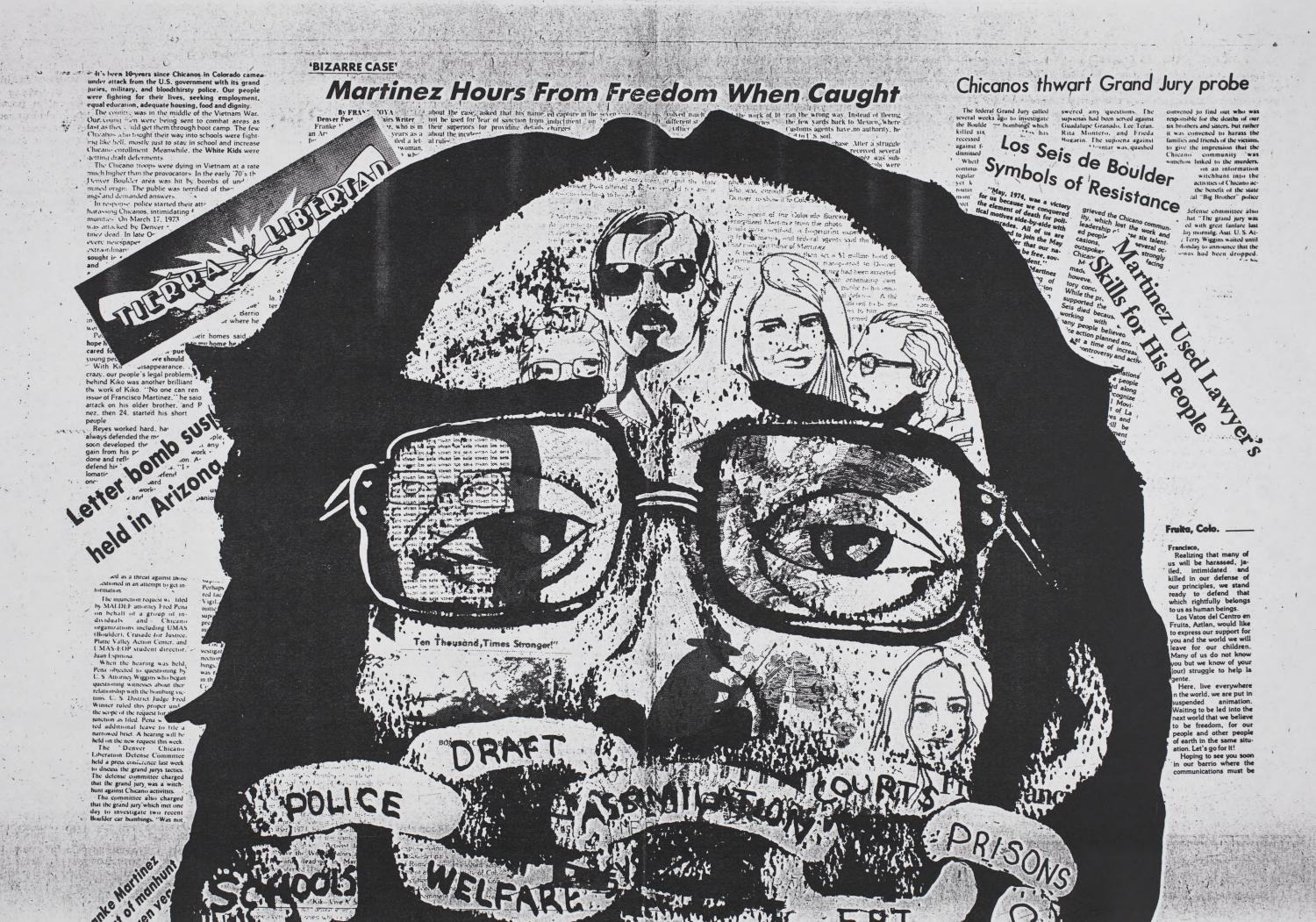
Finally, we encourage you to conduct fundraising activities in support of Kiko in your community as legal and organizing costs are mounting. Also, donations of food and money for the rally are needed.

!Viva Kiko Martinez!

Sinceramente,

Francisco Kiko Martinez Rally Committee P.O. Box 5034
Pueblo, Colorado 81002

303-544-9231





National Rally In Solidarity With FRANCISCO 'KIKO' MARTINEZ

St. Leander's Parish Hall, East 6th & Norwood, 12:00 Noon

January 24, 1981, PUEBLO, COLORADO, AZTLAN

National and International Speakers, Amatuer Boxing, and Live Entertainment



Francisco 'Kiko' Martinez

Change at What Cost?

Social change, what is the cost? In the final analysis that is the question each of us must face.

Sometimes some people ask the question before they engage in activity they feel might initiate social change. That is the privilege of the person of leisure; though I am inclined to believe that most often most of us respond or react to a situation that we feel threatens our survival. When dealing with issues of survival, few of us are privileged enough to have the leisure time necessary for deep intellectual discussions.

Survival is the situation based on the necessity to pursue a given activity. As humans, our survival depends on the factors that cultivate our body, spirit and intellect. Physical survival is the key to spiritual and intellectual survival. That which controls our physical survival has in its hands our spiritual and intellectual survival. Physical survival is premised on the availability of material resources for food, clothing and shelter. Having resolved these necessities, consumption becomes a question of convenience, and not survival.

The availability of material resources and the purpose for which they are used is determined by those who control the raw material. Raw materials come from the earth their only source. That is the importance of the land. To be able to be in more control of our destiny, we must control the natural resources.

The challenge facing us is to change the present order of control of the earth's resources. The future well-being of mankind lies in a more just and equitable distribution of those natural resources. The present order has exhausted it's utility. It only follows that those who benefit most from

WE NEED YOUR HELP!

THIS IS AN INFORMATION NEWSLETTER DESIGNED TO AID COMMUNITY ORGANI-ZERS IN THEIR EFFORTS IN SUPPORT OF THE FRANCISCO "KIKO" MARTINEZ DEFENSE COMMITTEE. THE CENTERFOLD IS A POST-ER ANNOUNCING THE JANUARY 24 NA-TIONAL RALLY TO BE PLACED ON WALLS & WINDOWS. THE SAMPLE PETITON PRE-SENTED HERE SHOULD BE COPIED AND CIRCULATED THROUGHOUT YOUR COM-MUNITY, AND THE SAMPLE LETTER CAN BE COPIED AND MAILED TO THE ADDRESSES ENCLOSED. AT THE SAME TIME, YOU ARE ENCOURAGED TO RAISE FUNDS, ATTEND THE NATIONAL RALLY AND TRIALS THAT BEGIN JANUARY 27 IN PUEBLO. THROUGH COMMUNITY SUPPORT WILL KIKO BE ABLE TO PROCLAIM HIS INNO-CENCE. KIKO VIVE Y SIGUE!!!!!!!!

the present order, struggle for its survival. Likewise, those who are exploited most have the greatest interest in social change so that their aspirations and goals might be realized.

In between those who benefit most from a given order and those who benefit least, lies in the majority who vacillate in their allegiances. In good times they ally themselves with their masters. During lean periods they are capable of turning against their masters. For them it is a question of convenience.

I feel that we are entering a period of survival and not of convenience. People will be forced to ally themselves with those forces that they feel will enable them to survive. We are witnessing a trend where people relying on ideas and institutions that at one time might have served a purpose of survival are now finding them archaic and not in mankind's progress. Should these forces prevail, we will endure another dark chapter in history.

It is our right and duty to project those ideals and principles we feel will enable mankind to survive the present situation and prepare us for a future where a more just and equitable order of expectation of natural resources is linked to the production of goods that take into account mankind's general welfare and not the pocketbooks of a few. Education will be a right where knowledge is valued for it's enlightment of an individual and not as a rare commodity on the market. A society where house and recreation are the right of our persons and not the privilege of a few. It would be a society where the material aspects of life would

Cont'd on back page

Every year we witness an increase in the number of deaths at the hands of the police. With few exceptions most of the victims are members of national minorities. In years gone by the ire of the community would not necessarily be enraged by police murders. Today in nearly every community, people have lost respect for the guardians of society. The guardians of society have been perverted into centurions at the disposal of the vested interests. The people in most communities are sick and tired of police corruption, abuse and brutality. Chicanos feel that way. Ask the citizens of Longmont, Colorado, where two Chicano youths were murdered by police in 1980.

Government agencies and programs have been looted by private interests and pressure groups. These interests are not representative of all sectors of the American public. They are the ones who are capable of blackmail, threats, coercion and subornation. Elected public officials are notorioùs for their reputation as corrupt, vice afflicted and syncophantic pupils of the ruling sectors. The inner fight going on in cliques who rule and wield power shows us only the barest detail of the inefficiency, corruption, vice, compromise and diplomacy that goes on behind our backs, against our interests, contrary to our will and without our consent. The litany commences in the White House and goes on at every level of government down to the local level. Those in positions of authority in the government plot and plan every move in coordination with the interests of the ruling sectors.

We have no choice but to exercise our human and democratic rights. We have and must exercise our right to speak our minds, to actively advocate our ideas. We must pursue our right to gain access to those material resources that

will enable us to implement our ideas, our right to the basic necessities of life in an industrialized society.

We are not mere creatures whose bodies demand only alimentation and sustenance. We also have minds and spirits who need nourishment. We crave intellectual, cultural and aesthetic stimulation and development. Our spirits require a meaningful state of existence. Without that we cannot survive. Survival is a law of life, we have no alternative. To struggle for the material, intellectual and spiritual necessities of life is our inalienable right and duty! SUPPORT KIKO'S STRUGGLE TO SURVIVE. A VICTORY FOR KIKO IS EVERYONE'S VICTORY!! IF KIKO SURVIVES WE ALL SURVIVE!!

Francisco E. Martinez Defense Committee P.O. Box 753 Alamosa, Colorado 81101

Send Letters Of Support.

(Following is a sample letter that can be copied and sent to the addresses listed below.)

Dear Sir:

I am writing on behalf of Franke Eugenio Martinez, the Chicano lawyer who has worked on many issues of concern to me, such as prison reform, democracy on campus, and the right of people to act to change conditions in their daily lives that are unfair or unjust.

At this time I would like to formally request that you do everything in your power to see that Mr. Martinez receives a fair and impartial trial, and that he have the opportunity to present the best legal defense possible through the exercise of human and democratic rights as guaranteed in the U.S. Constitution.

I know that the charges filed against Mr. Martinez are listed as "the people" vs. Mr. Martinez. I am part of "the people" and believe thus far the government has acted unfairly in the way the U.S. Attorneys and the Denver District Attorney are proceeding. I ask you is it justice for one man to face the same charges in state and federal court? Is a "rush to judgement" order just that leaves Mr. Martinez little time to adequately prepare for his defense?

I am disgusted with the way the media has handled Mr. Martinez' situation, portraying him as a mad man, and fanatic when I know him to be a brilliant, intelligent individual, committed to the betterment of his people.

I am certain that Mr. Martinez is innocent of any wrongdoing, and in fact I believe this situation to be a frameup on the part of the government in an attempt to discredit and neutralize community activists advocating social change. I also feel it is incumbent on you to question the

conduct of various police agencies in the case through harassment of Mr. Martinez' family, friends and supporters, destruction of evidence, and various inconsistencies in police version of the case.

The eyes of the community and the world are watching you.

Sincerely,

SEND COPIES TO:

Dale Tooley
Denver District Attorney
Westside County, Building
Denver, Colorado

U.S. Attorney Joseph Dolan Federal Building 19th and Stout Streets Denver, Colo. 80294

Judge Alvin Lichtenstein Courtroom 16 City and County Bldg. 14th and Bannock Streets Denver, Colorado

Judge Fred M. Winner U.S. Courthouse 19th and Stout Streets Denver, Colo. 80294

Letters can also be sent to the U.S. Attorney General, Department of Justice in Washington, D.C., to congressmen, senators and other elected officials.

The United States of America VS. Franke E. Martinez

Francisco "Kiko" Marfinez is accused in both federal and state courts with three alleged bomb incidents. These three alleged transactions are the basis for the five trials Kiko now faces: Three in the federal courts and two in

state courts. On January 27, 1981, the first federal trial in which Kiko stands accused begins.

In recent court proceedings there have been several significant developments. During a preliminary hearing in one of the state cases, one count of conspiracy was dismissed. The government failed to substantiate its allegation that there was a conspiracy between Kiko and "persons unknown." During this same proceeding the police were forced to reveal that the physical evidence in one of the alleged bombs had been "accidentally destroyed." This "accidental" destruction is of grave prejudice to Kiko as the defense will be unable to inspect the physical evidence in order to prepares Kiko's defense. A motion to dismiss the case because of the destroyed evidence was denied by Federal Judge Fred Winner as he ruled that the destruction of the evidence only affected its credibility and was insufficient to dismiss the case. Courts are in conflict on this issue.

POLICE FABRICATE CASE AGAINST KIKO

During the hysteria whipped up by the print and electronic media in conspiracy with police in 1973, Denver bomb squad chief Shaughnessy stated that the police had "irrefutable" evidence against Kiko. Part of the irrefutable evidence was a woman who allegedly identified Kiko as the person to whom she sold several pocket watches weeks before the bombs were discovered. The police used this "evidence" as part of their campaign to discredit and convict Kiko in the media before due process was permitted to run its course. Recent discovery by Kiko's attorneys reveals that this woman failed to identify Kiko! Furthermore, she identified another person as the one to whom she allegedly sold some pocket watches.

The government in its continuing efforts to coverup the fabricated case against Kiko is now trying to introduce evidence of "similar acts and events" to convict. Kiko. These similar acts and events involve other alleged and unproved bomb-related transactions. Curiously enough, that evidence has all been destroyed! One of the alleged acts arose as a result of a series of mass arrests of Chicanos and Indios in Scottsbluff, Neb., in January, 1973. These charges against Kiko were dismissed! Yet the government is trying to introduce that incident in this case. It is clear that the government is trying to bolster its flimsy case by discrediting and eliminating Kiko due to his activity as a

lawyer and community activist which made him identifiable and a target for elimination or neutralization.

Kiko is being denied the equal protection of the law and due process as a consequence of the manner in which the government has proceeded in this case from the beginning. The prosecutor, who has at his disposal all of the resources of the government, abuses that authority when he subpoenas witnesses from far away places and never calls them to testify at hearings. The defense is limited in its capacity to do so because of the expense involved and the fact that with the exception of one person, all witnesses are police or government employees. This makes them hostile and unwilling to give statements or interviews to the defense, which is hampering preparations for trial. In light of this fact, it isn't surprising that with almost every bit of information discovered in the case, the police fabrication is exposed more and more.

The prosecution by reason of its pretrial tactics gives every indication that a large part of its case will rest on the allegations they will make that Kiko fled to avoid being prosecuted. According to some theories, flight is an indica-

tion of guilt. But here are more reasonable explanations.

Consider for example, the hysteria whipped up by the media in collusion with the police in 1973. For many days the headlines, front page stories, and film clips were shown to the public creating a very unfavorable and prejudicial climate for Kiko. History is full of examples where persons and groups were forced to leave their homes to survive. The government offered a \$3,000 reward for Kiko while the Denver Post through its Secret Witness Program upped the ante another \$2,500. A price was put on Kiko's head! Federal, state and local police combed the Chicano communities searching for Kiko. Friends and members of Kiko's family were spyed on, harrassed and subjected to other forms of government overreaching and abuse.

Discovery of police reports and other government documents has revealed that many modern day bounty hunters gave detailed accounts of Kiko's activity which would tend to indicate they had some knowledge about Kiko. Others were nothing more than persons who saw dollar signs anytime they saw a person who even slightly resembled Kiko. Fortunately, none of them were able to give the police the information they needed. To catch Kiko at a disadvantage

and shoot him, were police department directives. The questions were to be asked later,

A shoot-first, ask-questions-later situation which continued after Kiko's disappearance took the lives of six activists, including that of Reyes Martinez, Kiko's brother. To this day many sectors of the community are unwilling to accept the government's version of the deaths. Why is that despite government statements that Chicanos and their supporters are responsible for the alleged bombings, only Chicanos have been the victims? Why is that none of the bombs Kiko is accused of mailing ever exploded? Why is it when members of the Denver police are found in posession of large caches of arms, including explosives, that the media relegate the story to insignificant, back page articles? Is the corrupt and mistrusted Denver police department above planting evidence or fabricating a case? Recent news events substantiate this statement. Why is that only when Chicanos are alleged to be involved in bombings or other alleged acts of violence do the media toot their horns loud and in an alarming manner? Isn't it time that the real perpetrators of violence be unmasked and made accountable to the people?

POLICE ENGAGE IN SYSTEMATIC REPRESSION OF COMMUNITY ACTIVISTS

Police-motivated frameups, planted evidence and terror campaigns against community activists have become commonplace in the U.S. The democratic principles contained in the constitution have become meaningless and inoperative when persons who exercise their rights of free speech, lawful assembly, and petition for redress of grievances are subjected to vindictive prosecutions and prosecutorial misconduct.

CHRONOLOGY OF EVENTS

June, 1971: Kiko graduates from the University of Minnesota School of Law. Receives recognition for work as tutor and with legal aid society.

October, 1971: Admitted to the Colorado Bar after protesting inflammatory and derogatory statement about American Indians contained in the bar examination.

February, 1972: Admitted to the New Mexico Bar. Insensitive Supreme Court officials initially stop Kiko from being sworn in after he appears wearing traditional Chicano attire rather than the coat and tie most lawyers wear.

March, 1972: First in a series of lawsuits on behalf of inmates in Colorado institutions is filed by Kiko who the media refers to as a "crusading attorney." Because of these lawsuits, a grievance is filed against Kiko by the director of institutions. For lack of merit the grievance is dismissed.

August, 1972: Kiko becomes deeply involved in the controversy surrounding the assassination of Ricardo Falcón in New Mexico. Falcon was a young Chicano leader in Colorado. The assassin was an organizer for the American Independent Party.

October, 1973: The Denver Police and media conspire to create a hysteria. Their aim is to discredit, neutralize and fragment the Chicano community. Their technique is to create the impression that during a week-long period many bombs are discovered and disarmed by the police before any explode. The police and media trip over each other as they become experts at finding bombs before they explode.

October 30, 1973: The district attorney in Denver accuses Kiko of being involved in the bombs that never went off. The police/media continue to slander and vilify Kiko and the Chicano community. A reward is offered by the Denver Post and U.S. government for the capture of Kiko.

October-November, 1973: Kiko is not seen in public again until taken into custody in 1980.

September 3, 1980: Kiko is taken into custody in Nogales, Arizona.

October 24, 1980: Bail is raised when 16 properties throughout the state are posted in the state and federal courts.

January 24, 1980: A National Demonstration is scheduled in Pueblo, Colorado (site of the federal trials) to focus attention on the importance of the case. PLEASE ATTEND!

January 27, 1981: First of three federal trials commences in Pueblo. Two state cases are to follow at undetermined future dates. PLEASE ATTEND!

Social Change-from page one

be resolved for those who work. Intellectual and manual work would be equally important and not a source for treating people differently because of the type of work they do. Race, culture, and natural origin should be transcended in terms of availability or work, education, medicine, food, clothing and shelter. Yet, we should all be permitted to enjoy those cultural, intellectual and spiritual pursuits that agree with our personal preferences.

High respect for the dignity of the individual is essential to the well-being of a society. People must not be reduced to a functional commodity.' The integrated well-being of people is the basis on which an orderly society is built. Much of this involves the values and ideals of a society.

Today we witness a high degree of demoralization in American society. The cost for this demoralization is great. The effect is that those forces and interests controlling our lives become concerned. Their concern is based on fear that their iron grip on society is weakening. The trained minds under their domination are searching for solutions, tactics and strategies. Where plans for pacification, confusion and aversion fail, they resort to the basis of force - official violence.

Preparedness towards self defense against this official violence may mean mankind's survival.

Needed

Donations The Francisco 'Kiko' Martinez Defense Committee is in need of funds for legal and organizing Please send your donation today to:

Francisco 'Kiko' Martinez **Defense Committee** P.O. Box 753 Alamosa, Colorado 81101

If you need a tax deduction for your donation, make your check out to The Clarence Darrow Foundation and send to the above address.

Sample **Petition**

(Following is a sample petition to be copied and circulated in support of Francisco 'Kiko' Martinez.)

Respect for the democratic and human rights of Francisco 'Kiko' Martinez.

I add my name to the list of persons who dutifully demand that the democratic and human rights of Francisco 'Kiko' Martinez be respected and that he be given every opportunity to exercise them.

Respecto a los derechos democráticos y humanos de Francisco 'Kiko' Martinez.

Eso es lo que exigemos. Y por eso firmo esta petición sumando mi nombre a las otras personas quienes exigen que se le permite a Francisco 'Kiko' Martinez ejercer sus derechos democráticos y humanos.

Name/Nombre Address/dirección Age/años

F. E. Martinez