

NYROB – A Turning Point in Terrorism Investigations

by Susan Rosenfeld (FAIb), Ph.D

“The finest chapter in FBI history,”

“Now terrorism is OK to investigate.”

“The template for all other terrorism investigations.”

Those words are how some former FBI Special Agents characterized the major case codenamed NYROB — an armored truck robbery gone badly. With the investigations and subsequent arrests, the FBI, with state and local law enforcement, closed down an enterprise of ruthless revolutionaries that had thrived for years. In doing so they turned the FBI’s post-Church Committee avoidance of “political” investigations toward making terrorism a priority.

In late afternoon on Oct. 20, 1981, six ski-masked black men held up a Brink’s armored truck in the Nanuet Mall in Nyack, NY. They killed a Brink’s guard, Peter Paige, outright and badly wounded another guard, Joe Trombino. After grabbing bags carrying \$1.6 million, they hopped into a red Chevrolet van and disappeared. On a tip, three Nyack police stopped a U-Haul truck driven by a white male with a white female passenger. The lady almost convinced Sergeant Edward O’Grady that this was the wrong van. “Put down your guns. You’re scaring me!” she pleaded. Nevertheless, Detective Arthur Keenen wanted to check inside the van. Suddenly, out jumped several black men, guns blazing. They left black Officer Waverly Brown dying on the ground. O’Grady hit one robber before he, too, was shot. He died on the way to the hospital. Keenen, slightly wounded, hid behind a tree.

This was neither the first such robbery nor the first ending in death. Since the mid-1970s, unsolved armored car and bank robberies by black men occurred all over the Northeast, where they tended to be treated as local crimes. Unlike most bank robbers, these didn’t surrender when confronted by police and no one boasted of their successful heists. Instead, they disappeared and their crimes remained unsolved.

This time, Nyack police made arrests. The female U-Haul passenger tried, unsuccessfully, to run away. A Honda, carrying the male, another white female and a black male, crashed and its occupants were caught. The

actual murderer, Chui Ferguson, fled into the woods to bury his M-16 and 9mm weapons; he hid for more than a day before being rescued. Others sped away in getaway cars with trunks large enough to hide one or two of the black robbers. Over the years, most NYROB subjects were caught, although one was killed in a shoot-out and others disappeared.

The arrested whites had valid-looking licenses and they used aliases. The black male, hurt in the crash, was hospitalized. No one talked. Although the whites looked and acted like disciplined, extremist radicals, no one on-scene could identify them.

Solving NYROB and the earlier crimes took personnel from the New York Division (led by its Joint Terrorism Task Force and Joint Bank Robbery Task Force), the New Rochelle Metropolitan Resident Agency, the Newburgh (NY) Resident Agency, SWAT teams and others from the Newark, Washington, and Los Angeles field offices, as well as additional law enforcement pulled in when needed. NYROB could not have been solved and its fugitives arrested as quickly without the knowledge and assistance of state and local law enforcement agencies that worked closely with FBI personnel. The case effectively ended this terrorist enterprise and its murders, bombings and prison escapes (notably that of Joanne Chesimard, recently added to the Most Wanted Terrorists, and NYROB ringleader Marilyn Buck, the only white member of the Black Liberation Army).

As it happened, Agents from the Newburgh Resident Agency had met in the New Rochelle Metropolitan Resident Agency, and were travelling home when the police radio announced the mall robbery and murder. Special Agent Barry Dembo of the Newburgh Resident Agency rallied the others on his FBI radio. These were the first FBI Agents at the scene. After hearing of the U-Haul shootings, Dembo and his partner, Bob Gleason, left the other Newburgh people to help secure that scene, collect evidence and interview witnesses. With police down, FBI and other law enforcement from New York and New Jersey converged on Nyack.

Dembo established an FBI command center — “using common sense” because he had never actually seen one before — where Agents sifted through witness reports, traced car registrations and drivers’ licenses, and

attempted, without success, to interview the subjects. Rental agreements led to Marilyn Buck's New Jersey apartment. There, incriminating documents led to raids of metropolitan New York safe houses.

In Nyack, some New York Special Agents and police recognized Honda driver Judy Clark from earlier investigations, but could not place her. Figuring the others were former extremist group members, investigators searched old Wanted posters and compared fingerprints. They soon identified the couple from the van as Weather Underground fugitives, Kathy Boudin and David Gilbert. Although he later recanted, Sam Brown, the African-American hospitalized on October 20, became a cooperating witness. He and other cooperating witnesses helped provide the probable cause to wire safe houses and the group's headquarters in an acupuncture clinic. Safe houses were among the most productive leads and produced weapons and ammunition, fingerprints, fake licenses, disguises and other evidence.

The FBI ascertained that the robberies were to finance a revolution in which African-Americans would establish the all black Republic of New Afrika out of several Southern states. While blacks sometimes had other motives, the revolutionary aspect attracted whites who, except for Buck, only played support roles.

Attempting to find the fugitives, New York investigators found prints of NYROB suspect, William Johnson, in an apartment. Earlier, a police officer was killed during a raid on Johnson's farm in Gallman, MS. The Jackson Division ascertained that Johnson and robbery suspect, Anthony LaBorde, were at the farm. New York Division Deputy Director and JTTF Commander Ken Walton decided to arrest them there. However, he required sufficient negotiators, surveillance and SWAT personnel to ensure that no one would be killed.

Early on Oct. 27, more than 100 Special Agents and officers from New York, Washington and Memphis converged at the farmhouse. Only Johnson's "wife," Cynthia, her father, another woman and many children were there. Although they arrested Cynthia and found "enough guns and ammo to stock a sporting goods store," nothing related to NYROB turned up. Walton still considered the raid worthwhile because "no one was hurt and no one fired a shot." Johnson was later arrested in Belize, but LaBorde disappeared. With NYROB pulling together federal, state and local law enforcement, and causing leads to be sent throughout the country, the FBI's inhibitions regarding domestic terrorism evaporated. By

1983, almost everyone identified with NYROB and the earlier robberies and prison escapes had been arrested.

Three trials related to this case. The first, in Rockland County, involved the NYROB subjects except fugitives Buck and Shakur. FBI Agents, police and cooperating witnesses testified, and prosecutors introduced a huge amount of evidence. Long sentences appeared to be a certain outcome. While the trial was in progress, Agents found the buried murder weapons. However, the prosecutors, against the FBI's advice, decided not to use them. Ferguson's attorney convinced the jury that Chui and several others were only involved peripherally. They were declared accessories after the fact and served eight years.

The next trial was federal. Here, the Department of Justice used the Racketeer Influenced and Corrupt Organization (RICO) statute among others to wrap up the entire enterprise and convict the perpetrators. In 1985,

Buck was located where she was living in Baltimore in an apartment stocked with weapons, ammunition, disguises and false identity paraphernalia. Mutulu Shakur, despite being on the FBI's Most

"We knocked the hell out of every domestic terrorism case."

Wanted Fugitive list, avoided capture until 1986. Using pen registers, reviews of closed files and frequent discussions with other Agents, case Agent Dave Mitchell concluded that Shakur probably was in Los Angeles with associates from his Republic of New Afrika days. Los Angeles and New York Agents, using ground and Nightstalker surveillance, found and arrested the fugitive without a fight. Both Shakur and Buck were tried and convicted in federal court. Buck died of cancer shortly after her release from prison. Shakur, Gilbert and Clark remain incarcerated, as are most of the black subjects. Because Kathy Boudin pled guilty, she was released in 2003. Against the strong objections of law enforcement and Nyack citizens, she is now an adjunct professor at Columbia University.

Every October 20, Nyack holds a ceremony commemorating the robbery. Because of NYROB, "we knocked the hell out of every domestic terrorism case." Today the FBI owes a debt to NYROB as it "connects the dots" investigating domestic and foreign terrorism.

(Note: This article is based on 10 former FBI Agent interviews, nine of which will be transcribed and available online; William Dyson's online oral history; John Castellucci; The Big Dance (1986); and numerous articles.)

©Susan Rosenfeld, 2013. *Susan Rosenfeld (Falb) was the FBI's first Historian, serving from 1984 to 1992. She has worked closely with the Society's Oral History Heritage Project since 2002 and currently is a member of the Society's Historical Committee. She can be reached at suerosenfeld@msn.com.*