

**Datestamp:** 04/04/2011

## **Legal battles persist for Malcolm X's family**

When the Queens district attorney announced in February that Malcolm X's daughter had been charged with financial fraud, it came the day after the 46th anniversary of her father's assassination.

The arrest of Malikah Shabazz, who will be arraigned next week in Queens Criminal Court on a sealed indictment, punctuated what has been more than four decades of turbulence for the family of a man who remains an icon to millions.

"There's been enough turmoil, enough pain, enough suffering in their lives to warrant some peace of mind," said Sam Waymon, a Nyack composer and performer who developed a friendship with Malcolm X and his wife, Betty Shabazz, in the 1960s.

On the day gunmen shot Malcolm X 15 times, fatally wounding him at the age of 39, Malikah Shabazz and her twin sister, Malaak, were in their mother's womb. Another of Malcolm's six daughters, 4-year-old Qubilah, witnessed her father's killing in Harlem's Audubon ballroom.

After her husband's death, Betty Shabazz moved first to Mount Vernon and then to Yonkers.

Thirty two years after the civil rights leader's slaying, Qubilah's 12-year-old son – named for his famous grandfather – set fire to the Yonkers apartment where Malcolm X's widow was sleeping.

Betty Shabazz died three weeks later, on June 23, 1997, from her injuries, ending a life in which she strived to instill in her children a family legacy of community activism, friends said.

Malcolm Shabazz served 18 months in a secure facility, only to be sentenced in 2003 to state prison for his part in a street robbery.

And while Malikah Shabazz stands accused of stealing the identity of one her father's bodyguards and running up \$55,000 in charges, she has been embroiled in a 13-year probate battle with her sisters over the estate of her mother, valued in 2008 at \$2.8 million.

Malikah Shabazz's arrest has spilled over into the probate battle in Westchester County Surrogate's Court. She has been disputing the accounting and management of the estate, which is administered by her twin sister, Malaak, and older sister Ilyasah, who lives in New Rochelle.

The administrators filed papers last week asking a judge to remove Malikah Shabazz's court-appointed lawyer in the probate case, charging she has tried to undermine their efforts to help Malikah, 45, who is alleged to be mentally incapacitated.

Lori Douglass, the lawyer appointed to represent Malikah Shabazz due to the mental health allegations, has challenged the accounting of the estate, saying the underlying financial documents don't add up.

"The co-administrators and their counsel ... have violated every fiduciary duty due the estate and misappropriated almost all of the estate's liquid assets," she wrote in court papers, noting that Malikah Shabazz "was suspicious of the handling of the account."

Ilyasah and Malaak Shabazz denied any wrongdoing in handling the estate, saying Douglass thwarted efforts to reach out to Malikah Shabazz before her arrest.

Douglass, they said, "attempted to create division among us by instigating and stating that Malikah has used derogatory remarks when referring to all of us."

"It has prevented our sister ... from receiving both financial and emotional support needed from her family," they wrote.

Douglass denies the charges, saying she was brought onto the case in 2007, a decade after Betty Shabazz died and her estate went into surrogate's court.

"I'm not keeping her from her sisters," she said in an interview. "She hasn't seen her sisters in years."

Efforts to reach the Shabazz sisters were unsuccessful.

Douglass said she has only met Malikah Shabazz once and has spoken to her over the phone. The sisters, she said, were trying to make her the scapegoat.

"Malikah was not satisfied with how the estate had been administered," Douglass said, and that started long before she came on the case. "The underlying financials that I've received that they say are all I'm going to receive, do not support the accounting.

"I made a settlement offer based on Malikah's current situation and they were not responsive to that," she said, declining to say what the offer was. "And now their tactic rather than recognize that they're going to have to account for how this estate was administered, their response is to attack me personally ... to go after the lawyer."

But in court papers, the estate's lawyer, L. Londell McMillan, said the sisters have been supportive of Malikah Shabazz and he never saw any bickering among them.

"Since Malikah's arrest on Feb. 18, 2011, the family has been in contact with Malikah, one of the co-administrators and myself appeared in Queens Criminal Court at her arraignment to support her, visited Malikah on Rikers Island," he wrote. McMillan, who did not return calls seeking comment, also said the family will provide her whatever assistance they can "hoping not to have their efforts undermined by Ms. Douglass."

Malikah Shabazz's lawyer in her criminal case did not return calls seeking comment. She will next be in court April 14 to face an indictment that was returned March 25 by a grand jury but remains sealed, the Queens County District Attorney's Office said.

Malikah Shabazz's arrest and the long-running estate battle have left friends of the activist parents disappointed and concerned that it distracts from Malcolm X's greater legacy.

"It makes me feel sad because this should not have gone on this long," Waymon said.

"I hope that Malikah is not guilty of these charges and can move forward with her life," said Waymon, 66, who met Malcolm X and Betty Shabazz through his sister, the late singer Nina Simone.

The Rev. Richard Dixon, who became friends with the Shabazzes after inviting Malcolm X to speak at his church in Mount Vernon in the early 1960s, said the family has tried to help Malikah, and that whatever happened must have been in an effort to fulfill Betty Shabazz's wishes that her daughters be involved in community affairs.

He doubts she would have done anything wrong for personal benefit.

"Her intentions are good," he said. "She gets that from her mother."

**Caption:** Nyack resident Sam Waymon, standing on South Broadway in Nyack, was a friend of the late Malcolm X and his wife, Betty Shabazz, when they all lived in Mount Vernon.

Vincent DiSalvio/The Journal News

Malcolm X

File photo by The Associated Press

**Section:** NEWS

**Page:** 1a wpr

**Byline:** Timothy O'Connor

**Source:**

**From:**