



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for February 28th

12 Feb – “Souls On Ice” by Mumia Abu-Jamal/Statements by PPs To Occupy4Prisoners

Below, we've pasted a new column by Mumia in response to the February 20th national day of actions called to "Occupy For Prisoners."

MORE:

When I heard of the call, just raised in Oakland, California, to "Occupy the Prisons", I gasped.

It was not an especially radical call, but it was right on time.

For prisons have become a metaphor; the shadow-side, if you will, of America. With oceans of words about freedom, and the reality that the U.S. is the world's leader of the incarceration industry, it's more than time for the focused attention of the Occupy Movement.

It's past time.

For the U.S. is the world's largest imprisoner for decades, much wrought by the insidious effects of the so-called 'drug war'--what I call "the war on the Poor."

And, Occupy, now an International movement, certainly has no shortage of prisons to choose from. Every state, every rural district, every hamlet in America has a prison; a place where the Constitution doesn't exist, and where slavery is all but legalized.

When law professor, Michelle Alexander, took on the topic, her book, The New Jim Crow, took off like hotcakes--selling over 100,000 in just a few months.

And where there are prisons, there is torture ; brutal beatings, grave humiliations, perverse censorship--and even murders--all under a legal system that is as blind as that statue which holds aloft a scale, her eyes covered by a frigid fold of cloth.

So, what is Occupy to do?

Initially, it must support movements such as those calling for the freedom of Anishinabe and Dakota/Lakota brother Leonard Peltier, the MOVE veterans of Aug. 8th, 1978, the remaining two members of the Angola 3: Herman Wallace and Albert Woodfox, Sundiata Acoli, Russell 'Maroon' Shoatz and sisters who've spent lifetimes in steel and brick hellholes.

But the Occupy Movement must do more.

As it shifted the discussion and paradigm on economic issues, it must turn the wheel of the so-called 'Criminal Justice System' in America, that is, in fact, a destructive, counter-productive, annual \$69 billion boondoggle of repression, better-known by activists as the Prison-Industrial-Complex.

That means more than a one-day event, no matter how massive or impressive. It means building a mass movement that demands and fights for real change, and eventually abolition of structures that do far more social damage than good.

It means the abolition of solitary confinement, for it is no more than modern-day torture chambers for the poor.

It means the repeal of repressive laws that support such structures.

It means social change--or it means nothing.

So, let us begin--**Down with the Prison Industrial Complex!**

Lynne Stewart

This occupy rally is what Must happen at every jail in the United States—a direct challenge to Arbitrary Power that thinks it can lock up those with the greatest grievances against the system and systematically demonize them to their fellow citizens. I speak now for all the 2 Million but of course, particularly on behalf of those political prisoners who actively fought and tested this unjust system and now suffer in SHU's, and other forms of Solitary, for that. Many have been tortured for the last thirty years or more. When they were captured in the heady political days of the '60s and '70s, we were convinced that fundamental change was inevitable —indeed that it was right around the corner. It still remains inevitable but now we understand the protracted struggle necessary to breach this evil system. I for one am recruited to accomplish the freedom of political prisoners and as my comrade Chairman Fred says “FREE ‘EM ALL” !!! **Herman Wallace** # 76759
Elayn Hunt Correction Center,
St. Gabriel, Louisiana

Most all U.S. citizens benefit in some way from the capitalist mode of production, a system that exploits underdeveloped nations as well as 99% of it's own nation's people. This creates a vast contradiction that causes much emotional pain

In 1865, Union Generals admitted to Lincoln that they were on the verge of losing the war and could only turn the tides if Lincoln would free the slaves. Of course, slaves were never freed, it was only the form of slavery practiced in the South that was disrupted, moving from chattel slavery to wage slavery as has been so well documented.

Defy permits to occupy, civil disobedience is a form of struggle, and where there is no struggle, there is no change.

We must strengthen our forces by uniting with the Occupy movement and liberation movements throughout the world in order to disrupt the capitalist mode of production and send capitalism to it's grave.

Free All Political Prisoners and Prisoners of Consciousness
All Power to the People
Herman Wallace

Robert King

First of all I would like to applaud and salute those in the Occupy movement for focusing on the hideous corruption of corporate America and the effects this corruption has on all of us in the 99%, including the well over two million individuals that fill our detention facilities and their families.

“Being in prison, in solitary was terrible. It was a nightmare. My soul still cries from all that I witnessed and endured. It does more than cry- it mourns, continuously. I saw men so desperate that they ripped prison doors apart, starved and mutilated themselves. It takes every scrap of humanity to stay focused and sane in this environment. The pain and suffering are everywhere, constantly with you. But, it's was also so much more than that. I had dreams and they were beautiful dreams. I used to look forward to the nights when I could sleep and dream. There's no describing the day to day assault on your body and your mind and the feelings of hopelessness and despair “

There is far more than a causal relationship between the Occupy Movement and the work so many of you are doing to change the criminal justice system.

The same people who make the laws that favor the bankers, make the laws that fill our prisons and detention centers. We have to continue to make the connection between Wall St. and the prison industrial complex. The growth of the private prison industry is just one symptom of this unholy alliance.

I stand in solidarity with the Occupy 4 Prisoners rally and hope these rallies shed further light on the insidious effects of prisons for profit and politics.

Free all political prisoners and prisoners of conscience,

Robert King

Angola 3

Gerardo Hernandez

On behalf of the Cuban 5 we send you our solidarity on this the National Occupy Day in Support of Prisoners. We know first hand about the injustice inherent in the US judicial system. In our case we are serving long sentences for defending our country against terrorist attacks by monitoring groups whose whole existence is to carry out violent acts against Cuba. It is our hope that what you are doing today will bring attention to the plight of those behind bars and help bring about a more humane society that provides jobs, housing, education and opportunity instead of incarceration.

A big embrace to you all

Venceremos!

Gerardo Hernandez

Victorville Penetentiary

Herman Bell

Solidarity to OWS Wherever You Be

February 20, 2012

In your pushback for social justice, you give us hope. Failure to claim your rights is failure to know whether they exist or not. Abstract terms though they be, you make them real. A parasitic social order has fully emerged and affixed itself to our existence and now requires our unquestioned loyalty and obedience to its will. And we have come dangerously close to complying.

Ordinary people doing uncommonly brave things have rekindled our hopes that we can do better this time in safeguarding the public trust. Far too many of us have grown complacent in our civic and moral responsibility, which explains in part how Wall Street, big banks, and corporations, in political connivance, have gotten away with so much. So we have to take some responsibility for that.

I think we are now coming to understand that. Your occupation in these troubling times calls attention to much of what is wrong in our society. So keep it tight: no elitism, no arrogance, no divisiveness, and consult the elders as you go forth, because youth often do the wrong thing for the right reason.

And in a clear, unwavering voice wherever you go, wherever you speak, wherever you occupy, demand release of our political prisoners, for they are the embodiment of our movement's resolve. And don't let anyone punk you out, because what you do matters. Big jobs call for big people and you already stand pretty tall in my eyes.

Solidarity –

Herman Bell

David Gilbert

To Occupy Wall Street/ Occupy Everywhere

From Behind the Walls

Auburn Correctional Facility, February 20, 2012

Your creativity, energy, and love of humanity bring warm sunshine to many of us behind these prison walls. You've eloquently and concisely articulated the central problem: a society run by the 1% and based on corporate greed as opposed to human need. That obscenity of power and purpose creates countless specific and urgent

concerns. Among those, the criminal injustice system is not just a side issue but essential to how the 1% consolidate power.

The U.S. mania for putting people behind bars is counterproductive in its stated goal of public safety. A system based on punishment and isolation breeds anger and then difficulty in functioning upon return to society – things that generate more crime. The U.S., which imprisons people at about seven times the rate of other industrialized countries, has a higher rate of violent crime. Punishment does not work. A transformative, community-based justice model would be more effective as well as more humane. It would both support victims and work with offenders, to enable them to function well and make a positive contribution.

Although the punitive approach does not make communities safe, it has served the rulers well. In the same 30 years that the 1% nearly tripled their share of U.S. national income—with global inequities far steeper—the number of people behind bars in the U.S. went up from about 500,00 to 2.3 million. It's no coincidence. The “war on crime” started in 1969 as a code for attacking the Black Liberation Movement, at a moment when that movement was at the front of a widespread wave of radical social action which seriously threatened the dominance of the 1%. Mass incarceration, especially of people of color, was an important part of the 1%'s strategy for holding on to their wealth and power.

The second way the criminal injustice system works to keep the powerful in power is that as the 1% steal more and more of humanity's wealth, they face the pressing political need of deflecting attention from their colossal crimes. Over the past 30 years mainstream politics have been driven by a series of coded forms of racial scapegoating—against “criminals,” welfare mothers, immigrants, Muslims, the poor who get token concessions from the government—to turn the frustration and anger of the majority of white people away from the rulers and toward the racially constructed “other.” Confronting that demagoguery and hatred is critical to resisting the 1%'s offensive.

As activists, we often grapple with a tension between prioritizing the needs of the most oppressed—based on race, class, gender sexuality, ability—and maintaining a universal vision and broad unity. But those two important concerns are not in contradiction. The only road to principled and lasting unity is through dismantling the barriers formed by the series of particular and intense oppressions. The path to our commonality is solidarity based on recognition of—and opposition to—the ways this society makes us unequal. Our challenge is to forge this synthesis in practice, on the ground, in the daily work of building the movement of the 99%.

With an embrace to you and your inspiring stand, one love,
David

Jalil A. Muntaqim

America is a Prison Industrial Complex

Attica Correctional Facility, February 20, 2012

The 2.3 million U.S. citizens in prison represent more than a problem of criminality. Rather, the human toll of the U.S. prison industrial complex addresses and indicts the very foundation of America's history.

In 1865, the 13th Amendment of the U.S. Constitution served to institutionalize prisons as a slave system. “Neither slavery nor involuntary servitude, except as a punishment for crime....shall exist within the United States.”

This Amendment evolved out of the Civil War allegedly to abolish chattel slavery. However, since that time, prisons have become an industrial complex. As an industry, its investors are financial institutions such as “Goldman Sachs & Co., Prudential Insurance Co. of America, Smith Barney Shearson, Inc., and Merrill Lynch & Co. Understand, these investors in this slave industry in 1994 are no different from investors in the slave system prior to 1865.

The political system supports this industry by passing laws that enhance criminal penalties, increase penal incarceration and restrict parole. Former U.S. President Clinton's 1985 Crime Bill effectively caused the criminalization of poverty, exponentially increasing the number of people being sent to prison. On May 12, 1994, the Wall Street Journal featured an article entitled, "Making Crime Pay: Triangle of Interests Created Infrastructure to Fight Lawlessness; Cities See Jobs; Politicians Sense a Popular Issue and Businesses Cash In—The Cold War of the '90s." The article clearly indicated how prisons have become a profitable industry, including so-called private prisons.

Given this reality, the struggle to abolish prisons is a struggle to change the very fabric of American society. It is a struggle to remove the financial incentive—the profitability of the prison/slave system. This will essentially change how the U.S. addresses the issue of poverty, of ethnic inequality, and misappropriation of tax dollars. It will speak to the reality that the prison system is a slave system, a system that dehumanizes the social structure and denigrates America's moral social values.

The prison system today is an industry that, as did chattel slavery, profits off the misery and suffering of other human beings. From politicians to bankers to the business investment community, the prison industrial complex is a multi-billion dollar criminal enterprise, all of which has been sanctioned by the 13th Amendment of the U.S. Constitution.

It is imperative that those of you here come to terms with the reality that America is the prison industrial complex, and that the silence and inaction of Americans is complicit in maintaining a system that in its very nature is inhumane.

Abolish the American prison industrial complex!!
All Power to the People! All Power to the People!
All Power to the People!

14 Feb - Alvaro Luna Hernandez on 90 day disciplinary without privileges

An emergency has come up with Alvaro Luna Hernandez, he's on a 90-day disciplinary without privileges and no property and maybe face felony charges. It's kind of a wait-and-see action at the moment, he doesn't know whether they will refer a "weapons charge" with the DA or not, but we have more information below.

MORE:

Authorities claim to have found a "metal rod" tucked under a window ledge crevice Alvaro says he had no idea it was there and didn't belong to him; he thinks the rain we've been having might've loosened it up and it slide down - he's refused to sign and claims not guilty of charge.

There's always the possibility of a "plant" because it HAD to have been discovered the short time he's out for rec, but Alvaro says he doesn't think the charge is worth contesting, because he feels they won't believe his word; and is resolute to just do the 90 days and hope it's not more.

There's no written in hearing date(s) indicated on this DR carbon copy-- it's usually 1 week after filed report (2/8/12 notification) by what looks like K. Larh CSI (it's scribbled). Alvaro says he wants to attend the hearing.

From the TDCJ Disciplinary Report: (2/7/12 7:09 PM AH 12 Bldg. 8 Pod)

"On the date and time listed above and at 12 bldg. 8 Pod 59 Cell, Offender Hernandez, Alvaro Jr. TDCJ-CID No. [00255735](#). Did possess a weapon intended to be used to injure another person, namely a five and a half inch metal rod sharpened to a point at one end."

Doesn't sound good, especially with their immediate blame game going on there; Alvaro also says it must have been "flushed out" and was on top of the window frame ledge which he couldn't see and hadn't noticed it - there's been some heavy rains in Central Texas lately and these units do leak - so he thinks it was loosened by the rain.

We do know he wants the whole ABC community to be involved as well as civil rights groups; for now please read his statement below:

DISCIPLINARY HEARING RECORD
(Possession of Weapon – Metal Rod)

In my defense to the charge of possession of weapon, I, ALVARO LUNA HERNANDEZ, TDCJ-CID#255735, submit the following statements:

1. I am not guilty of this charge. At no time did I have any idea that a weapon was in the window in the back of my cell.
2. According to the officer who discovered the weapon, he stated the weapon was "on the window ledge, in plain view." See Officer's Report, Feb. 7, 2012;
3. I am not a psych patient nor a stupid person to have a dangerous weapon out in the open, on the window ledge. I am a rational smart person to know better than that and the legal consequences. Plus, my disciplinary record on this unit shows I have never assaulted anyone, staff or inmate, in 12 Bldg. Administrative Segregation; in fact, I have not had a major disciplinary charge for over 5 years now. See #255735, Disciplinary Record;
4. The Weapon – A 5 ½" inch metal rod sharpened to a point, according to the report – should have fingerprints belonging to the person, or persons, that handled the weapon. Fingerprint analysis should point directly to the person in actual care, custody or control of the weapon. My fingerprints should not be anywhere on that weapon, demonstrating my actual innocence. I hereby request a delay of this hearing and a request that the weapon be submitted for FORENSIC FINGERPRINT TESTING to determine whose prints are on the weapon – evidence of a exculpatory nature for my defense, evidence this committee must preserve, disclose and consider in any subsequent decision on guilt or innocence. The Brady rule requiring prosecution to disclose all evidence including expert testing that may contain exculpatory evidence applies to prison disciplinary cases: See: Chavis v. Rowe, 643 F. 2d 1281, 1285-86 (7th Cir. 1981), cert. denied, sub nom, Boles v. Chavis, 102 S. Ct. 415 (1981); See also, Section VI, B. (7), TDCJ Disciplinary Rules (on submission of non-frivolous evidence that would contradict the facts in Disciplinary Report);
5. Because of my long history of outspokenness an activism against the prison system, I have been the target of harassment and "witch hunts." For example, on 22 January 2012, this administration ordered Officer Dobbins (black female) and Officer Cockrell to search my cell. I was the only prisoner targeted and searched. Plus, many times prior to 7 Feb. 2012, officers have entered my cell in 12 B59 for "routine cell searches" or to collect law book folders while I was out in my recreation period outside of my cell. It was accessible for any prison guard to enter my cell and PLANT A WEAPON IN THE OPEN ON THE WINDOW LEDGE for future discovery. It has been a common history of Texas prison guards to plant weapons on prisoners as retaliation, as reported in the Ruiz Special Master's Report, 1983, on the planting of weapon in personal property of Ruiz activist prisoner MICHAEL SCHNEIDER, Ramsey I Unit, to then justify punishments; and in United States v. Wallace, 673 F. Supp. 205 (S.O. Tex. 1987), Texas prison officials and guards planted a weapon on inmate FRANK CERVANTES to justify the use of excessive force, then conspired to fabricate evidence at disciplinary hearing, all constituting a Federal Criminal Civil Rights Crime under Title 18 U.S.C. Sections 241 (conspiring to deprive) and 242 (deprivation of civil rights); See also, Ruiz v. Estelle, 503 F. Supp. 1265 (S.D. Texas 1980), 679 F. 2d 1115 (5th Cir. 1982) (on long history of retaliation against writ writers); See also, Hernandez v. Estelle, 788 F. 2d 1154 (5th Cir. 1989) (my own case litigation);
6. ALTERNATIVELY, the rain water (that comes in through window cracks), could have flushed out the weapon, who could have been there for many years, unbeknown to me, or my cleaning the window with hot water and soap flushed it out onto the ledge, me having no idea it was there, constituting awkward circumstances; and innocent conduct on my part.

Finally, I request the following records-witnesses, (A) the charging Officer Roper that did the search/discovery on 7 Feb. 2012, 12 B59 Cell; (B) Officers Dobbins and Cockrell on the nature of their search mission on 22 Jan. 2012, B59, (C) Law Library Venesa Rogers to show her collection of legal materials from Cell B59, when I was not in cell; (D) the daily roster logging cell searches in B59 from 1 Jan. 2012, to 7 Feb. 2012, and name of guards who searched cell; (E) Senior Warden Edward Smith, Hughes, to show my long history and on-going legal-political activism and my Ruiz case plaintiff status going back many years to date. (F) copies of I-60 requests from confidential informants on other persons accusing me of possessing contraband, weapons, or allegedly involved in other crimes, or other extortion schemes, and the results of those internal investigations, including the confiscation of all my property for search by Sgt. Harmon, STG Office while I was assigned to 12 D-pod, 6 cell, in my file; (H) Sgt. (Lt.) Harmon, STG Office, Hughes, as witnesses;

15 Feb. 2012 UDPATE

Hughes Nazis Prison

TO CENTRAL TEXAS ABC, ABCF, DEFENSE COMMITTEE SUPPORTERS, AND ALL FREEDOM LOVING PEOPLE OF THE WORLD, – AN OPEN LETTER

“...[W]e give this notice, so that our brothers in chains will not be alarmed when they see us in the claws of authority; we give this notice so that no one will be discouraged, so that all will continue onward. If we are persecuted, we do not want discouragement to spread, but rather that with doubled vigor all proceed with the great work undertaken until the goal is achieved: the death of the capitalist system...”

- Ricardo Flores Magon,

Oct. 1915, murdered by guards at Leavenworth, Kan. Federal Prison, 1922

Although the fascist pigs extinguished his life on the earth in 1922, he will always live in our hearts and in our memory – Brother Ricardo Flores Magon, revolutionary anarchist, Presente!!!

I was taken before the disciplinary “kangaroo court” yesterday, found guilty, and relegated to 90 days of extreme deprivation conditions in Level-3, conditions that were outlawed in March 1999 by federal judge Justice in Ruiz v. Johnson, 37 F. Supp. 2d 855 (S.D. Tex. 1999) he described as CONSTITUTING TORTURE. I mailed you a Step 1 Grievance filed here on 12 Feb. 2012. Specifically, the MENTALLY ILL are subjected to such atrocious brutalities and inhumanities that would make HITLER’S AUSCHWITZ CAMP look like Disneyland. These are flagrant HUMAN RIGHTS VIOLATIONS AND CRIMES AGAINST HUMANITY that must be protested. While the racist, hypocrite U.S. government parades around the world as the “champion of human rights”, at this very moment, it is engaged in a pattern and practice of STATE TERRORISM AND GENOCIDE against the prisoner-class here in this prison system. The majority of those of us in this type PROLONGED SOLITARY CONFINEMENT ARE PEOPLE OF COLOR!

Prisoners are driven to SUICIDE and staff brutality does exist. For example, a few weeks ago MACK YATES, TDCJ# 353752, was beaten in his segregation cell by several fascist pigs, HE PASSED A POLYGRAPH EXAMINATION. He needs outside support to push federal criminal civil rights charges against the pack of rabid-hyenas who brutalized him. We need to get the United Nations Special Rapporteur On Torture, Juan E. Mendes involved, and groups like the project at Harvard Law School, ACLU, Center for Constitutional Rights, etc. involved in exposing these violations.

By now you should have the other copies I send you – the false reports, Step 1, written defense, and the attached appeal, I am filing THE WEAPON WAS A PLANT, OR it had been there in the window ledge for years, unbeknown to me. Fingerprint testing should point to the person that handled the weapon – evidence of my innocence, but the disciplinary pig Captain Segman, did not want to hear my defense. These fascist pigs have a history of these type of criminal acts V 12 The Special Master’s Report, and the Wallace case. See Disciplinary Defense Statement. You know that I am specially hated by these pigs going back many years. The current Senior

Warden Edward Smith knows me from Beto I Unit in 1983, and he was involved in the murder cover-up of black prisoner BARRY WAYNE EDWARDS, Galveston, brutally beaten to death in solitary, of which I overheard as I was in the adjoining cell that night. See Galveston Daily News; I am the target of specially repressive measures to punish me, and to break my will to resist, and now this. We must stir the senses of our supporters and the masses of people domestically and internationally, to come to my support and the support of the other fellow prisoners, who have little or no outside support. THE PRISON SYSTEM IS THE CRIME. but the oppressors have a mask on to conceal the true nature of this fascist – monster that profits from the MASS INCARCERATION of the poor, and people of color. The time for empty platitudes and other “sloganeering” is over. We must stir the masses to direct action against this criminal enterprise that feeds the needs of a capitalist system that is criminal in nature, and must prey on the poor, the defenseless, the voiceless in order to maintain its control over our lives. I am doing my part – resisting these fascist crimes, and trying to engage other prisoners in self-analysis, and to build a inside force of resistance through the raising of REVOLUTIONARY CONSCIOUSNESS. I have never, and will never fear fascism and will confront these war criminals in all areas of struggle. I have nothing to lose but my chains, and perhaps, through my own experiences and example it plants the seeds of resistance against fascism!

I am in TRENCHES OF HELL HERE ON EARTH! Surely, these real stories will compel others, and stir them to support and action, or they have become so indifferent and apolitical and robbed of their humanism and compassion as to be vegetables in a garden, or numb by the technologies of fascist capitalism! We must bring them back to their senses, to their humanity, and as Comrade George once said, THEIR LOVE FOR REVOLUTION!

Protests to the Warden here, and to Gilbert Campuzano in Austin must take place, calling for the case to be overturned and I be reinstated to Level 1 immediately. I got your letter of 2-8-12, and will address those specific issues in a separate letter.

Get copies of this to Max, Kamama, and LA Jericho, Harvard Law School, etc. We must unite to protest these inhumanities. Take Care Later,

En Solidaridad,
Alvaro Luna Hernandez
#255735, Hughes Unit,
Gatesville, Texas

For call & letters:
Regional Director Gilbert Campuzano,
TDCJ Region VI Director's Office,
4616 West Howard Lane,
Suite-200,
Austin, Texas 78728
(512) 671-2575 (FAX) (512) 671-2579

Senior Warden Edward Smith,
TDCJ-CID Alfred D. Hughes,
Route-2, Box 4400,
Gatesville, Texas 76597
(254) 865-6663
(Alvaro's address is the same as the warden's)

John S. Dolley Jr. (“Twitch”)
Central Coordinator,
Committee to Free Alvaro Luna Hernandez,
Post Office Box 7187

Austin, Texas 78713

14 Feb - Camille Marino Arrested — Are Animal Rights Activists a “Hate Group”?

Two activists with the animal rights group “Negotiation Is Over” (NIO) have been [arrested at a protest in Florida](#). Group founder Camille Marino was arrested on an out of state warrant, and is awaiting extradition to Michigan. [Green Is The New Red](#) has a good analysis of Marino’s arrest and the context in which the government and industry groups are trying to place it.

MORE:

In Michigan, NIO is campaigning against an animal experimenter at Wayne State University named Donal O’Leary, who uses dogs in heart experiments. One of the dogs, the Dalmation pictured above named Queenie, was forced to run on a treadmill with a device implanted in her heart, catheters protruding from her body, and open wounds leaking fluids. Doctors have urged the federal government to investigate [O’Leary’s violations of the Animal Welfare Act](#).

Marino has allegedly posted personal information about O’Leary on the NIO website, alongside inflammatory commentary and her voicing support for physical violence. (Most of these posts appear to have been removed recently.) For example, on one of the [NIO blog posts about O’Leary](#), a commenter wrote 800 words of gruesome details about what should be done to him, such as “We will then strap you into a monkey restraining device and use industrial pliers to crack your testicles like walnuts.”

Marino replied:

Is there any chance I can persuade you to videotape your proposed activism so that we might upload it to NIO for the entire community to enjoy?

I just finished sending off an email to this motherfucker wishing him a slow painful death.

I would be elated to actually watch it come to pass!

In response to the violent rhetoric and posting of personal information, Wayne State University banned Marino from campus. Later, O’Leary obtained a court order that instructed Marino to remove the personal information from her website. She not only refused, she reposted it and wished him “good luck” collecting his legal fees.

Since her arrest, there has been wildly inaccurate information about the case. For instance, some NIO supporters claimed she was being held in a [maximum security prison](#) (she’s not, she is in Alachua County Jail). Others put out [press releases](#) saying that this was the first arrest under the [National Defense Authorization Act](#) (her arrest had nothing to do with NDAA). Such exaggeration doesn’t help anyone.

However, NIO’s opponents are spreading what could be much more dangerous misinformation.

Americans for Medical Progress, an industry group, says NIO is an [“animal rights hate group”](#) and the Southern Poverty Law Center has included NIO in its [“Hate Watch” column](#).

Marino’s campaigning is controversial, but to call it a “hate group” is overreaching. Among the many differences between NIO and hate groups is that animal rights activists are opposing people because of what they **do** rather than who they **are**.

An even more important difference is that hate groups engage in physical violence, while NIO has only sensationally talked about it on blogs and Facebook.

As one commenter said on [Hate Watch](#):

Upon reading the story it looks like Ms. Marino is not guilty of any serious crime... She did have a protective order issued against her, I’m not sure it was really violated here and it may get dismissed. She

has committed no specific act of violence or damage to property. An expired drivers license is no big deal either.

These are important points to consider when discussing whether NIO's blog is protected by the First Amendment. At the heart of the two key standards in First Amendment law is the question: Is the speaker using outrageous rhetoric to get attention, or will these threats be carried out?

In this case, the answer is clear.

While Marino and her followers may praise the tactics of anti-abortion extremist Scott Roeder and suicide bombers ([Marino says](#): "If one is going to end their own suffering, it would be an admirable act if they took as many abusers as possible with them") there has never been physical violence in the name of their cause.

And while Marino may write about how she is eager for the day when animal rights activists cross that line and murder human beings (and other activists have been saying the same thing for decades), it is just that: words.

There are limits to speech, of course, and there's no doubt that NIO's conduct tests those limits. But, as I wrote in [Green Is the New Red](#):

The history of the First Amendment is one of protecting the vulgar, the crass, the wayward and unhinged. It has protected Clarence Brandenburg, a Ku Klux Klan leader, when he called for "revengeance" against the courts, Congress and the president, while Klansmen at the rally shouted "bury the niggers." At a very different kind of rally, Robert Watts told anti-war protesters that he would refuse service if drafted to Vietnam. "If they ever make me carry a rifle," he said, "the first man I want to get in my sights is L.B.J."

Why have the courts upheld such a radical interpretation of the First Amendment? What can be the value of sensationalistic, offensive speech?

The courts have not made exceptions to the First Amendment lightly or without controversy, believing that the amount of protection afforded to those on the fringes reflects the freedoms of those at the center.

Protecting the rights of the Brandenburs, the Wattses, and the Everses may sound outrageous to those who have been on the receiving end of the vitriol, such as animal experimenters.

And it might even sound outrageous to much of the animal rights movement, because NIO has been such a divisive and confrontational group amongst other animal activists.

But in cases like this all parties should step back and remember that, at its core, the First Amendment has never been about protecting or supporting unsavory speech; it's about refusing to prohibit it.

15 Feb – New Video Interview with Theresa Shoats

Theresa Shoats is an activist and the daughter of Russell Maroon Shoats, who was a member of the Black Panther Party and a founding member of the Black Unity Council. He is serving multiple life sentences for the 1970 murder of a Philadelphia area police officer. Now 70 years old, Shoats has spent the last 21 years in continuous solitary confinement at Pennsylvania's SCI Greene, and he did several earlier terms in solitary as well--for a total of close to 30 years in all. We've pasted the link to a new interview with her below.

MORE:

<http://youtu.be/3o1Uj9s8YiY>

Campaign Launched to End the Solitary Confinement of Russell Maroon Shoatz

Join the Center for Constitutional Rights, National Lawyers Guild, and the Human Rights Coalition in [supporting the call](#) to release Maroon from his 20+ years of solitary confinement

Supporters of Russell Maroon Shoats have launched a campaign to have him released from the torturous solitary

confinement that he has been held in for more than twenty years. A letter-writing and [petition campaign](#) has been launched and supported by the nation's leading human rights legal organizations, the [Center for Constitutional Rights](#) and the [National Lawyers Guild](#), along with the [Human Rights Coalition](#), a prison abolitionist organization co-founded by Maroon.

Visit the campaign's website at russellmaroonshoats.wordpress.com and sign up for email updates by clicking the "Follow" link at the bottom right.

Russell Maroon Shoats, a 68-year-old prisoner held at the State Correctional Institution (SCI) Greene in southwestern Pennsylvania, has been kept in solitary confinement for more than 21 years. He has been unable to hold his children or grandchildren or interact with others in a humane setting during this time, despite not having violated prison rules in two decades. He has suffered severe psychological anguish and his physical health has been worsened by the stress of prolonged isolation.

Maroon has spent nearly 40 years within the Pennsylvania prison system, 30 of those in solitary confinement. During this time he has earned a reputation amongst prison staff and prisoners as a leader because of his consistent support for human rights inside and outside the walls. Prison officials claim that Shoats is a security threat due to past escapes and attempts, though new evidence has surfaced that his continued solitary confinement is based on secret and fraudulent evidence of a non-existent plan to takeover a prison in the 1980s. Prison officials also identified Maroon's political associations as a basis for continuing to torture him via solitary confinement.

We are distressed and outraged that an elderly man who is nearing his 70th birthday continues to be treated in such a cruel manner based on his constitutionally-protected support for human rights and in retaliation for his expressing political opinions disfavored by the prison administration. Not having committed an infraction in more than two decades reveals that Russell Shoats is more than ready to re-enter the general prison population.

Visit <http://chn.ge/yYuGoZ> to join us in calling on prison officials to end the solitary confinement torture of Russell Maroon Shoatz by releasing him into the general population of the prison immediately.

16 Feb - "oh shit. .they've got gloves on!" by Mandy Hiscocks

2010 Toronto G20 "main conspiracy" prisoner Mandy Hiscocks has been sending out blog entries and we've included the two latest ones below.

MORE:

today, february 4, we didn't get let out for breakfast. or after breakfast.

LOCKDOWN.

when this happens, the hatches in our cell doors get opened so the range workers can pass our food through. (range workers are inmates who've been around for a while. they do laundry, clean the range and help with meal distribution). then the nurse comes and passes the meds through. when that happens there's usually a guard too, so when they got to us my cellie took the opportunity to ask her why we were locked down. "there's something going on," she replied. wow, really? what a spectacularly informative answer, thank you.

mid-morning canteen arrived. one cell at a time we were let out to pick up our order, and -yes!- my scrabble has arrived along with a deck of cards. good timing, as it appears we're not getting out any time soon. and we still don't know why - as my cellie likes to say - "we're just mushrooms, they like to keep us in the dark." so i write a letter. i read. the day drags on. lunch comes through the door so we eat. we play scrabble. my back is aching from sheer sloth.

but then. . .around 3:30. . .

"oh shit. .they've got gloves on!"

SEARCH.

i've heard of these. a bunch of guards come in and trash your cells, leaving a huge mess and possibly confiscating things they decide you can't have. they're filing in through the door yelling at us to get out of our cells and line up against the wall. they're wearing single-use blue rubber gloves, all except one. he's wearing black leather. gross. maybe he's an environmentalist and doesn't like disposables? or maybe what he really wanted to be when he grew up was a cop. . .

the pissiness level is high. we're not moving fast enough/being quite enough/ _____ enough. whatever. we've been cooped up all day. we are annoyed. we get taken out ("single file, ladies. MOVE IT!") to the yard. there aren't enough jackets for everyone but luckily it's a climate change kind of winter here in southern Ontario so it's not too cold (sorry island nations). and now, a few at a time, we go in for the strip search. i go last because it's nice to be outside, and i overhear the guard at the door saying we'll all be going right back to lockdown. "may i ask why?" someone says. "because there's a protocol for when certain things happen." again, a fantastic answer, just amazing. thank you for your assistance.

eventually it gets to be my turn. the guard at the door tells me to take out my ponytail. i do, and put the elastic around my wrist. the white shirt (a higher up kind of guard than a blue shirt) inside the door gives me a scowling, i-can-make-your-life-miserable look and asks:

-what is that?

-an elastic.

-a hair elastic?

-an elastic band from underwear.

-throw that out, it's contraband.

-really? you people are fucking hilarious.

-i don't think i'm hilarious, you can't rip up underwear.

-it was going in the garbage.

-(something else but i'm walking away and no longer listening).

i pissily throw the Evil Contraband in a garbage bag on my way to the strip search, muttering crusty nothings under my breath. (okay, i admit, i'm making no claim to maturity here. but you treat people like children and childish behaviour is what you'll get).

now, here it is important to speak of underwear. underwear is not to be put through the laundry and used by other people because that is unsanitary. you have to wash it yourself in your cell's sink and if it breaks you have to throw it away. it breaks quickly too - it is quite possibly the cheapest underwear known to humanity. so anyway, a pair of mine broke. cool. i say to myself, i can use the elastics for my hair and the rest as face cloths or cleaning rags. so reasonable, you are probably thinking. perhaps you're even thinking that not just tossing the underwear after five uses is slightly more respectful to the planet and the child in a sweatshop somewhere who undoubtably made them. reduce, reuse, recycle, right? WRONG. apparently it's Against The Rules. i was never given a reason, so i will assume that underwear elastic is dangerous, treacherous, maybe TERRIFYING. luckily, tax dollars are hard at work making sure i use a rubber band in my hair and not a scrunchie made from soon-to-be garbage. we can all relax, folks, society is safe!

but now back to the story.

my strip search ends and they're satisfied that whatever they're looking for isn't hidden in my hair or up my ass. "put your clothes back on." why thank you, don't mind if i do. "go into that room" where everyone else is waiting. okay, oh, but hang on. "stand against the wall." it seems i am getting a talking to.

-tomorrow, if the other girls get out, you're staying on lockdown.

-okay, what's the reason?

-showing disrespect to a lieutenant.

uh-huh. now, as i see it, pettiness and power-tripping sure are going to earn that lieutenant a whole lot of respect from me. no doubt about it.

oh, jail. i sense that you and i are not going to get along.

*

*

*

[one week later]

when i wrote that i was sitting at the desk in my cell, on lockdown, seething with anger and frustration. hand shaking, teeth clenched, hatred and sarcasm oozing out onto the page. but it's been a week now, i've calmed down, and i'm hesitant to put this in the mail because it really doesn't represent how i feel most of the time here. but i said i'd share the good, the bad and the ugly. . .

the thing is, while the rules make very little sense, most of the guards are quite nice. some are downright friendly and there are very few complete jerks. my interactions with them are polite and impersonal - and infrequent, because we're on one side of the glass and they're on the other. usually, if one comes in with a bad attitude i just bristle and ignore it. but lest you think it's all fun and games and reasonable adult behaviour around here, i guess you just got a glimpse of something else :)

from now on i intend to save up my anger and resentment for when i get out, to be directed at the state where it belongs.

on a happier note, tomorrow (february 13) will be my one month anniversary in this place. i'm going to celebrate with a bag of Lays BBQ chips and a Kitkat (sweet, sweet canteen!) and a changeover of the poster and pictures on my wall. one month down, nine and two thirds to go!

February 24th - "what did you do at school today?"

today is Family Day.

it seems like an appropriate time to talk about how the state uses the criminal justice system and the prison-industrial complex to rip apart families in poor, marginalized and targeted communities. ostensibly, this is to protect the families of the upper and middle-classes - you know, the people who count.

in school, through books and TV, and often by well-meaning parents, kids are taught that the police are their friends and are to be respected and trusted. so what does it mean when they come and take away mum, auntie or big sister? is that person who they love bad? is she not to be trusted? how do you explain to a child that "arrested" doesn't mean "guilty", and that if they had money and knew the right kind of people they'd be out on bail already? that guilty pleas are often a matter of convenience and cost, and anyway the law is unfair? it's hard enough to explain this disgusting logic to an adult, never mind a child who sees things in dichotomies of good and bad, truth and lie, right and wrong. i met a woman here who was once jailed for writing bad cheques to pay for groceries because she couldn't afford to feed her family. children are self-centred by nature and tend to think everything is their fault - so how do you explain that one? do you lie to protect them? if you do, will they grow up thinking mum did something really bad, like the prisoners in the movies?

presumably people who don't live in nice, white, middle-class suburbs like the one i grew up in have different conversations with their kids about the role of police and jail in society. i certainly hope so, but a bit more mature analysis doesn't change the fact that when the state comes to take a family member away, an important adult in their life is no longer around. they are being punished too.

a lot of inmates on my range have kids - babies, adults and everything in between. while they're here they can't hug, hold or kiss them because the visits are "secure": prisoners and visitors are divided by glass and speak through the phone. unless there's a way to apply for a touch visit on humanitarian/compassionate grounds (and if there is i have never heard of it) this applies to everyone on unit 2, the maximum security unit.

even this limited contact can be a challenge for some families. children under a certain age have to be accompanied by an adult, so someone has to be willing and available to bring them during the somewhat limited visiting hours. it's hard to get to Vanier if you don't have a car or can't afford the gas or a rental. not to mention that Vanier "serves" a huge area. some people would have to drive for hours for a 30 minute visit, or an hour long one if they're lucky to book a double. some inmates simply can't bear to see their loved ones for such a short time, or they don't want to make them stressed or sad. so they tell them not to come and get no visits at all.

that leaves letters and call (calls are collect so not everyone can afford them). calls to or about kids range from the usual chitchat - "what did you do at school today?" - to conversations with partners or caregivers - "make sure he eats his whole lunch!" - to tearful questions and arguments about custody. people laugh and cry over letters from or about their kids, proudly show me photos, and wish they could be there for the milestones. one mother recently missed her son's first big Valentine's Day date, an aunt was denied bail and was most upset by the thought of not being there for her nephew's first birthday. still young and living at home, she later had a visit from her mum who told her she was kicking her out - apparently it's not just the state that forgets that pesky "innocent until proven guilty" thing, sometimes it's family too.

those of you who know me know that i'm opposed to prisons. i agree whole-heartedly with the following statement taken from a zine i'm reading (Defiant Hearts: Birth and the Prison Industrial Complex):

"Correctional facilities" are designed to break the human spirit and re-educate those within its walls to be "model citizens" - snitches, police, obedient workers, and other variations of cowardly traits - or, insert those who will not be tamed into the osculating door of probation violations and lengthy prison sentences, subsequently converting their lives into capital. . .

This process is necessary to the functioning of capitalism.

you don't need to share this view or agree with prison abolition to be able to understand that a lengthy separation of parents from their children is not going to benefit those kids. it's worth stating that on my range (despite it being the maximum security unit) most people don't seem to be here for serious violent crimes. for the most part it's things like fraud, theft and drugs, and some assaults (which also seem to be mostly related to drugs, or a response to the arrest itself). my guess is that almost all of it can be traced back to addiction and/or the criminalization of poor and racialized communities. surely we can think of more productive ways to deal with these problems?

try to imagine trying to raise your kids from jail, or worrying about how they are being raised by others, and how much you'd miss them. also, remember that a lot of women in here are on immigration hold, and often don't have any pending charges at all. try to put yourself in the place of a woman who was recently deported - taken straight to the airport from the jail - without being able to see or say goodbye to her two kids. they were with her

husband who she hadn't been able to reach since the day she was detained a few months earlier. her husband is a Canadian citizen. i asked if he would bring the kids to her country and she just replied "i hope so. i don't know."

pregnancy is a whole other concern. pregnant women get a special diet but they can't eat whenever they are hungry. on this unit they can't nap (or even lie down) when they're tired or sore, and there's no comfortable furniture of any kind. i'm not in a position to judge the pre-natal care offered here or to compare it to what's available on the outside. i do know that there are pre-natal vitamins and ultrasounds. i don't know if abortions are possible, and i highly doubt there are options such as midwives and doulas. i've been told by people who've experienced it that labour is induced on a pre-determined day and the woman is not allowed to refuse this.

during labour she's handcuffed to the bed (really, how far's she going to get? she's in LABOUR). I've heard of prisons in the U.S. that have nurseries, and some that allow a young child to stay with the mother in jails - raising the questions of what the kid will take away from that kind of environment - but here when the baby is born it's taken away within a few days and placed with family or the state while the mother completes her sentence.

which bring me to the Children's Aid Society (CAS) and a potential project for one or some of you. since i've been here i've heard two people say that their bails were pulled by their sureties because of interference by CAS. in the first instance it seemed that it was about the surety's children and in the second about those of the accused. i have no other details but that sounds a bit sketchy to me. if anyone knows what the mandate of CAS is (and what role they actually play) when it comes to the bail process, i would love to know. if you don't know but would like to do some research that'd be great. i'm happy to do what i can from in here (which probably isn't much). please write me a letter if you're interested.

17 Feb - Utah Bill Would Make Videotaping a Factory Farm the Same as Assaulting a Police Officer

Utah is the latest state to consider new laws targeting undercover investigators who expose animal welfare abuses on factory farms. A new bill would make photographing animal abuse on par with assaulting a police officer. UPDATE: The bill passed. We've pasted relevant articles below.

MORE:

[Rep. John Mathis calls undercover investigators "animal rights terrorists,"](#) and says video recordings that have brought national attention to systemic animal welfare abuses are "propaganda" and fundraising efforts.

The bill, [HB187](#), targets anyone who videotapes or takes photograph on a farmer's property without permission. It creates the crime of "agricultural operation interference," a class A misdemeanor which is elevated to a third-degree felony on the second offense.

It comes at a time when the FBI has [considered "terrorism" charges against undercover investigators.](#)

Rep. Mathis' [opening remarks at a hearing](#) by the Utah House Law Enforcement and Criminal Justice Committee on February 14th are indicative of the good ol' boy network that is attempting to pass this legislation:

"It's fun to see my good ag friends in this committee," Mathis said. "... all my good friends are here."

Mathis, the sponsor of the bill, said animal protection groups are solely using their investigations as "propaganda" efforts for fundraising drives. He went on to claim that animal welfare reforms, such as allowing chickens to spread their wings, are actually "detrimental to the welfare of animals."

Exposing animal abuse is hurting animal welfare? Photography is terrorism? What Mathis leaves out is that these investigations have led to criminal charges against farm workers. Just this week, undercover video shot by [Mercy for Animals at a Butterball farm](#) resulted in six workers being charged with misdemeanors and felonies.

And a recent investigation by Compassion Over Killing (in Iowa, another state considering "Ag Gag" legislation) showed workers pushing herniated intestines back inside injured piglets, then [covering the wound with tape.](#)

Only token gestures of opposition were made during the hearing, such as one representative voicing concerns that the bill could target people who take “pretty barn pictures.”

But this bill isn't about pretty pictures.

This bill, and [similar attempts in Florida, Iowa, Minnesota and New York](#), is to criminalize anyone who exposes abuses on factory farms.

These disproportionate penalties are solely motivated by the corporate interests affected by animal welfare reforms. As Rep. Craig Frank, a Republican, noted: this bill makes taking a photograph of a factory farm in Utah a third-degree felony on the second offense, the same as assaulting a police officer.

He called it a “Blank Angus Ops” bill and questioned the need for new laws when trespassing is already a crime, but outside of making jokes he and the others on the committee offered no opposition.

In light of the recent criminal charges and systemic animal welfare violations, it's startling to hear Mathis and supporters say the bill is the same as punishing someone who leaves a video recorder “under you and your wife's bed.”

This isn't about personal privacy.

It's about corporations attempting to hide their criminal activity, deceive consumers, and deflect public scrutiny onto those who are dragging these abuses into the sunlight.

The committee voted 10-3 to move the measure as originally written to the full House.

Utah “Ag Gag” Bill Passes House — Urgent Action Needed

A Utah bill that targets anyone who photographs or films factory farm abuses, which supporters describe as “terrorism,” has [overwhelmingly passed the House](#).

HB 187, “Agricultural Operation Interference,” passed 60-14. (Here is a full list of [those who voted for it](#).) The amended bill removes the sentencing provision that would make a [second offense equivalent to assaulting a police officer](#). However, the bill remains dangerously overbroad. As Rep. David Litvack noted, the bill not only targets animal rights groups: “There is no whistleblower protection.”

“Ag Gag” bills are being [considered in multiple states](#), but, if the Utah Senate approves, this would be the first of these proposals to become law.

I recently spoke with [Sonali Kolhatkar at KPDK radio](#), Los Angeles, about these attempts to criminalize anyone who exposes what corporations don't want consumers to see. As KPDK notes:

Hidden camera footage of situations like cows being dragged to slaughter and chickens packed into cages so tightly they cannot sit down have become a common educational tool of animal rights groups. Even mainstream news channels use the shocking footage when covering debates around animal cruelty and farming practices... Will Potter is the author of [Green is the New Red: An Insider's Account of a Social Movement Under Siege](#), in which he chronicles the ways in which environmental activists and others are increasingly being branded as domestic terrorists. We had interviewed Will when his book first came out and he now joins us once more.

20 Feb - Message from Walter Bond, Today I Have Converted to Islam

We've included a short update on Walter Bond, now Abdul Haqq, including what he's written about his conversion to Islam.

MORE:

Today 2-20-12 I have converted to Islam, I have become a Muslim. Never in my life have I been part of any religion. Since I was very young I have always had a deep interest in world religions and mythology. I used to

study these in hope of finding a way suitable for me to approach God. As I aged I lost all faith in there being a 'God'. My thought process was that If there was a God why would he allow such evil in the world? I have learned through my own various hardships that there is more than just the forces of evil at work in this world. Why, and how all things including imbalance and evil exist are not possible for me to fully understand. What is mine to do is live for Allah, to fight for justice, morality and liberation. To, for once in my life, submit my pretentiousness and ego to a power far greater than myself. Before I was incarcerated I had taken a very quick and cursory glance at Islam. Since that time to the present there have been more than one sign to show me that Islam is the path that Allah has called me to. Culminating in my detention in the CMU where over half of the men are Muslim. I have taken Sha' had'a Meaning that I testify that there is no god but Allah, and I testify that Muhammad (peace be upon him) is his servant and messenger. The brothers here have given me the name Abdul Haqq which roughly translated means 'servant of the truth' It is the only other name besides my birth name that I truly, truly cherish. Although I cannot be recognized by my Muslim name in prison. it shall be the name I go by in my daily life now and forevermore. This is my public proclamation of my faith. Take care and I'll do the same.

And from February 25th

Not much is really going on, I'm just doing my time and staying busy.

I now have a set schedule of activities. I workout in the morning, then do a Qur'an study right after lunch, then at 2PM I study Arabic language. After that I play handball and relax, then in the evening I study Al Bukhari and at the end the day I do an hour long cardio routine.

My daily routine is getting to be very full for sure. Yes I have many a tutor in scripture and language. At least half of the men on this unit are college educated and hold degrees. Walking around the CMU, I am engaged hourly in in-depth conversations about science, religion, politics etc. the only way to avoid knowledge here is to hide in your cell and refuse anyone's company.

The food is not as good as it was in Oklahoma, but still way better than in county jail. I am starting the process rolling to get not just here but the entire BOP to either offer a specifically Vegan meal option or better yet replace the 'no flesh' diet with a Vegan one, and also approval of Vegan toiletries and hygiene products. This will be my project for now and I am confident that I can make this change just as they did decades ago in England. I will keep you posted on my various filings. They have expanded the CMU here in Marion. From what I understand we have a whole outside recreation area and chow hall that did not exist a couple months ago.

As far as what info you can tell me via the phone, email and mail: sure you can let me know what's going on. If my jailers and handlers don't like it they will simply not allow it to reach me. Just don't be surprised if I am unresponsive to the info you send me, it's unfortunate but that is the situation I am in. Nor do you need to be overly concerned about everything you say or write, you are not in the CMU, I am. And honestly I do not yet know what they consider over stepping the bounds of my communications because I have hardly had any.

Take care, and I'll do the same...

21 Feb – Impotent by Jalil Muntaqim

Here's the latest blog entry by Jalil Muntaqim. Please take the opportunity to use this as a basis for discussion.

MORE:

IMPOTENT

(Decolonize the P.I.C.)

Webster's Dictionary: “/a: not potent, lacking in power, strength, or rigor ...”

It seems far too obvious that when government institutions blatantly ignore the cry of progressives' petition for change, that cry, that petition is impotent. It lacks the power, strength or vigor to compel government institutions to respond positively, relent and acquiesce to the progressives' demands.

This reality is even truer when it concerns the so-called prison reform or prison abolitionist movement challenging any aspect of the prison industrial complex (P.I.C.). In every state we find the growing problem of

institutional racism and repression in U.S. prisons. Standard prison rules continue to restrict prisoners' limited First Amendment (right to assemble and freedom of expression), Fourth Amendment (freedom from search and seizure/procedural due process) and Fourteenth Amendment (each state must provide equal protection under the law to all people within its jurisdiction) rights.

The most recent case of prisoners' resistance at California's Pelican Bay (hunger strike), and the lackluster California activists' effort to meet the challenge to support the prisoners, blatantly poses an issue of impotency. While California activists succeeded in getting some "passing moment" press attention, the media soon directed their attention to other matters, as did the activists. There have been no fundamental changes to improve the overall conditions of Pelican Bay's segregated prisoners. The prisoners continue to suffer the indignities of their original charge of constitutional violations. California activists have moved on to other concerns, i.e., the Occupy phenomenon, abandoning the Pelican Bay prisoners' demands.

Similarly, the prisoners of Georgia recently sent an open letter to the progressive community criticizing how their efforts have been abandoned, despite many prisoners continuing to be severely punished for their strike. Here, in New York State, I've personally experienced a well-intentioned but impotent initiative on my behalf to challenge the Department of Corrections and Community Supervision (DOCCS) by progressive community activists.

On January 23, 2012, I was handcuffed and escorted to the Special Housing Unit (SHU) for six months following a bogus disciplinary hearing. I had been charged and found guilty of possessing 14 photos prison officials alleged represented an "unauthorized organization." The 14 photos had been delivered to me in late March/early April 2011 by Attica's correspondence department. The 14 photos depicted the March 2011 community-sponsored memorial ceremony for the honored member of the now-defunct Black Panther Party Michael (Cetewayo) Tabor. Cetewayo had been one of the Panther 21, New York City Panthers who for two years were held in jail illegally under a "COINTELPRO-inspired" indictment. The memorial service was held at City College, and award-winning playwright Jamal Joseph, a former BPP member and now a talented theater group director for young people, had his youngsters (Impact Repertory Theater) perform at the memorial ceremony. Because a Black Panther Party banner was hung on the wall behind the podium, and the performing youth wore BPP t-shirts, standing with raised clenched fists, it was charged that the photos represented an "unauthorized organization."

When word of this bogus disciplinary hearing and penalty of 6 months in SHU, with loss of commissary, phones, packages and good time was learned of by New York City and State progressives, a noble phone and writing campaign was initiated protesting the disciplinary charge/penalty. Since I was denied the right to call witnesses during the disciplinary hearing, a clear violation of New York State Title 7 N.Y.C.R.R. 254.5 and U.S. Constitution First, Fourth and Fourteenth Amendment guarantees, the campaign was directed to New York State Attorney General Eric Schneiderman, DOCCS Commissioner Brian Fischer, and Attica Superintendent Mark L. Bradt.

Despite many people writing and calling, these state functionaries, civil servants, essentially ignored the demand for them to right an obvious injustice.

Now, the problem is no way compares to the struggles of prisoners at Pelican Bay or in Georgia, but it does highlight the impotence of the prison reform/abolitionist community of activists. It expresses and exposes the ineffective challenges we make, often in direct response to crises, lacking a sustainable determination opposing racism and repressive state institutions.

In contrast, during the 2007-2009 San Francisco 8 persecution, the San Francisco 8 Support Committee organized a heroic campaign that brought many progressive groups together. The Asian, Mexican, Hispanic, New Afrikan and Euro-American activist communities joined in support of the demand to "Drop the Charges." The SF8 Support Committee successfully obtained resolutions from the Berkeley and San Francisco City Councils for the charges to be dropped. They obtained active support from labor unions and civil rights

organizations like the NAACP; from major religious institutions and newspapers in the Bay Area community support was given; liberal elected politicians joined in the demand; a huge banner was placed on a San Francisco mountain for highway travelers to see: “Free the SF8.”

The coordinated broad-based organizing by the SF8 Support Committee was reminiscent of the type of organizing that occurred in the late '60s and early '70s, challenging the judicial system in the many political trials of that era. Just as important, the SF8 Support Committee sustained a physical political presence in the courtroom, and at various events raising the issue, educating and building support for the SF8.

This example raised the question whether it can be replicated, from a microcosm of a successful issue-oriented campaign, into a macro-platform-oriented organizing campaign. Can a core group of committed political activists build, as in expanding concentric circles, a broad-based uniform prison reform/abolitionist determination in New York State? It is obvious that the NYS prison system is not the least concerned about any community challenges to its racist operations. Not unless or until New York State and City progressives decide and affirm the maxim that there is “strength in numbers” and “strength in unity,” will they grow to become an effective political force capable of ensuring their demands for change and justice in the NYS prison system are met.

Needless to say, it is far past time for progressives across the country to recognize in order to become effective, they must broaden their base of organizing. The continued “preaching to the choir” and “neglecting the bystanders” must come to an abrupt halt. The hard, grunt work of outreaching to unions, legal institutions, (ACLU, NLG, NCBL, etc.), religious and faith-based institutions, civil rights organizations, academia/students, and the many ethnic communities is necessary to build a powerful campaign for prison and parole reform in New York State and across the country.

I am extremely grateful to all those who made phone calls and wrote letters. At a minimum, it served to inform DOCCS my treatment will not go unnoticed. They should be prepared to hear from the community when prison personnel violate their own rules, regulations, and laws. This is an important and significant step forward; however, the task is beyond crisis response. It is a wake-up call for the need to build a powerful, sustainable campaign and movement for fundamental change.

For instance, calling for the resignation of DOCCS Commissioner Brian Fischer and Division of Parole Chairwoman Andrea Evans for dereliction of duties, abdication of responsibilities and failure as civil servants to be responsive to community expectations would be a good start. Of course, a pragmatic proposal would require the building of a Community Prison and Parole Review Board and Ombudsman with the authority to investigate and file public reports with recommendations for change to both the Governor and State legislature, and being able to file complaints with the New York State Attorney General for civil and criminal prosecution.

Conversely, it won't be until the overall communities from which the majority of prisoners come, and will eventually return, are intimately involved with the demand and challenge for prison and parole change, that the entire prison reform/abolitionist movement will become strong, sustainable and durable. Prisons are “Big Business” in New York State, and many legislators have political investments in this business. But the biggest and unwritten investors are members of the poor and oppressed communities whose family and loved ones feed and generate profits for this business. Unfortunately, the communities, for the most part, do not benefit from the billion-dollar business of prison. Rather, their reward is the negative return in the form of modern day slavery.

DON'T OCCUPY—DECOLONIZE THE PRISON INDUSTRIAL COMPLEX

21 Feb – New Information in Earth Liberation Front Prosecution

Animal rights activist David Agranoff has agreed to cooperate with government as part of a plea agreement related to Earth Liberation Front crimes in Bloomington, Indiana, more than 10 years ago. For many it's difficult to imagine David turning snitch, but the arguments for this reality are laid bare below.

MORE:

The prosecution is related to an April 30, 2000 arson in Bloomington, Indiana, that destroyed 14 pieces of logging and construction equipment.

According to an Associated Press report at the time: “Gas tanks were filled with sand, which was also packed into oil crankcases, police said. Fuel and hydraulic lines were cut, and a tractor-trailer filled with wood chips was set on fire. On the trailer had been emblazoned the words, ‘Go develop in Hell.’ The letters ‘ELF’ had been spray-painted on several pieces of equipment...”

In March, 2011, Agranoff waived his right to indictment (which means agreeing that the government has reason to bring the charges against him). [Source: [waiver of indictment](#)]

In August, 2011, his attorneys filed a motion to push back his sentencing hearing, because: “The Defendant has not yet completed the cooperation he intends to provide to the government in consideration of a motion pursuant to U.S.S.G. § 5K1.1.” This is the section of the U.S. Sentencing Guidelines related to [“Substantial Assistance to Authorities.”](#) [Source: [motion to continue](#)]

That section of the sentencing guidelines states:

Upon motion of the government stating that the defendant has provided *substantial assistance in the investigation or prosecution of another person* who has committed an offense, the court may depart from the guidelines. [emphasis added]

In other words, the sentencing guidelines are explicit that providing information about oneself is not enough. “Substantial cooperation” can only mean implicating others.

According to Agranoff’s attorney, Michael Donahoe, Agranoff cooperated by providing information about Frank Ambrose and Marie Mason.

Marie Mason is currently imprisoned on a [22 year sentence, the longest of any “Green Scare” prisoner](#), after Frank Ambrose cooperated with the government against her.

Ambrose had provided information about multiple Earth Liberation Front crimes as part of his own [plea agreement](#) for a reduced sentence of 9 years.

Agranoff’s attorney said that he agreed to cooperate because Ambrose and Mason are both currently imprisoned.

Five months after filing the motion to push back his sentencing so that he had more time to fully cooperate, Agranoff was sentenced to 1 year and 1 day on January, 2012, for misprision of a felony (knowing about the commission of a felony and failing to report it to the police). The court recommended he serve his time a low-security prison camp. He also received 1 year probation. [Source: [judgment in criminal case](#)]

He has been ordered to pay \$134,000 in restitution to two companies: \$84,000 to John Jones Timber and Cutting, and \$50,000 to Crider & Crider, Inc. [Source: [judgment in criminal case](#)]

As background, Dave Agranoff has been active in the animal rights movement since the 1990s. In 2005, he was subpoenaed to a federal grand jury investigating a [speech by Rod Coronado](#). He and two other activists refused to testify, and he [served 80 days in prison](#). He was the subject of much controversy for publicly supporting Justin Samuel, a known informant who fellow activists regarded as a “snitch” for cooperating against Animal Liberation Front prisoner Peter Young.

UPDATE 1: This is all deeply troubling news to many in the animal rights and environmental movements, and I do not take this issue lightly. I have been grasping for any bit of information that could help explain these documents in another way.

I have received many emails from others who seem to be grasping as well. These documents were previously sealed, and there is undoubtedly additional information that myself and others have not been able to access. Couldn't it be possible, one person asked, that Agranoff only provided information about himself, and only himself, in order to get a reduced sentence?

I had genuinely hoped this was the case, but these documents, along with the explicit language of U.S.S.G. § 5K1.1 and associated case law, unfortunately do not leave room for misinterpretation.

The only way Agranoff could have received a reduced sentence without providing information about others is if 1) prosecutors generously agreed to recommend a one-year sentence, without any substantial cooperation, or 2) Agranoff negotiated a deal that would literally rewrite this section of the U.S. sentencing guidelines.

UPDATE 2: Agranoff's attorney has confirmed that he agreed to cooperate against Marie Mason and Frank Ambrose. He says Agranoff chose to do this because they are both currently imprisoned.

According to Marie Mason's former trial attorney, John Minock, prosecutors had previously agreed to not prosecute her for her involvement in the April 30, 2000 arson.

However, in a letter from prison to another activist, Mason said she had heard rumors that Agranoff was cooperating against her and she was very concerned.

23 Feb - Bradley Manning, Solitary Confinement and Occupy 4 Prisoners

We've included a new piece by Bill Quigley, associate director at the Center for Constitutional Rights, about Bradley Manning.

MORE:

Today US Army Private Bradley Manning is to be formally charged with numerous crimes at Fort Meade, Maryland. Manning, who was nominated for the Nobel Peace Prize by members of the Icelandic Parliament, is charged with releasing hundreds of thousands of documents exposing secrets of the US government to the whistleblower website Wikileaks. These documents exposed lies, corruption and crimes by the US and other countries. The Bradley Manning defense team points out accurately that much of what was published by Wikileaks was either not actually secret or should not have been secret.

The Manning prosecution is a tragic miscarriage of justice. US officials are highly embarrassed by what Manning exposed and are shooting the messenger. As Glenn Greenwald, the terrific Salon writer, has observed, President Obama has prosecuted more whistleblowers for espionage than all other presidents combined.

One of the most outrageous parts of the treatment of Bradley Manning is that the US kept him in illegal and torturous solitary confinement conditions for months at the Quantico Marine base in Virginia. Keeping Manning in solitary confinement sparked challenges from many groups including Amnesty International, Human Rights Watch, the Center for Constitutional Rights, the ACLU and the New York Times.

Human rights' advocates rightly point out that solitary confinement is designed to break down people mentally. Because of that, prolonged solitary confinement is internationally recognized as a form of torture. The conditions and practices of isolation are in violation of the Universal Declaration of Human Rights, the UN Convention against Torture, and the UN Convention on the Elimination of all forms of Discrimination.

Medical experts say that after 60 days in solitary peoples' mental state begins to break down. That means a person will start to experience panic, anxiety, confusion, headaches, heart palpitations, sleep problems, withdrawal, anger, depression, despair, and over-sensitivity. Over time this can lead to severe psychiatric trauma and harms like psychosis, distortion of reality, hallucinations, mass anxiety and acute confusion. Essentially, the mind disintegrates.

That is why the United Nations special rapporteur on torture sought to investigate Manning's solitary confinement and reprimanded the US when the Army would not let him have an unmonitored visit.

History will likely judge Manning as heroic as it has Daniel Ellsberg, who leaked the Pentagon Papers.

It is important to realize that tens of thousands of other people besides Manning are held in solitary confinement in the US today and every day. Experts estimate a minimum of 20,000 people are held in solitary in supermax prisons alone, not counting thousands of others in state and local prisons who are also held in solitary confinement. And solitary confinement is often forced on Muslim prisoners, even pre-trial people who are assumed innocent, under federal Special Administrative Measures.

In 1995, the U.N. Human Rights Committee stated that isolation conditions in certain U.S. maximum security prisons were incompatible with international standards. In 1996, the U.N. special rapporteur on torture reported on cruel, inhuman, and degrading treatment in U.S. supermax prisons. In 2000, the U.N. Committee on Torture roundly condemned the United States for its treatment of prisoners, citing supermax prisons. In May 2006, the same committee concluded that the United States should "review the regimen imposed on detainees in supermax prisons, in particular, the practice of prolonged isolation."

John McCain said his two years in solitary confinement were torture. "It crushes your spirit and weakens your resistance effectively than any other form of mistreatment." The reaction of McCain and many other victims of isolation torture were described in an excellent 2009 New Yorker article on isolation by Atul Gawande. Gawande concluded that prolonged isolation is objectively horrifying, intrinsically cruel, and more widespread in the U.S. than any country in the world.

This week hundreds of members of the Occupy movement merged forces with people advocating for human rights for prisoners in demonstrations in California, New York, Ohio, and Washington DC. They call themselves Occupy 4 Prisoners. Activists are working to create a social movement for serious and fundamental changes in the US criminal system.

One of the major complaints of prisoner human rights activists is the abuse of solitary confinement in prisons across the US. Prison activist Mumia Abu-Jamal said justice demands the end of solitary, "It means the abolition of solitary confinement, for it is no more than modern-day torture chambers for the poor." Pelican Bay State Prison in California, the site of a hunger strike by hundreds of prisoners last year, holds over 1000 inmates in solitary confinement, some as long as 20 years.

At the Occupy Prisoners rally outside San Quentin prison, the three American hikers who were held for a year in Iran told of the psychological impact of 14 months of solitary confinement. Sarah Shourd said the time without human contact drove her to beat the walls of her cell until her knuckles bled.

When Manning was held in solitary he was kept in his cell 23 hours a day for months at a time. The US government tortured him to send a message to others who might consider blowing the whistle on US secrets. At the same time, tens of thousands of others in the US are being held in their cells 23 hours a day for months, even years at a time. That torture is also sending a message.

Thousands stood up with Bradley Manning and got him released from solitary. People must likewise stand up with the thousands of others in solitary as well.

So, stand in solidarity with Bradley Manning and fight against his prosecution. And stand also against solitary confinement of the tens of thousands in US jails and prisons. Check out the Bradley Manning Support Network, Solitary Watch, and Occupy 4 Prisoners for ways to participate.

28 Feb – NYC Support Actions for Lynne Stewart

WHAT: All Night Vigil

WHERE: Tom Paine Park – Foley Square – 111 Worth Street New York, New York

WHEN: 6:00pm Tuesday, February 28th-Thursdays, February 29th

WHAT: Rally + Occupy the Court

WHERE: Worth Street Entrance to U.S. Federal Court + Federal Court (9th Floor), 500 Worth Street

WHEN: 8:30 am, Wednesday, February 29th

Since Lynne's arrest 10 years ago on April 9, 2002 she has fought false accusations and government frame-up. Lynne spent her life defending poor and unpopular defendants, including many of our present and former political prisoners.

Originally sentenced to 28 months in prison, in a unprecedented move her bail was suddenly revoked and on July 10, 2010 Lynne Stewart was resentenced to 10 years in prison for showing a lack of remorse after her initial sentencing.

The jailing of Lynne Stewart is an obvious attempt by the U.S. government to silence dissent, curtail vigorous defense lawyers, and install fear in those who would fight against the U.S. government's racism, seek to help Arabs and Muslims being prosecuted for free speech and defend the rights of all oppressed people.

Come and show your love and solidarity with our sister Lynne Stewart at the Tuesday, Feb. 28 Vigil and Wed Feb 29 Hearing.

More information at lynnestewart.org

17 Mar - Love & Struggle Book Release Party

WHAT: NYC Release Party for David Gilbert's *Love and Struggle*

WHEN: 7:00-10:00pm, Saturday, March 17th

WHERE: Bluestocking – 172 Allen Street New York, New York 10002

COST: FREE, copies of the book will be for sale at the event

MORE:

Join David Gilbert's long time comrades, Terry Bisson and Dan Berger as they read from [*Love and Struggle: My Life in SDS, the Weather Underground, and Beyond*](#) and discusses David's life, politics, and what David's experience and activism can teach today's Left.

This is the NYC book release party- and an event not to be missed.

One of America's most celebrated political prisoners since his appearance in the Academy Award nominated film, *The Weather Underground*, David Gilbert is also the author of *No Surrender*, a book of essays on politics and history. He can be reached at NY's Clinton Prison as 83-A-6158.