



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for June 5th

21 May - Two charged in pre-May Day vandalism

Two Seattle residents accused of vandalizing the Moore Theater and several other buildings prior to the May 1 protests are now facing felony charges. We've posted a corporate news article below and will try to stay updated on this.

MORE:

King County prosecutors contend Kristin L. Sposito and Brian P. Greenwood painted anarchist slogans on downtown buildings weeks before May Day, when black-clad protestors smashed windows around downtown Seattle.

Writing the court, Deputy Prosecutor Benjamin Carr contended Sposito, 32, and Greenwood, 30, caused about \$14,400 in damage during a spray painting spree in the early hours of April 16. Among their additions to the cityscape, according to charging documents, were the slogans “Kidnap the mayor” and “Burn (Expletive) Mayday!” as well as various anarchist symbols.

According to charging documents, the vandalism was first discovered at midnight by a garbage collector working near the Moore Theater.

The man spotted two vandals – since identified as Sposito and Greenwood – spray painting “General Strike Mayday” and a circled letter A on an alley wall of the theater, Detective Chris Young told the court. The pair ran as the garbage collector called 911.

Minutes later, a security guard at an office complex in the 1300 block of Second Avenue also spotted a man painting the anarchist symbol on that building, the detective continued. A woman appeared to be acting as a lookout; both fled after the guard spotted them.

A Seattle police officer patrolling the area stopped Sposito and Greenwood just before 1 a.m. At the time, Greenwood was wearing a black mask over his face.

Young told the court that both tried to run from officers. Sposito is alleged to have dug her fingernails into the hand of one arresting officer, and was brought to the ground and handcuffed.

Officers recovered two cans of spray paint from Greenwood’s backpack, and noted Greenwood had bright green paint on his hands, the detective continued. The paint matched graffiti found at several locations downtown.

The guard and trash collector identified both as the vandals, Young added.

Greenwood and Sposito, both of Seattle, have been charged with first-degree malicious mischief and third-degree malicious mischief. Neither is currently jailed in the case.

31 May - Day three from Albert Woodfox's evidentiary hearing

Here's a short report on the third and final day of Albert Woodfox's evidentiary hearing, as well as other new information regarding his case.

MORE:

DAY THREE: Thursday, May 31

Today Albert Woodfox's three day hearing seeking to overturn his conviction based on discrimination of the grand jury foreperson during his 1998 retrial came to a close. Each side was asked by the Judge to submit a final brief on the matter 21 days after the transcript of the hearing is made available (which should take about 3 weeks), and a final rebuttal to those briefs 20 days after that. The matter is then completely in the hands of Judge Brady, who is expected to make a decision by the end of 2012.

Thanks to all the supporters who packed the courtroom day after day for this crucial proceeding. Hopefully coming months will finally bring long overdue justice for Albert.

31 May – South Dakota court upholds conviction in 1975 AIM slaying

The South Dakota Supreme Court upheld John Graham's murder conviction and life sentence in the 1975 slaying of a fellow American Indian Movement activist, ruling that the state had jurisdiction to prosecute him. We've included a corporate news article below.

MORE:

John Graham was convicted in December 2010 of taking part in the killing of Annie Mae Aquash. Prosecutors said Graham and two other AIM activists, Arlo Looking Cloud and Theda Clarke, killed Aquash because they suspected she was a government informant.

Graham, a member of the Southern Tutchone tribe in Canada's Yukon Territory, argued that the government should not have been allowed to move his case from federal to state court after his extradition to the U.S.

However, the state's highest court ruled unanimously that the state had jurisdiction to prosecute Graham and that prosecutors presented sufficient evidence to convict him. Graham's sentence of life in prison without parole also is not grossly disproportionate to his crime, the justices said.

"Indeed, the evidence reflects that Graham was involved in Aquash's initial kidnapping, in ensuring that she was kept in captivity, in transporting her to her place of death, and in the ultimate shooting," Justice Steven Zinter wrote for the court.

Graham's lawyer, John R. Murphy of Rapid City, said he and Graham are disappointed in the ruling but will pursue secondary appeals.

"We are going to continue to pursue relief both in the courts in the United States as well as seeking to address certain matters regarding the propriety of the extradition in Canada," Murphy said.

South Dakota Attorney General Marty Jackley said state, federal and tribal authorities have cooperated for 35 years to bring justice for Aquash and her family.

Asked if authorities are still investigating other suspects for possible involvement in Aquash's murder, Jackley said: "This remains an ongoing, open investigation."

Aquash's body was found in a remote area in southwest South Dakota in February 1976. She was a member of the Mi'kmaq tribe of Nova Scotia. Federal agents investigated the case for years but didn't bring an indictment until March 2003, when Denver police arrested Looking Cloud.

Looking Cloud was convicted in federal court of first-degree murder in 2004 and sentenced to life in prison. A federal judge signed an order in August reducing Looking Cloud's sentence to 20 years.

Clark, who was never charged, died in October.

Graham was arrested in December 2003 in Vancouver, British Columbia, on federal charges in Aquash's killing. Two courts ruled that the U.S. government lacked jurisdiction to try Graham because he is not an American Indian. The case was eventually moved to state court.

Graham was acquitted of premeditated murder in the state trial, but was convicted of felony murder and sentenced to life in prison without parole. The felony murder charge alleged he was involved in a killing while engaged in another felony, kidnapping.

Graham argued that the state lacked jurisdiction to prosecute him for felony murder because he was extradited from Canada on a different charge, premeditated murder. He contended that his conviction should be overturned and he should be allowed to return to Canada to challenge his extradition.

But the Supreme Court said Canada consented in February 2010 to Graham's prosecution for felony murder.

"Graham has not argued that Canada did or would object to Graham's prosecution for felony murder. On the contrary, the only record evidence reflects Canada's express consent to the prosecution," the court said.

Graham also contended that several witness statements should not have been allowed at his trial, including those made by Looking Cloud about an alleged 2002 telephone conversation between Looking Cloud and Aquash's daughter, Denise Maloney, in which Looking Cloud said Graham shot Aquash with Looking Cloud and Clarke present.

Graham said Looking Cloud changed his story to negotiate a reduced sentence.

The Supreme Court said Looking Cloud's testimony was admissible because it was consistent with his prior statement to Maloney in the telephone call.

The appeal also questioned the inclusion of another person's testimony about a conversation in which Leonard Peltier -- who is serving a life sentence after being convicted in 1977 of shooting two FBI agents -- accused Aquash of being an FBI informant. The Supreme Court said that person's testimony was impermissible hearsay, but that its inclusion in the trial was a harmless error because it would not have affected the verdict.

AIM was founded in the late 1960s to protest the U.S. government's treatment of Indians and to demand the government honor its treaties with Indian tribes. The group grabbed headlines in 1973 when it took over the village of Wounded Knee on South Dakota's Pine Ridge Indian Reservation, leading to a 71-day standoff with federal agents that included the exchange of gunfire.

1 Jun - Bond revoked for 'NATO 3' protester + updates

One of the "NATO 3" protesters facing terrorism charges in Chicago had his bond revoked after a warrant was issued for his arrest for violating terms of his bail in a pending case in Florida.

MORE:

<from corporate media>

Brent Vincent Betterly was being held in Cook County Jail on a \$1.5 million bond until Friday, when Judge Edward S. Harmening revoked bond because of an arrest warrant issued in Broward County, Fla., Cook County Sheriff's Office spokesman Frank Bilecki said.

Betterly's Florida attorney, Andrew Coffey, said Broward County officials issued a no-bail burglary warrant because the Chicago arrest violated conditions of his bond on charges of breaking into a school and having a pool party.

Broward County officials contacted Chicago Police and the Cook County Sheriff's office became involved, Bilecki said. Lillian McCartin, Betterly's attorney in the Chicago case, said she did not know her client was in court Friday. The 24-year-old will be back in court Monday, state's attorney's office spokesman Andy Conklin said.

Betterly, of Oakland Park, Mass.; Brian Church, 20, of Ft. Lauderdale, Fla.; and Jared Chase, 24, of Keene, N.H., are all accused in a plot to make Molotov cocktails to use on President Barack Obama's campaign headquarters, Mayor Rahm Emanuel's home and numerous police stations.

The three were among nine people arrested during the raid on an apartment building in the 1000 block of West 32nd Street days before the NATO Summit. The other six were released without charges.

Undercover Chicago Police officers infiltrated the group of protesters and watched them allegedly make the firebombs, sources said.

Coffey said Broward County officials do not plan to extradite Betterly to Florida before his trial in Chicago. The Broward County Clerk's office could not be reached for comment Friday night.

"NATO 3" In Court On Terror Charges <via chicagoist.com>

The three men arrested on suspected terrorism charges surrounding the NATO summit last month were indicted today, though the indictment was not read in court. [Brent Betterly, Brian Church and Jared Chase face charges](#) of conspiracy to commit terrorism, possession of an explosive or incendiary device and providing material support for supposedly conspiring to make Molotov cocktails prior to the NATO summit last month. State authorities have yet to produce any physical evidence to back up the accusations, [according to ABC7](#) and [the Chicago Sun-Times](#). The judge presiding over the case today remarked that it was strange that an indictment wasn't read.

Rather than have federal attorneys prosecuting the case, state prosecutors are handling the matter. Illinois is one of 36 states that adopted anti-terrorism laws after 9/11, though most states have left prosecuting terrorism charges to the feds. [According to the AP](#), the Center on National Security has said that states have attempted to prosecute terrorism only a few dozen times, and most of the time those cases have not held up.

The defendants were reportedly led into the courtroom shackled. According to the AP, court documents for the prosecution claim the three planned to attack police stations. Prosecutors allege that one activist asked others if they had "ever seen a cop on fire" while he poured gasoline into beer bottles. So far, the prosecution has not released the indictment or any other evidence to defense attorneys.

All three men, and a fourth scheduled to appear in court tomorrow, intend to plead not guilty. Attorneys for the men have said the arrests and charges were meant as an intimidation tactic for NATO summit protesters. Attorney Sarah Gelsomino with the People's Law Office said the claims prosecutors have made about the arrested in Chicago are reminiscent of terror charges of 2008 Republican Nation Convention protesters in Minnesota [which were later dropped or reduced](#).

In addition, supporters of the jailed NATO activists have pointed out that six others originally arrested in connection with the three were released 30 hours later without charges. James Fennerty, an attorney with the National Lawyers Guild said in a press release "For the city to use such sensational charges in this way, before a national political demonstration, hiding the evidence and not indicting for a month after the arrests is indefensible. These activists are sitting in jail on prohibitively high bonds while the state tries to piece together its case, keeping everyone in the dark."

The next hearing for the Betterly, Church and Chase is scheduled for July 2. Two more hearings are scheduled for this week for protesters held on separate charges tomorrow.

4 Jun – ELF prisoner Grant Barnes paroled

We dropped the ball, as former Earth Liberation Front prisoner Grant Barnes was apparently paroled in the early part of the year.

4 Jun – Request from Ojore Lutalo

We were asked to share the below information about Ojore Lutalo's artwork.

MORE:

The artist and US political prisoner Ojore Lutalo was released from New Jersey State Prison on August 26th by way of court order. He maxed out after 28 years, 22 of which were sent in the Management Control Unit (solitary confinement) in the infamous New Jersey State Prison. Ojore's internment of political isolation

stemmed from entertaining political thoughts that the government didn't approve of Ojore began creating his political propaganda both as a way to maintain his sanity and to more adequately convey to his friends and supporters the physical and emotional reality he experienced with extended solitary confinement. During his 22 years in isolation, Ojore created a wide range of art pieces offering his unique political perspective. The collages are for sale and can be found on www.ojorebehindenemylines.com. Ojore is available for art showings. E-mail kerness.b@verizon.net.

4 Jun – NYS division of parole: a den of iniquity? by Jalil Muntaqim

We've included Jalil's twelfth blog entry below. These are great starting points for conversations with Jalil, so please take the time to write him a letter.

MORE:

On April 30, 2012, *New York Law Journal* published an article "Effect of Risk Assessment Rule on Parole Decisions is Unclear" byline John Caher. The article offered insight into the contradictions and conflict between NYS Division of Parole and NYS Legislators enacting new policy for parole procedures and decision making. The new legislation states the parole board must consider each prisoner's efforts towards rehabilitation, and a risk assessment to live and remain at liberty without violating the law, including emphasis on the prisoner's parole release plan. Unfortunately, Andrea Evans, Chairwoman of the Div. of Parole, has instructed parole commissioners to essentially ignore the new legislation, to continue to make decisions subject to the "nature of the crime" and the "criminal history" of prisoners eligible for parole.

On May 22, 2012, the New York State Prisoner Justice Network conducted a spirited day of protest and demonstration in Albany, challenging the current parole policy and practice. The Network supports several bills seeking to reform parole policy in NYS. What is ironic about the entire process is that prisoners, especially political prisoners, must initiate a political campaign to persuade parole commissioners to grant them release on parole. Why is this a problem? The principal problem is that the majority of parole commissioners are former prosecutors and law enforcement officers, who socio-psychologically adhere to an ideal aberrant to prisoners' rehabilitation and redemption. This is especially true for prisoners convicted of A-1 violent offenses, including assault or killing of law enforcement officers, even though these prisoners were **not** sentenced to life without parole. Here in NYS, three of us, Robert "Seth" Hayes, who's been to the parole board 8 times, Herman Bell, who's been to the parole board 5 times, and myself, with a scheduled 6th parole board appearance, face these conditions despite our exemplary prison records, excellent family ties, and strong community support to ensure our acclimation back into society. Furthermore Herman Bell, and myself have the great fortune of the support of one of the victim's family members in support of our release from prison, consistently holding we have served enough time in prison.

Given this reality, it is established the NYS parole system is broken, operating as an extension of a system of retribution and punishment, not one to assist prisoners towards rehabilitation and redemption. In this regard, I have proposed to NYS prison and reform activists the need to demand the resignation of Andrea Evans for her failure to adhere to the legislative mandate of reform; to demand the end of nepotism and cronyism in the prison and parole system; and move to build a "Community Prison and Parole Review Board with Ombudsman" to create and develop alternative institutions and oversight of the prison and parole system. This is extremely important given the reality, as explained in the above referred article, when NYS Assemblyman Jeffrion Aubrey is reported to have said "... part of the rationale for the revision was to provide the board with political cover if it releases someone with a violent past, or someone whose crime resulted in the death of a police officer. We know that parole board decisions are both administrative and political," Aubrey said" (NYLJ 4/30/12). A "Community Prison and Parole Review Board with Ombudsman," with respect to parole decisions, would be able to ensure parole decisions best serve the interest of the community, and not the "administrative" or "political" interests of the NYS Div. of Parole or the overwhelming influence of law enforcement ideals of retribution and punishment.

Prominent NYS parole attorney Cheryl L. Kates recently submitted a civil rights complaint with the U.S.

Department of Justice petitioning the Civil Rights Division to initiate a formal investigation under CRIPA, 42 USC § 1997. Ms. Kates alleges and complains of violations of constitutional and federal law in the means and methods by which the NYS Division of Parole is failing to make parole decisions in accord with its legislative mandate, as Assemblyman Aubrey has charged.

Those who wish to read and study this extensive legal document should go to http://www.freejalil.com/NYS_Civil_Rights_Complaint.pdf. I further ask lay people and legal folks to support Ms. Kates' submission by writing and/or calling the U.S. Department of Justice Civil Rights Division. Exhort them to conduct a formal, thorough and exhausting investigation pursuant to Ms. Kates' complaint.

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Phone: (202) 514-4609; Faxes; (202) 514-0293, (202) 307-2572, (202) 307-2839

In closing, I personally thank all who ventured to www.change.org/petitions/nys-chairwoman-of-parole-release-jalil-muntaqim-to-buffalo-on-parole-in-june-2012 and signed the signature petition, or to www.freejalil.com and supported my parole campaign.

4 Jun - Tinley Park 5 doing great, humbled by international support

Each and every member of the Tinley Park 5 are in great spirits. They are getting along well with the other inmates at Cook County Jail. We'll be hosting a letter-writing night for them soon and have included a brief update below.

MORE:

Their two biggest concerns at this time are the safety of their family and friends who are still receiving relentless threats of violence from the white supremacist community and the boredom and anxiety that comes along with being imprisoned, especially not knowing how long they have until they will be released. Their support network is capably handling security concerns. The Tinley Park Five support network is also doing everything they can to help with the monotony of prison life, but you can also help by [writing letters](#), [visiting](#), or [providing financial support](#). The various acts of solidarity being shown by the antifascist, anarchist, and activist communities across the world are the fuel that keeps us all going through these stressful times. Thank you to everyone who has given a few dollars, written a letter, retweeted a link, shared a news story, sent a book or zine, dedicated an action to or visited them, assisted with security, and have otherwise aided in this campaign to free the Tinley Park Five. It's impossible to convey how much this means to both us and them.

4 Jun - Leslie Feinberg arrested at CeCe McDonald Noise Demo

Author and educator Leslie Feinberg was arrested at a spontaneous protest that occurred shortly after CeCe was sentenced to 41 months in prison. Feinberg has since been released and had all charges dropped, but we've included the original article, without updates.

MORE:

Leslie Feinberg was arrested last night amidst a crowd of Chrishaun "CeCe" McDonald supporters protesting outside of the Hennepin County Public Safety Facility. Feinberg is being held at the Public Safety Facility in downtown Minneapolis and is facing charges of property damage. The protest was held on the eve of McDonald's transfer to the state prison system, where she will serve out a sentence of 41 months for defending herself against racist and transphobic attackers. Although McDonald initially faced two charges of second degree murder, earlier this month she accepted a plea agreement to a reduced charge of second degree manslaughter due to negligence. Outraged supporters took to the streets in protest of the violent abuses McDonald has faced at the hands of our legal system. Feinberg joined demonstrators in making noise loud enough to be heard within the

facility McDonald is currently being held at, and marching through the streets in a show of love and solidarity with CeCe McDonald and with all incarcerated individuals. Feinberg was the only person arrested, and is excited to draw more attention to McDonald's story and to the prevalent racism and transphobia within the criminal system.

Feinberg has given the following statement:

Many people across the United States and around the world are watching, and history will record what happens on June 4, 2012. CeCe McDonald survived a fascist hate crime; now she's sentenced as she struggles to survive an ongoing state hate crime. As Martin Luther King Jr. reminded: "Never forget that everything Hitler did in Germany was legal."

As a white, working-class, Jewish, transgender lesbian revolutionary I will not be silent as this injustice continues! I know from the lessons of histories what it means when the state—in a period of capitalist economic crisis—enacts apartheid passbook laws, bounds up and deports immigrant workers, and gives a green light to white supremacists, fascist attacks on Black peoples—from Sanford, Florida, to Tulsa, Oklahoma, to a courtroom in Minneapolis, Minnesota.

The prosecutor and the judge are upholding the intent of the infamous white supremacist Dred Scott ruling of 1857.

The same year Frederick Douglass concluded: "Without struggle, there is no progress!"

CeCe McDonald is being sent to prison during the month of Juneteenth: celebration of the Emancipation Proclamation—the formal Abolitionist of "legal" enslavement of peoples of African descent. The Emancipation Proclamation specifically spelled out the right of Black people to self-defense against racist violence.

Yet, the judge, the prosecutor, and the jailers are continuing the violent and bigoted hate crimes begun by the group of white supremacists who carried out a fascist attack on CeCe McDonald and her friends.

CeCe McDonald is being sent to prison in June—the month when the Stonewall Rebellion ignited in the streets of Greenwich Village in 1969. From the Compton's Uprising to the Stonewall Rebellion, defense against oppression is a law of survival.

This is Pride month, and will be bringing the demand: "Free CeCe—now!" to the regional Pride march where I live. I believe many other individuals, groups, and contingents will thunder that demand in Pride marches and rallies all over the world—informing millions who take part, and millions more who support.

The prosecution hopes this struggle is over. But it is not over: Free CeCe—now! An injury to one is an injury to all! Come out against racist, anti-immigrant, anti-LGBTQ and sexist wars at home and abroad!

Feinberg's arrest is symptomatic of growing anger and frustration at the disproportionate targeting and abuse of young transgender women of color in our society. The actions Feinberg took last night were in solidarity with McDonald and all prisoners to let them know they are not alone. Feinberg is excited to garner attention to how McDonald is treated today as McDonald is transferred to the prison intake facility in St. Cloud, MN.

McDonald's case does not reflect an isolated aberration in the functioning of the U.S. legal system, but rather business as usual within a society that has, for hundreds of years, profited from the incarceration and exploitation of people of color and trans/gender non-conforming people. McDonald's sentencing sends a very clear message to all those following her case across the country: transphobia and racism are alive and well, both in the violent verbal and physical attacks on trans youth of color in the night as well as in the legal system which makes surviving this violence a crime punishable by years of incarceration. Nevertheless, we look forward to joining all of McDonald's supporters in continuing to fight against these systems of power, for CeCe and for all transgender women of color targeted by the prison-industrial complex.

5 Jun - CeCe McDonald sentenced to 41 months, male prison

Chrishaun "CeCe" McDonald was sentenced to a 41 month prison sentence by Judge Daniel Moreno. Although McDonald initially faced two charges of second degree murder, earlier this month she accepted a plea agreement to a reduced charge of second degree manslaughter due to negligence.

MORE:

The sentencing proceedings included statements from community leaders, clergy, and McDonald's family, testifying to McDonald's loving character and expressing concern for her safety if she is sentenced to serve time

in a men's prison, given the high rates of physical and sexual violence against transgender women in men's prisons. Around 80 Twin Cities residents arrived to show their support for McDonald, overflowing the courtroom where sentencing proceedings were held.

Although McDonald has been under state supervision for the past 366 days (in jail and under in-home monitoring) the judge determined that she will only receive credit for 275 days served, excluding the time she spent on in-home monitoring. Between this time served and time off for good behavior, McDonald will likely spend less than two more years in prison. Additionally, McDonald was ordered to pay \$6410.00 in restitution.

The Department of Corrections has not determined where McDonald will spend the remainder of her sentence, but it is likely that she will go to one of Minnesota's men's prisons. In recently released federal standards on the elimination of sexual abuse in prisons, the Department of Justice notes that transgender people should be evaluated on a case-by-case basis to place them where they will be in the least danger (not solely based on genitals). Moreover, the DOJ guidelines seek to minimize the use of solitary confinement for the alleged protection of transgender prisoners. These standards apply to state prisons that receive federal funding. They may impact McDonald, who has been held in a men's facility for the past year, and twice been sent to solitary confinement against her will.

For supporters, McDonald's sentencing marks a turning point, but not an end to their efforts. "This is not a resolution to CeCe's case: she should not be serving time simply for surviving a vicious attack. But the prosecution felt so much pressure in this high profile case that they knew they had to offer a less egregious charge than second-degree murder," said Josina Manu. "We'll stand by CeCe throughout her sentence and after she's released."

Supporters have consistently rejected County Attorney Michael Freeman's claims that the prosecution of McDonald is race and gender-neutral, emphasizing that McDonald's attack and prosecution are part of a pervasive culture of violence against transgender women of color. They note that Freeman's responses to CeCe's broad support campaign only underscore the fact that the criminal legal system provides no real means of securing justice and community safety.

Roxanne Anderson, the Director of the MN Transgender Health Coalition and McDonald's former employer, said, "Today was a shining example of how hate and fear result in racism and transphobia, and how those play out in the courts of our land. I hope people keep supporting CeCe in every way they can, including showing up to the Power to the People tent at Pride, which was created to squash this kind of racism and transphobia."

Billy Navarro Jr of the CeCe McDonald Support Committee & MN Trans Health Coalition reflected on the fight to free McDonald: "Our victory today is the beautiful community of support that CeCe has brought together. We will keep fighting back against the incarceration of our loved ones and community members. This June marks the 43rd anniversary of the Stonewall Rebellion, which was led by trans women of color, and this year we'll be celebrating CeCe's courage and the struggles that women like her have led for decades."

Black Transgender Woman CeCe McDonald to be Housed in Male Prison

CeCe McDonald, the young black transgender woman who [accepted a plea deal and pled guilty](#) to second-degree manslaughter last month will be incarcerated by the state of Minnesota as a male. McDonald was arrested after she stabbed a white male who was part of a group of that physically and verbally attacked her with transgender and racial slurs.

The plea agreement calls for a sentence of three years and five months in prison, according to the [Star Tribune](#).

Upon sentencing, McDonald, 24, will be taken into custody by the state Department of Corrections and housed as a male "because he is being housed as a male with Hennepin County," corrections spokeswoman Sarah Russell told [the Star Tribune on Monday](#). "We will intake him as a male at St. Cloud prison."

Russell went on to add the state will make its own determination of McDonald's gender.

“We will assess him as any other offender would be assessed,” Russell said. “The assessments include, but are not limited to, screening for potential vulnerability to sexual assaults, tendencies to act out with sexually aggressive behavior and any disabilities” as defined by federal law.

The Transgender Law Center gathered testimonies from former prisoners, sheriffs, and others, about the risks that many prisoners face and found that sexual violence is an “ever present fact of life for far too many transgender prisoners.”

Kenyon Farrow described the sequence of events that resulted in McDonald’s arrest for Colorlines.com last month:

It is true that McDonald was not out looking for a fight. On the night of June 5, 2011, McDonald walked past a bar with four other black friends in Minneapolis. She and her friends were attacked by two white women and a white man, first with words, “niggers,” “faggots,” and “chicks with dicks.”

But the words, while enough to incite a response, were not the end of it. McDonald was struck in the face with a cocktail glass by one of the women, slicing all the way through her cheek. A fight ensued as more people joined in to attack the group of black folks, and eventually Dean Schmitz, the white man who was among the first to start harassing them, was stabbed and died later in the hospital.

Even if there is not physical evidence in place to secure the conviction the prosecutor originally sought, it doesn’t really matter. A black person who fights with white people, even when self-defense is clear, is going to likely be arrested. This is often true also in transphobic and homophobic contexts, even when the violence is between people of the same race. The burden to prove one didn’t deserve to die or be brutalized often falls on black, queer and/or trans bodies. In fact, McDonald’s judge ruled that the swastika tattooed on Schmitz’s body was inadmissible by her defense as evidence of his racist assault.

5 Jun - Update on Arizona Antifa Dane Rossman

Dane formally accepted the first plea offer made by the prosecution. The final charge is one class 6 felony count of Disorderly Conduct, non-dangerous. What this means is that Dane will certainly be placed on probation for up to three years, and while jail time is not mandatory and the prosecution isn’t pushing for it, the judge could sentence Dane to up to one year in jail.

MORE:

Not taking this plea would have meant that the prosecution would reclassify all seven original charges as “dangerous offenses” which then carry mandatory minimum sentences. The total would have been over 20 years in prison, mandatory. See the links below for some recent articles on the role of plea-bargains, mandatory minimums and coercion in the criminal legal process.

<http://www.nytimes.com/2012/03/11/opinion/sunday/go-to-trial-crash-the-justice-system.html>

<http://www.nytimes.com/2011/09/26/us/tough-sentences-help-prosecutors-push-for-plea-bargains.html>

<http://www.nytimes.com/2012/05/29/us/sidebar-a-judges-proposal-to-curb-prosecutors-sentencing-power.html>

Dane’s sentencing hearing will take place July 10th in Phoenix. If Dane’s sentence includes jail time, he will most likely be taken into custody immediately. Anyone who knows Dane and wants to support him at the hearing should contact him directly.

Additionally, Dane and those who have been helping him out would like to thank everyone from across the country and world who has expressed their support during this process. Everyone who has donated, organized a benefit, sent an encouraging email or letter, given a ride to court, etc. The outpouring of love has been deeply humbling, and the people in Dane’s life have been consistently, overwhelmingly amazing. Thanks.

Background and more info at <http://www.azantifa.wordpress.com>. For questions, contact AZAntifa@gmail.com

10 Jun - Green Scare prisoner Justin Solondz transferred

After being extradited from China and convicted of Earth Liberation Front actions in the United States, Green Scare target Justin Solondz has been transferred to a prison in western Pennsylvania. This puts him much closer to his parents than when he was imprisoned at FDC SeaTac. Please let Justin know you're thinking about him by sending a card or letter to:

MORE:

Justin Solondz #98291-011
FCI Loretto
Post Office Box 1000
Loretto, Pennsylvania 15940

11 Jun - Eric DeSouza released from prison

Antifascist protestor Eric DeSouza has been released from prison, though he now begins supervised release. We're glad to have him back on the streets.

11 Jun – Weapons charges dropped against Bro. Shaka Shakur

On December 12, 2011, Bro. Shaka Shakur, a coordinator of the Peoples Survival Program (PSP) was arrested at work after a taskforce of police agents raided his apartment in the Bronx with a baseless warrant. Monday, June 11, 2012, the weapon charges were finally dropped against Bro. Shaka Shakur.

MORE:

On December 12, 2011, Bro. Shaka Shakur, a coordinator of the Peoples Survival Program (PSP) and a respected Bronx & Harlem community activist, was arrested at work after a taskforce of police agents raided his apartment in the Bronx with a baseless warrant. In the course of the raid the police also took the opportunity to violate the home of veteran Black Panther Cyril "Bullwhip" Innis under the guise of an alleged search for illegal weapons.

This was seen at the time as another direct attack by the forces of state repression against those that both organize in the Black/Latino community and; who fearlessly fight against both the US Prison Industrial Complex and the racist police terror conducted daily by the NYPD.

Monday, June 11, 2012 after seven months of organized struggle, and in front of yet another courtroom packed with supporters; the bogus NYPD weapon charges were finally dropped against Bro. Shaka.

In addition to the very strong legal defense in this case, Attorney Michael Tarif Warren pointed out during the victory press conference that *"it was both the Bronx Grand Jury's respect and appreciation for Shaka's continuing history of community work and especially the reality of your continuing to pack the court room during any upcoming jury trial; that ultimately convinced the Bronx District Attorney's Office that it was in their best interest to drop the bogus NYPD charges."*

Bro. Shaka then addressed the crowd of enthusiastic supporters in reiterating his attorney's analysis that *"it was the power of the people that won this victory for the people; But there are still other Anti-Police Terror cases to be supported and the struggle still continues."*

On behalf of Bro. Shaka Shakur and his family, The Peoples Survival Program would like to thank CEMOTAP for its "Shaka Shakur Legal Defense Fundraiser"; Activist Attorney Michael Tarif Warren, Esq., his usual legal prowess inside and outside of the courtroom; and especially for the friends, family, activists, supporters and true comrades; Who sacrificed their time by answering the call to help us to "OCCUPY THE COURT HOUSE & KEEP BRO. SHAKA FREE."

11 Jun - New Legal Step in the Case of the Cuban Five

On June 6, 2012, a motion requesting an Oral Argument and Discovery was filed with the U.S. Southern District Court of Florida and is based on the right Hernández and his co-defendants have to know whether the Government was funding a negative publicity campaign about them during the trial whose purpose was to ensure their convictions.

MORE:

Its purpose is to obtain, through interrogatories, document production, depositions and subpoenas all the necessary evidence to be fully examined by the Court in an evidentiary hearing and prove, at that hearing, that the legal consequences of the evidence will be that the convictions must be set aside.

The discovery seeks to establish:

- (1) the full scope of the issue by identifying all journalists and media organizations that received funds from the United States and then published false, hostile, inflammatory and prejudicial statements about Movant and his co-defendants, as well as the specific articles, interviews, and television and radio segments in which those statements appeared;
- (2) the precise degree of the Government's influence and control over these journalists and media organizations;
- (3) the degree of knowledge held not only by the U.S. State Department, which actually paid the journalists, but also by other branches of the Government, including the U.S. Department of Justice;
- (4) the prejudicial impact of the Government's propaganda campaign on Movant's trial.

The discovery requests include 84 individuals connected to inflammatory press coverage relating to this case, 7 TV Stations and 13 Radio Stations.

14 Jun - Jordan Halliday Statement on Grand Juries

Grand jury resistor Jordan Halliday has a new piece about grand juries and the impact they have on activist communities.

MORE:

I've received many letters lately asking about the second activist that was subpoenaed to the grand jury along with myself. Although this is very old news to me. I feel I should address this question and help clarify. Nicole "Nikki" Stanford (Viehl) and myself were both subpoenaed to testify in front of a federal grand jury allegedly investigating illegal animal rights activities in Utah. I chose not to co-operate with the grand jury on the grounds that I was unjustly subpoenaed simply because I was a very outspoken above-ground activist and that I disagreed with the grand jury process in general as its an archaic system that allows prosecutors to overstep their bounds and abuse their power. I also had no information to give, as I am and always have been a legal above-ground activist. For my choices I was immediately put in a county jail under civil contempt of court until the term of the grand jury expired. Upon release to everyone's surprise I was charged with criminal contempt of court in which I later received a 10 month federal prison sentence that I am now currently carrying out at this time.

This is the 3rd time in United States History that the government decided to indict someone for criminal contempt of court after already serving time civilly for the same act of recalcitrance. Fortunately for Nikki Sanford-Viehl (ex-wife of BJ Viehl), she avoided doing any prison time, unfortunately it was at the expense of the local animal rights community, by providing the government with information about them. When Nikki and myself met with other local activists to discuss the grand jury subpoenas we decided to write a public statement to release to the media explaining why we disagree with the grand jury & why we were not going to cooperate. The night before we were to release the statement to the press Nikki called and politely asked to have her name taken off and to not be mentioned in the demonstration outside. Obviously we respected her wishes and made a gender neutral rendition to the press release to state that "Jordan Halliday and 'another activist' were subpoenaed". When we finally went in front of the grand jury, she and I sat in a waiting room next to our lawyers whom were not allowed to be in the actual proceedings. She went in first and took about 15-20 mins until she came out. When she left she avoided eye contact with me, while her lawyer and the prosecutor shook hands and exchanged pleasantries.

I am only mentioning all this to show a pattern. When I went into the grand jury room the first time it took 30-45 mins, much of which was spent with me asking to speak with my lawyer and also the prosecutor storming out demanding my lawyer to talk some sense into me. When Nikki exited the court house she was spotted by another activist who was out demonstrating. When that activist shouted her name, she took off running. the activist ran after her and after finally catching up to her, asked her how it went, to which she replied that she "didn't want to talk about it". Since there was no judge available for a hearing when I refused to testify at the grand jury, I was

released and re-subpoenaed a week later. I approached Nikki after a local animal rights meeting to ask her why she didn't receive a second subpoena and to explain what happened at the grand jury. She admitted to me that she named names and vehicles. But reiterated that she "didn't tell them anything that they didn't already know". I was arrested says later for my refusal and put in a county Jail, while there I received a letter from Nikki that stated she was feeling guilty about what she said at the grand jury and that she was also guilty that she wasn't in jail with me. I feel her broken bond of solidarity was possibly somewhat responsible for the governments decision to charge me criminally after I already served civil time.

When I was released I brought up these facts with members of the local animal rights community and although most agreed that they didn't trust her, there were emotional attachments and many didn't feel comfortable "calling out" a then current political prisoners partner. This is something that needs to be worked on and addressed in all radical communities. Support should and wouldn't suffer in these cases for the jailed activist. However, the partner shouldn't be accepted or allowed to participate in the community.

Activists who continue to allow involvement and who justify and sympathize simply because the partner is in prison are still snitch sympathizers. Confrontation is never fun, so we should talk with other members of our radical communities to figure out how our communities would handle a situation currently, address different tactics, and as silly as it sounds even role play different scenarios. Security culture is one of the most important tools we can use to protect ourselves. So let's practice and use it.

15 Jun - Norberto Gonzalez Claudio takes plea deal in 1983 Conn. robbery

We're including a corporate news article about Norberto Gonzalez Claudio's plea. Sentencing is September 27th.

MORE:

One of the last defendants in the 1983 robbery of \$7 million from an armored car depot pleaded guilty Friday to his role in the record-setting heist, accepting a deal that calls for him to serve five years in prison.

Norberto Gonzalez Claudio, who was captured by the FBI last year in Puerto Rico, had been one of two remaining fugitives in the crime carried out by Los Macheteros, a militant group dedicated to independence for the U.S. Caribbean territory.

Wearing a gray beard and a beige prison jumpsuit, the 67-year-old Gonzalez acknowledged in U.S. District Court that he was a member of the organizing committee that planned the heist and arranged for the money to be sent out of the U.S. mainland to Mexico. Authorities have said they believe the money was used to support the clandestine group's operations.

Gonzalez pleaded guilty to two charges from the original indictment – foreign transportation of stolen money and conspiracy to rob federally insured bank funds – as well as a new charge of illegal weapons possession related to an automatic pistol found in his home when he was arrested. The plea agreement calls for capping his sentence at five years, and he will receive credit for the time he has spent in custody.

Gonzalez offered only brief responses to the judge's questions. Hilton Fernandez, a supporter who also served prison time for the robbery, said Gonzalez planned to make a political statement at the sentencing, which was scheduled for Sept. 27.

Gonzalez's wife, Elda Santiago, was allowed to speak with him briefly before marshals escorted him away in handcuffs.

"I think he is very happy that this part of the process is ending and he can go through his sentence and come back," she told reporters outside the courthouse.

An older brother, Avelino, was sentenced in 2010 to seven years in prison after spending more than two decades as a fugitive for his role in the heist. A third brother, Orlando, was also convicted of taking part in the robbery and has since been released.

"We are proud of Norberto for being a fighter," Orlando Gonzalez said outside the courthouse. "He is a fighter for the independence of Puerto Rico."

Norberto Gonzalez has been detained since he was arrested in May 2011 in the central island town of Cayey, where he had been living under a false name. U.S. authorities said he still had an active role in the Macheteros, which claimed responsibility for robberies, murders and bombings in the 1970s and `80s.

The brazen holdup of the Wells Fargo depot on Sept. 12, 1983, in West Hartford, Conn., was the largest cash robbery in U.S. history at the time.

Authorities say it was carried out by Victor Manuel Gerena, a Wells Fargo driver recruited by the Macheteros, and other members of the group helped smuggle the money out of the U.S. Gerena is the only remaining fugitive out of 19 defendants charged in the case, and he is one of the FBI's 10 Most Wanted fugitives. The FBI is offering a reward of \$1 million for information leading to his arrest.

The reputed leader of the Macheteros, Filiberto Ojeda Rios, was killed in a 2005 shootout with the FBI at a remote farmhouse in Puerto Rico.

22 Jun - Sekou Odinga birthday celebration

We just heard that Sekou was moved a week ago. Send him a card or letter to let him know he's in our hearts. Also, don't forget about his upcoming birthday!

**Sekou Odinga #09-A-3775
Clinton Correctional Facility
Post Office Box 2001
Dannemora, New York 12929**

WHAT: Birthday party and fund raiser for Sekou Odinga
WHEN: 6:00-11:00pm, Friday, June 22nd
WHERE: Maysles Cinema – 345 Malcolm X Boulevard Harlem, New York
COST: \$15 at the door

MORE:

We celebrate Sekou Odinga's commitment to Afrikan people's right to self-determination, justice, and liberation and work towards his FREEDOM by partyin' and raising money in his honor.

23 Jun – Broken Rainbow and Update on Leonard Peltier

WHAT: Film screening
WHEN: 2:00pm to 5:00pm, Saturday, June 23rd
WHERE: Brecht Forum – 451 West Street (between Bank and Bethune)
COST: Free (?)

MORE:

Broken Rainbow is a documentary film that presents a moving account of the forced relocation of 12,000 Navajo Native Americans from their ancestral homes in Arizona by the government. The Navajo were relocated to aid mining speculation in a process that began in the 1970s and continues to this day. The United States government claims that by moving the Navajo off the land, it is settling a long-standing dispute between the Navajo and Hopi Tribes. To the traditional Navajo and Hopi, there is no dispute.

The film is narrated by Martin Sheen. The title song was written by Laura Nyro, the theme music was composed by Paul Apodaca, with other original music by Rick Krizman and Fred Myrow. It won the Academy Award for Best Documentary Feature.

We can see why AIM is so necessary to defend traditional Native Americans. Leonard Peltier and other AIM warriors continue to fight for justice for Native Americans and an end to the theft and rape of the land.

Sponsors: NYC Chapter LPDOC, Native Resistance Network, NYC Jericho Movement, ProLibertad
For more information: nyclpdoc@gmail.com [646-429-2059](tel:646-429-2059)

24 Jun – Day of global rallies in support of Marissa Alexander

Supporters of Marissa Alexander, who we are writing tonight, have called for an international day of rallies for her.

MORE:

Marissa Alexander is an African American mother of 3 who completed a Bachelor's degree and furthered her education with the completion of an MBA. She currently sits in a Florida prison for processing, awaiting her fate.

Sunday June 24, 2012 is designated as a Global Day of Rallies In Support Of Marissa Alexander and all victims of domestic violence.

Marissa Alexander sought immunity under Florida's Stand Your Ground statute and did not receive it. Her husband, Edward Rico Gray displayed a constant pattern of being a serial abuser.

Marissa, the victim in this case is in prison.

The Committee To Free Marissa Alexander is sponsoring a Freedom Rally and Motorcycle Fundraiser in Angel Square, 5133 Soutel Drive, Jacksonville, Florida at 2:PM . The Committee is also requesting that rallies are hosted across the United States and abroad, in support of Freedom For Marissa Alexander and Victims of Domestic Abuse who languish in prison.

25 Jun – Manning Mondays at Brecht Forum

Bradley Manning is facing life in prison or the death penalty for alleging leaking information to WikiLeaks. Learn more about his case. Join organizers at the Brecht Forum on June 25.

MORE:

Co-sponsors: Center for Constitutional Rights, Citizen Soldier, May First/People-link & War Resisters League-New York City Chapter

The focus of this fourth discussion in the series will be twofold:

1) How the Bradley Manning case (and WikiLeaks) has impacted media, shifted editorial standards, particularly concerning expectations about government openness and transparency, and informed a new breed of advocacy journalists, often working independently from the established press, and

2) Some of the unique legal issues specific to this case—issues which impact on government transparency, the public's "right to know", and how journalists are maneuvering through the maze of governmental intransigence both in the legal process of the actual trial and in its failure to commit, in general, to full public disclosure and openness. Manning's own trial seems to have fallen prey to the same government secrecy that WikiLeaks seeks to end: we will look at the recent motion filed by the Center for Constitutional Rights (CCR) that, if successful, would allow the media and the public to have access to the court proceedings and evidentiary materials; currently, full access has been withheld and denied by the military court.

Finally, the panel will closely consider the critical "aiding the enemy" charge, for which Manning could, if found guilty, be sentenced to life in prison or even face execution. Panelists will discuss the implications of such a

charge for government transparency, press freedom and the public's right to know. The unconstitutionally vague charges against Manning include abstract phrases like causing "injury to the United States" and acting "to the advantage of any foreign nation." Panelists will also discuss the government's failure to perform due diligence in obtaining evidence to either prove or refute such charges.

Emma Cape is the campaign organizer for the Bradley Manning Support Network. She has been advocating for social justice ever since her role in organizing fellow high school activists against the invasion of Iraq nine years ago. She has worked for a number of grassroots political non-profits fighting for human rights and environmental protections.

Shayana (Shane) D. Kadidal is a lawyer and writer works with the Center for Constitutional Rights (CCR) in New York City. He is the senior managing attorney of the Guantánamo Global Justice Initiative there, coordinating legal representation for the captives held in extrajudicial detention in the United States' Guantánamo Bay detention camps in Cuba.

Greg Mitchell is the author of twelve books and currently blogs on the media and politics—especially on WikiLeaks and Occupy Wall Street—for *The Nation*. He was the editor of *Editor & Publisher*, which covers the news and newspaper industry, from 2002 to the end of 2009.

Betty Yu is the Network Manager for the Center for Media Justice (CMJ), a national movement-building intermediary working to strengthen the communications effectiveness of grassroots racial justice sectors, and sustain a powerful local-to-local movement for media rights and access. She has over 15 years of media justice activism, social justice organizing, and media making experience.

Sliding scale: \$6/\$10/\$15

27 Jun - Book Release Celebration for Inside/Out: Selected Poems by Marilyn Buck

WHAT: Book release

WHEN: 7:00pm-9:00pm, Wednesday, June 27th

WHERE: Bluestockings – 172 Allen Street

COST: Free

MORE:

Presenters include: Asha Bandele, Dequi Kioni-Sadiki, Ona Mirkinson

MCs: Susan Rosenberg and Laura Whitehorn

And a message from political prisoner Sekou Odinga.

We Celebrate Marilyn Buck's life and work with a reading of InsideOut, a new selection of her finest poetry. InsideOut is a living testament to the fierce intelligence and compassion that inspired and informed her life.

Marilyn Buck was a feminist, an artist, and a revolutionary. She served over 30 years in US prisons for her militant commitment to the liberation of all oppressed and exploited people and for her active opposition to racism, state repression and US imperialism. She was convicted of charges including the liberation of Assata Shakur.

Marilyn was a prolific writer and poet who published work in a prize-winning chapbook, an audio CD, and in various journals and anthologies. She received a PEN American Center prize for poetry in 2001. Her poems appeared in *Hauling Up the Morning*, *Wall Tappings*, *Igniting a Revolution: Voices in Defense of the Earth*, *Seeds of Fire*, and in her chapbook, *Rescue the Word*. Her translations and introduction to Cristina Peri Rossi's poetry appeared in *State of Exile*, Number 58 in the *City Lights Pocket Poets Series*.

Marilyn was released from prison on July 15, 2010, 20 days before her death at age 62.

For more information about Marilyn's life, go to <http://www.marilynbuck.com/about.html>

IN HONOR OF MARILYN: BRING A BOOK FOR A PRISONER

Recognizing Marilyn's long commitment to educating herself and other women in prison (she spent many of her long hours behind bars tutoring, teaching, and mentoring), we ask you to bring with you one or two paperback books to donate to Books Through Bars (booksthroughbarsnyc.org).

Especially needed: dictionaries (English and Spanish) and Black and Latino/a (especially Chicano/a) histories.

But if you don't have those, bring another book or two to send in to one of our many sisters and brothers behind bars (for other suggestions, see booksthroughbarsnyc.org/donate). Representatives of Books Through Bars will be at the event to tell you more about their important work.

30 Jun – Resistance in Brooklyn anti-July 4th benefit party

WHAT: Benefit for Voices Of Community Advocates & Leaders (VOCAL)

WHEN: 4:00pm-8:00pm, Saturday, June 30th

WHERE: 309 Park Place (between Vanderbilt and Underhill), Brooklyn, New York

COST: \$12-\$20 donation, includes dinner; cash bar

MORE:

Voices Of Community Advocates & Leaders (VOCAL) builds power among people affected by HIV/AIDS, drug use and mass incarceration to create healthy and just communities.

Resistance in Brooklyn chose VOCAL as the beneficiary of our annual Anti-July-4th barbeque because of their role in campaigns to end the NYPD's stop and frisk practices and illegal marijuana arrests.

In collaboration with numerous allies, including the Drug Policy Alliance, Institute for Juvenile Justice & Reform Alternatives (IJRA) & the Communities United for Police Reform (CPR) coalition, VOCAL-NY's campaign to end arrests for marijuana possession in New York has helped highlight broader bias-based policing and challenge what has become the leading cause of arrest in the City. Most arrests for marijuana possession occur because of illegal searches that often follow stop and frisks, which helps explain why the overwhelming majority of arrests have been among Black and Latino youth despite higher rates of marijuana usage among white youth.

In response to public pressure, Governor Cuomo and the legislature are now on the verge of enacting major reform that could dramatically reduce arrests of young people of color due to racist marijuana arrests.

For more on VOCAL and this campaign, go to <http://www.vocal-ny.org>

14 Jul – A New York night with Oscar López Rivera

WHAT: Benefit dance

WHEN: 6:00pm-midnight, Saturday, July 14th

WHERE: Local 1199 Auditorium – 310 West 43rd Street (near 8th Avenue)

COST: \$20 (food and drinks sold separately); suggested donation for students and unemployed: \$10

MORE:

Dance to the musical sabor of Zon Del Barrio as well as DJs Laylo and Asho. U.S held Political Prisoner Oscar López Rivera has been in Federal Prison for 31 years. His "crime" has been fighting against the Human Rights abuse of colonialism, an act legal under international law. The crime for which this Vietnam veteran was convicted was "seditious conspiracy." We want him home, with his family, friends and compañeros.

For tickets call Espe Martell: 212.927.9065