

Updates for July 23rd

11 Jul - Dane Rossman has been released

Dane is out of prison and back in the US! He took a non-cooperating plea, was sentenced to one day and about \$1,500 in restitution.

MORE:

His support crew will be posting a statement about his case within the week. Thank you all so much for your support during this time.

Please remember that there are still 4 other people who need support to deal with G20 extradition charges and consider donating funds or putting together an anti-repression event in your city if you are able.

11 Jul – Updates on Herman Wallace (Angola 3)

A lot has happened in the month following the announcement that Herman Wallace of the Angola 3 has terminal liver cancer. He's been moved from solitary confinement to a ten bed dormitory in the medical unit of the prison, but still needs help to secure that he receives compassionate release. A couple of articles and a call to action are below.

MORE:

July 11th – Amnesty International call to action

IToday, in response to the tragic news that Herman Wallace is terminally ill with cancer, Amnesty International has launched a campaign calling for Louisiana Governor Bobby Jindal to immediately release Herman on humanitarian grounds.

Following his initial diagnosis on June 14, Herman continues to be held in isolation at Hunt Correctional Center's prison infirmary. Reflecting on his confinement while battling cancer, Herman says: "My own body has now become a tool of torture against me."

"After decades of cruel conditions and a conviction that continues to be challenged by the courts, he should be released immediately to his family so that he can be cared for humanely during his last months," says Tessa Murphy, USA campaigner, about Herman Wallace.

Amnesty International has long criticized the legal process and lack of evidence that has resulted in both Herman and Albert Woodfox's original murder convictions. In confronting Herman and Albert's continued cruel confinement in solitary for over 40 years, Amnesty has declared it to be in violation of international human rights law, as well as the US Constitution itself.

In today's statement, Amnesty declares that in the decades of Herman and Albert's confinement, the "prison authorities have broken their own policies to justify their continued incarceration in harsh and inhumane conditions." Amnesty also states that they are, "extremely concerned about the worsening conditions of confinement" for Albert in David Wade Correctional Center.

Creating public pressure for Herman is now more important than ever. We need Governor Jindal to get hundreds of thousands of emails demanding Herman's immediate release, so please take action now and help us spread the word by posting on Facebook and forwarding it to your friends.

July 15th – Herman Wallace moved to medium security

Update, July 15: *Over the weekend, Louisiana's Hunt prison reduced Herman Wallace's classification from maximum to medium, according to a source in his defense team. That means the terminally ill Wallace will stay in the prison hospital in a 10-bunk dorm, with access to a day room, and won't have to wear leg irons. His phone privileges are to return next week. There is no mention of any compassionate release.*

The "egregious and extensive use of solitary confinement and other troubling detention practices" at Angola and other Louisiana State prisons appear to violate the U.S. Constitution and federal law, say four leading Democratic members of the House of Representatives.

The four Congressmen are urging the U.S. Department of Justice to investigate the Louisiana Departments of Corrections for its "abysmal history of protecting the rights of its prisoners," of which the "tragic story of the Angola 3 is a case in point."

The accusations came in a letter dated July 12, addressed to the Civil Rights Division of the Justice Department and signed by four Democratic members of the House Judiciary Committee: ranking member John Conyers of Michigan, Cedric Richmond of Louisiana, Jerrold Nadler of New York, and Bobby Scott of Virginia, all of whom have some history as criminal justice reformers.

The bulk of the letter deals with Herrman Wallace and Albert Woodfox, the two members of the Angola 3 who remains in solitary after 41 years. It follows on the news that Wallace has terminal liver cancer, and on appeals from Amnesty International, among others, for his immediate release on humanitarian grounds. The letter states:

"Since their convictions (which are currently under review in federal court), Woodfox and Wallace have endured over four decades of isolation. This is an unprecedented period of time by any standard, and quite possibly the longest any person has spent in solitary confinement worldwide. Within the last five years, Woodfox and Wallace have been transferred from Angola to other facilities in the Louisiana prison system, including the David Wade Correctional Center ("Wade") and the Evalyn Hunt Correctional Center ("Hunt"), where we understand the very same complained-of constitutional and statutory violations have been perpetuated. We understand that upon their transfers, brand new Closed Cell Restricted ("CCR") tiers were created at these facilities, and additional inmates are now also confined on these tiers. We have reason to believe that, as at Angola, many of the inmates housed in the CCR tiers of Hunt and Wade suffer from mental health and other serious illnesses. Woodfox and Wallace continue to be held apart from the general prison population, to the detriment of their mental and physical health.

Indeed, after years of what we have been informed was sub-standard medical care, Herman Wallace was diagnosed just weeks ago with liver cancer. We have heard that he lost over 50 pounds within 6 months. Despite that dramatic weight loss, and at 72 years old, the prison did nothing to treat or diagnose him until he was sent to an emergency room on June 14. Given the late stage of his diagnosis, his treatment options are now limited. He is frail and ill, but is still being treated as if he is a threat to security, and we hear that he remains under lockdown conditions. This is unconscionable.

We also have reason to believe that at the Wade facility, 68-year-old Woodfox, and all CCR inmates there, are being subjected to daily strip searches whenever they enter or exit their cells, even when there is no basis or reasonable suspicion that they might be in possession of contraband. We have been told that even when Woodfox is removed from his cell to go to the exercise yard, where he is being kept under surveillance of guards and apart from any other inmates or prison visitors, he is strip searched when he leaves his cell and upon return."

The letter, which its authors say is based upon six years of "conversations about conditions at the prison" with "officials, inmates and stakeholders," goes on to catalog violations faced not only by the Angola 3, but also by inmates who have received less attention from the press."

"We have reason to believe," the letter states, "that Louisiana DOC employees have colluded with persons from the Office of the Louisiana Attorney General to fabricate violations of prison rules to unjustifiably punish inmates." In addition, it states, "we have reason to believe that the Louisiana DOC continues to knowingly

engage in behavior that violates the due process rights of inmates held in solitary confinement” by “orchestrat[ing] sham 90-day reviews that take no consideration of a prisoner’s conduct while he was in solitary or the prisoner’s state of mind, and do not attempt to determine, by any defined standard, whether the prisoner should be released to a less restrictive cellblock or dormitory. We have been informed that there may be more than 100 inmates who have been subjected to these fictitious reviews.”

The letter points out that lawyers, politicians, and activists have urged the Louisiana Department of Corrections, and most especially the Angola and Hunt warden Burl Cain, to relax his hold on Wallace and Woodfox. But Cain has insisted in court papers that the two are dangerous subversives, guilty of “Black Pantherism” and a threat to prison order, while Louisiana Attorney General Buddy Caldwell has stated that should these two elderly men be allowed out of prison, pillage and mayhem would ensue.

The New Orleans Times-Picayune sought comment on the letter from both Caldwell and the Louisiana Department of Corrections, and reported:

“In response, Corrections Communications Director Pam LaBorde said the department practices constitutionally sound policies and procedures in all areas including medical care and security and provides “adequate” care to any inmate in need of it.

The attorney general’s office was less measured in their response, calling the letter a “diatribe” while adding they could not comment on the issue because of pending litigation with Wallace and Woodfox.

“However, we feel compelled to point out that Congressman Richmond soft pedaled a very important fact concerning these two individuals,” the statement added. “Both of them were unanimously convicted for the murder of a young prison guard at Louisiana State Penitentiary at Angola after having already been convicted of other violent felonies.””

The convictions of both Wallace and Woodfox and under appeal, and a lawsuit challenging their four decades of isolation has been pending for years. This Congressional entreaty to the Justice Department comes late in the game. But with little movement in the courts, the Democrats clearly felt they should do something, make some gesture at the very least, before it is too late for Herman Wallace.

July 17th - Opening the Box: Sarah Shourd on Herman Wallace, California Hunger Strikers and the Horror of Solitary Confinement

Last month, we were devastated to learn that the Angola 3’s Herman Wallace had been diagnosed with liver cancer, and that he was continuing to be held in isolation in a locked room at Hunt Correctional Center’s prison infirmary. Reflecting on his confinement while battling cancer, Herman said: “My own body has now become a tool of torture against me.”

On July 10, Amnesty International launched a campaign directed at Louisiana Governor Bobby Jindal, calling for Herman’s immediate release on humanitarian grounds (take action here). “After decades of cruel conditions and a conviction that continues to be challenged by the courts, he should be released immediately to his family so that he can be cared for humanely during his last months,” said Amnesty USA campaigner Tessa Murphy.

In recent years, Amnesty has initiated other campaigns challenging the over 41 years spent in solitary confinement by Herman and Albert Woodfox, also of the Angola 3, including the April 17, 2012 delivery of a 67,000 signature petition to LA Governor Jindal demanding Albert and Herman’s immediate release from solitary. Earlier this year, Amnesty called on Louisiana Attorney General James Caldwell to not appeal the US District Court’s overturning of Albert’s conviction. More recently, accompanying their call for Herman’s release, Amnesty also expressed concern about “the worsening conditions of confinement” for Albert at David Wade Correctional Center, where he remains in solitary confinement. “For approximately two months, Woodfox has been subjected to additional punitive measures – including strip searches each time he leaves or enters his cell, being escorted in ankle and wrist restraints, restricted phone access, and non-contact visits through a perforated metal screen. Temperatures in the prison cells are reportedly extremely high, regularly reaching up to 100

degrees Fahrenheit,” wrote Amnesty.

Public outrage intensified on Friday, July 12, when a letter citing the Angola 3 case, was sent to the Civil Rights Division of the US Justice Department by Congressman John Conyers, Jr. (D-Mich.), Ranking Member of the full U.S. House Judiciary Committee, Congressman Jerrold Nadler (D-N.Y.), Ranking Member of the Subcommittee on the Constitution and Civil Justice, Congressman Robert C. “Bobby” Scott (D-Va.), Ranking Member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, and Congressman Cedric Richmond (D-La.). The letter called for an investigation of the Louisiana Departments of Corrections for its “abysmal history of protecting the rights of its prisoners,” of which the “tragic story of the Angola 3 is a case in point.”

About Herman Wallace, the Congressmen wrote: “We have heard that he lost over 50 pounds within 6 months. Despite that dramatic weight loss, and at 72 years old, the prison did nothing to treat or diagnose him until he was sent to an emergency room on June 14. Given the late stage of his diagnosis, his treatment options are now limited. He is frail and ill, but is still being treated as if he is a threat to security, and we hear that he remains under lockdown conditions. This is unconscionable.”

Within hours of the letter’s release, Herman Wallace was transferred out of solitary confinement, when Louisiana’s Hunt prison reduced his classification from maximum to medium security. Herman is now staying at the prison hospital in a 10-bunk dorm, with access to a day room, and does not have to wear leg irons anymore. While celebrating the more human conditions, Herman and the International Coalition to Free the Angola 3 emphasize that the transfer from solitary is not enough. They are asking folks to continue supporting Amnesty International’s call for humane release. The Angola 3’s Robert H. King, himself released in 2001 after 29 years in solitary confinement, says, “The wind is at our back and with your continued help our objective will be realized - freedom is in sight.”

The case of the Angola 3 is at the center of a 42-day fundraising drive begun for a touring play, entitled *Opening the Box*, that will focus on the use of prolonged solitary confinement in US prisons. The choice of fundraising for 42 days is a tribute to the almost 42 years spent in solitary by Herman Wallace and Albert Woodfox. The writer and producer of *Opening the Box*, Sarah Shourd, is herself a survivor, having spent 410 days in solitary confinement while held as a political hostage by the Iranian Government from 2009-2010. After returning to the US, she successfully fought for the release of her now-husband Shane Bauer and friend Josh Fatal.

Conceived specifically “to add to the momentum of a burgeoning movement” against solitary, Shourd will be working with Solitary Watch to “collect real stories from a diverse spectrum of people living in solitary confinement today--immigrants, children, lifers and women. Then, I’m going to write a play about it and go on tour.”

“While watching this play, I want the audience to breathe along with a young man having a panic attack after being denied a visit with his mother, to crawl inside the skin of an immigrant detainee terrified of being deported and to travel with a lifer on a magic carpet of memory--only to be pulled back into the stark, implacable reality of the hole. By hearing these stories, my hope is that the audience will be able to relate to the men and women enduring this torture in our prisons, to their pain but also to their resistance to the dehumanizing forces around them, their incredible resilience...and their refusal to be institutionalized,” explains Shourd.

In this interview, which Shourd dedicates to Herman Wallace, we take a closer look at her project, *Opening the Box*, as well as the ongoing prisoner hunger strike in California, the Angola 3 case, and the politics of prisons in the US. Currently based in Oakland, California, Shourd is an author and Contributing Editor at Solitary Watch. Before being captured by the Iranian government, Shourd was living in a Palestinian Refugee Camp in Damascus, Syria, working as a journalist and teaching for the Iraqi Student Project.

Angola 3 News: Why did you choose to spotlight the case of the Angola 3 with 42 days of fundraising?

Sarah Shourd: I only knew a little about the Angola 3 before I was detained in Iran, but I thought about them when I was inside. I also thought about Mumia Abu Jamal, Nelson Mandela, my friend Jafar Saidi (who is being held in a Pennsylvania prison) and all the other prisoners I'd heard of being held in prolonged isolation. I reasoned that if these people found the strength to endure weeks, months or even decades alone, then that meant I could get through it too. Their example helped me believe that it was possible to survive indefinite solitary confinement, that with enough discipline and focus, I could learn to stay afloat, to ward off depression & hopelessness and even confront each day with some sort of dignity and purpose.

Now that I've studied Herman and Albert's case, I know there is absolutely no evidence that either of them is guilty of the crime (murdering a guard) that landed them in solitary 41 years ago. The 70's were an extremely volatile and politicized time inside Angola prison and prisons around the country. Herman, Albert and Robert were organizing and resisting mistreatment by guards inside Angola—and I believe that's why they were targeted by prison officials and used to set an example.

Herman and Albert were given a sentence on top of their original sentence—life in solitary confinement. This ruling was made internally, without judge or jury, which in my opinion is unconstitutional.

A3N: Following Herman Wallace's recent cancer diagnosis and continued isolation, we are mobilizing public support for compassionate release. Can you say something in support of Herman's medical release?

SS: Herman deserves a release on compassionate, medical grounds more than any other prisoner I've ever heard of. It couldn't be more obvious that he's no danger to anyone and the yet extent of suffering that's been heaped upon him over the last four decades is beyond comprehension. No human being, under any circumstances, should be subject to this kind of cruelty.

That said, there's no changing what's already been done. The best hope for Herman is that he be allowed to taste freedom and be with his loved ones for the last months or years of his life. After 41 years, Herman deserves much, much more than that—but all we can really hope for is that government officials decide to grant Herman a compassionate, medical release the most expedient way possible. This is the only way to make right even a fraction of the wrong that's been done— before it's too late.

A3N: Last week, on the other side of the country, California prisoners began a hunger strike, following up on the demands first made by hunger strikers in 2011. How did the 2011 hunger strike affect you, following your release from Iran?

SS: I'd been fighting non-stop for over a year when my now-husband Shane Bauer and friend Josh Fatal were finally released from prison in Iran. Just weeks later, the UN's Special Rapporteur on Torture, Juan Mendez, issued a report condemning the long-term use of isolation on prisoners and calling it torture. Mendez went on to say that any period over 15 days in solitary can cause permanent psychological damage and should be subject to strict, mandatory review.

A few weeks later, the largest hunger strikes in history erupted in my home state, California. It was such an intense, mixed time for me. After more than two years since our initial arrests, the three of us were all finally together, free and back in the US. Yet, I was acutely aware of the tens of thousands of people in my own country, who were needlessly suffering the same kind of torture that the three of us had been subjected to.

I began speaking and writing about solitary confinement, connecting my own experience to what I saw happening around me. I knew the fight for justice wasn't over for me—this was now a lifelong commitment.

A3N: What do you think of the current hunger strike? Do you support the strike's criticism of prison authorities' response to the 2011 strike?

SS: I'm angry that ten of thousands of prisoners have been forced to begin hunger striking again, but they have

no other choice. The response from California prison authorities to the demands of the prison hunger strikers in 2011 was sorely inadequate. In fact, no tangible changes have been made at all. Prisoners in our country have next to no rights—they have to risk their health, safety and even their own lives in order to be heard.

I'm impressed, but by no means surprised, by how widespread resistance to solitary confinement has become inside our prisons—with 29,000 people refusing their food on the very first day. I think the renewal of this hunger strike is a sign that prisoners have reached a tipping point. They've made their grievances visible, so that now politicians, prison officials and the public can no longer afford to ignore the horrors happening inside our prisons.

A3N: With over 2.4 million prisoners today, the US now has the most total prisoners and the highest incarceration rate in the world. How do you think this unprecedented level of mass incarceration relates to the widespread use of long-term solitary confinement?

SS: Before I spent 410 days in solitary confinement, I knew that isolating a person was a cruel form of punishment. Still, it wasn't until I experienced it myself that I realized it was torture. Long periods with little to no human contact violates a person's psyche in the deepest, most insidious way—a way that usually leaves no physical marks but leaves most people psychologically damaged and changed forever

I see solitary confinement as the deep end of our very broken prison system. It's the worst punishment our system dolls out. It's also used routinely, often arbitrarily and with little to no oversight.

There are other ways to run prisons that are better for both prisoners' individual health and public safety. However, instead of trying to deal with serious issues like prison violence (by inmates and guards) constructively, in U.S. we lock ten of thousands of people alone in cages where they lose their minds, often hurt themselves and commit suicide at a much higher rate than in the general prison population.

Still, prison authorities can't keep them locked up forever. The majority of people that have been subjected to prolonged solitary confinement will one day be released back into society, where little to no services exist to help them recover, reintegrate and move forward in a positive way. That's why so many ex-prisoners reoffend and the cycle continues.

Our prison system has veered so far from the path of rehabilitation over the last 30 years, there's hardly even an attempt on behalf of prison authorities to give the impression they're trying to provide inmates with resources or opportunities to change. Instead, prisoners are treated like raw material instead of human beings, warehoused away like surplus goods.

A3N: Who, in particular gets targeted for solitary and why?

SS: Solitary confinement is a perfect illustration of what our prison system has become. It's used as a control strategy against anyone who presents any kind of hassle to prison officials and/or needs services that our prison system has neglected to provide. Guards use any excuse to get rid of people by sending them to the 'hole,' such as petty drug use, profanity and/or any small, petty (often non-violent) infraction.

The real reason many people wind up in solitary is because they have unpopular or threatening political beliefs, because they're gay or transgender and need so-called 'protection,' because they've reported rape or abuse by prison officials and/or simply because they are mentally ill.

Human Rights Watch estimates that one-third to one-half of inmates in isolation had some form of mental illness before they were put there. Using solitary confinement instead of providing mental health and other rehabilitative services is inhumane, not to mention extremely negligent. This practice doesn't serve society and that's why we need to hold prison officials accountable and end this practice.

A3N: Looking from an international perspective, how do other countries differ regarding the use of prolonged solitary confinement?

SS: Many countries around the world only use solitary in their prisons as a very last resort. England, for example, tried implementing solitary confinement as a disciplinary measure. When prison violence increased, and they realized how expensive and cruel this practice was, they simply stopped relying on it. Today there are a few dozen prisoners held in prolonged solitary in the UK—compared to our estimated 80,000 on any given day.

The reason this mistake was caught and largely corrected in England was simple—they have a system of oversight in place, a government body that closely monitors what happens inside their prisons and keeps the public informed. In the U.S. we have nothing like this in place. As a result, this practice has gotten out of control and we've become by far the largest offender of this inhumane, senseless practice in the world.

A3N: Why is theater a useful medium for telling these stories? How do you foresee this helping to build momentum against the practice of solitary confinement?

SS: I believe a play can reach a new and different segment of the population with a human rights issue that should be of grave concern to everyone in our country. 'Opening the Box' also has the potential of humanizing this issue in a visceral, embodied way that an article or report can't.

In the late 90s a play called *The Exonerated*—based on true stories of innocent death row survivors—came out and quickly spread like wildfire. Half a million people saw this play and actors like Susan Sarandon & Danny Glover did cameos and the Governor of Illinois was so affected by seeing the play he decided to commute all the existing death row sentences in his state to life in prison.

I believe that hearing, seeing and reading real, complex stories of people living through the daily hell of solitary confinement (there is also a book in the works, slated to be published in conjunction with the play) has the potential of effecting people in a way they can't and won't forget. The play is not only about entertainment, of course, we want it to be a catalyst for action, a humble effort to contribute to a nation-wide movement—one that's gained more momentum in the last few years than it did over the last century.

'Opening the Box' is also a deeply personal journey—an attempt to understand what happened to me during the year I spent in solitary and to connect my own suffering to that of so many others.

11 Jul - NATO 3 Trial Postponed Till March 2014

The NATO 3 have had their trial postponed until almost a year from now. That means they will remain imprisoned in the Cook County Jail until then. It also means they really need both correspondence and books. Unlike many prisoners, they can receive books sent directly. More information on the book drive is at <https://nato5support.wordpress.com/book-drive>

MORE:

On Tuesday, July 9, the NATO 3—Brent Betterly, Jared Chase, and Brian Jacob Church—had another status hearing to discuss discovery issues and three important pre-trial motions. The motions were Jacob's motion to suppress his post-arrest statement to the police, the joint motion to dismiss the arson charges, and Brent's motion to dismiss all his charges due to false testimony to the grand jury violating his right to due process. The arguments about the post-arrest statement were pushed off yet again, the judge will rule on dismissing the arson charges within two weeks, and the judge denied Brent's motion to dismiss his charges. Additionally, the defense team requested that the trial date be pushed back from September 16th of this year to mid-March of next year so they can have time to review all the discovery and prepare adequately for trial.

These developments mean that the defendants have an even longer ordeal ahead of them and need solidarity now more than ever. They've been locked up in Cook County Jail since May 16th of last year and continue to suffer shake downs by the guards that often include their books being stolen. Please write to them and send them books

to help cheer them up now that it's clear they will be spending at least another eight months in jail. You can also donate to their defense fund and participate in our internet auction fundraiser, as trial preparation expenses will continue to increase.

Our full court notes are available. Please read them and mark Tuesday, July 23rd at 2pm down on your calendars for their next status hearing. A brief summary of the motions discussed at the last hearing is below.

Brian Jacob Church's Motion to Suppress His Post-arrest Statement

Church's motion is to suppress the post-arrest statement he made to the police so it cannot be used against him at trial. The prosecution argued that they could not make a decision on whether they would possibly use the post-arrest statement against Jacob if he were to testify until they know whether he plans to testify. The defense asserted that the State said they would have an answer and be ready to proceed today and that they did not want to wait until Jacob took the stand, if he decided to, to resolve this issue. The judge exclaimed that he thought this issue would be argued in court today and did not expect there to be further delays on this matter, but said he hoped the attorneys could work this out by the next status hearing.

Motion to Dismiss the Arson Charges

The defense filed a motion to dismiss the arson charges because they do not specify the alleged object of the arson attempt, solicitation, and conspiracy and because they do not guard against the defendants being re-indicted for the same allegations if they are acquitted at trial (i.e., double jeopardy). The defense also pointed to problems with what was presented to the Grand Jury to secure the indictments, as the Second Amended Bill of Particulars lists more information than what was presented to the Grand Jury. Thus, the defendants are being put in the position of going to trial on all these allegations in the Bill of Particulars when these were not provided to the Grand Jury to get the indictments in the first place.

The State asserted that the information presented to the Grand Jury, in its totality, was sufficient for them to issue the indictments, and that the indictments are sufficiently specific to show the defendants the cause and nature of the charges against them. Additionally, they argued, the Bill of Particulars gives them more details to help them prepare their defense and guard against double jeopardy.

The judge expressed doubt about whether the information presented to the Grand Jury was sufficient and whether the indictment gave enough notice of the nature and cause of the charges. The judge also said he would take the motion under advisement and issue his ruling within two weeks.

Brent Betterly's Motion to Dismiss His Charges Due to False Testimony to the Grand Jury Violating His Right to Due Process

Brent's attorneys had filed a motion to dismiss his charges since the officer testifying to the Grand Jury had presented false, misleading, and potentially perjured testimony about the evidence against him to secure the indictments. The defense argued that the State has admitted that the majority of the statements made by this officer about Brent were false, including the information given to secure a terrorism indictment. Further, the defense argued that this false testimony is a violation of his right to due process that can be remedied by dismissing the indictment with prejudice. The defense also argued that this is a public policy issue because the Grand Jury is supposed to play an independent role and presenting false testimony to secure indictments is an abuse of this system and should not be tolerated.

For its part, the State asserted that they had not admitted any false testimony and that the Grand Jury had sufficient information to issue indictments. Additionally, they charged the defendants as co-conspirators, so each defendant is legally responsible for their co-defendants' actions. During the Grand Jury testimony, the officer talked about the group as a whole and then each defendant individually.

The judge expressed that he felt that the information presented to the Grand Jury was weak and assumed that there was more to the charges, but that he believed there was sufficient information presented to the Grand Jury for their purposes. If there was misinformation, he said, it was not of such a character that the Grand Jury would not have indicted. Thus, he denied the motion.

12 Jul - Mumia Abu Jamal's Re-sentencing Appeal Denied + New Writings

In a unanimous and quick decision, the Superior Court of Pennsylvania denied Mumia Abu-Jamal's appeal to be re-sentenced. We're including a response by his support committee as well as the transcripts of his most recent audio commentaries.

MORE:

The appeal challenged the undisclosed manner in which Mumia was re-sentenced from death to life in prison without parole by Judge Pamela Dembe of the Philadelphia Court of Common Pleas. In failing to notify Mumia or his attorneys of his resentencing, the court violated Mumia's constitutional rights, specifically: the right to notice of sentencing, to be apprised of the right to appeal the sentence, and to be present in court and make a statement. The unconstitutionality of Judge Dembe's undisclosed filing echoes the history of due process violations in the Abu-Jamal case, which spans more than three decades.

In her argument before the court, Mumia's attorney, Judith Ritter, underscored that in not allowing Mumia or his lawyers the right to make a statement for the record, the court denied Mumia the opportunity to begin to build a legal argument challenging his sentence of life in prison without parole. She illustrated the importance of due process in this regard with a compelling example that highlights its importance both for Mumia's case and for the legal community. Among other points, she argued that last year's Supreme Court decision, which declared life sentences unconstitutional for juveniles, has generated a debate in the legal community about the constitutionality of life sentences for adults and that Mumia's attorneys should have been afforded the right to build on these arguments in his defense.

Mumia's supporters continue to uphold his innocence, to strategize toward the goal of bringing Mumia home, and to link the fight for his freedom to the fight to free all political prisoners and end mass incarceration.

We have launched a petition addressed to the Department of Justice calling for Mumia's Release. Our goal is more than a million signatures. Please sign and spread the word.

<http://www.change.org/petitions/release-mumia-abu-jamal>

July 9th - EGYPT: Back to Square One

Muhammad Morsi, who had the proud distinction of being Egypt's first democratically elected President, has again made his historical mark, by being the first such head of state to be undemocratically removed.

A military coup, albeit a seemingly popular military coup, is a rebuff to democracy, not a support for it.

Now, and perhaps for some time to come, the generals are in control, the same ones who ran the military under Mubarek, and who distinguished themselves, not in battle against Egypt's external enemies, but against its women, who've been raped, against its students, who've been tortured, and against anti-Mubarek activists, who've been beaten and slain.

With history such as this, the military chafed under Morsi's constitutional control, for, as a Muslim Brotherhood leader for decades before his political elevation, the military was used to putting their boots on the necks of such men.

With his rigid style of leadership, he alienated those who should've been his allies, and strengthened his opponents, who could barely wait until his first major misstep.

When protests grew against him, the military took the initiative, closed TV stations and newspapers, ousted Morsi from office, installed their hand-picked puppet as interim president, and “suspended” the constitution.

Generals are under civilian control, or they control civilians; there can be no middle ground.

As Egypt goes, so goes the Middle East.

Several years ago, people spoke with hope of Arab Spring.

This, the hard boots of military rule, may be the beginning of an Arab Fall.

July 12th - The Coming Acquittal

By the time these words reach you, perhaps it will all be over.

“It” is the Zimmerman trial in Florida.

I have no idea what the ratings are for CNN, (nor CNBC, for that matter), but I’d bet it’s pretty elevated for their usual summer viewership.

In this place, of prison population, every man with a mouth wants to discuss the case.

In the chow-hall. On the walk ways. In the gym. On the yard.

Not even the buxom (and buttsome) beauties of “Love and Hip Hop” have garnered that much attention.

“Are you watching the trial?”

“Who do you think is gonna win?”

Questions bounce like basketballs, as all eyes are locked on this, the latest “trial of the century.”

The trial of George Zimmerman for the homicide of unarmed 17 year-old Trayvon Martin has snatched a level of public attention that hasn’t been seen since the mid- ‘90’s – in other words, the O.J. Simpson murder trial.

I believe, frankly, that Zimmerman will be acquitted.

I may be wrong – but I don’t think so.

I’ve never seen a defense lawyer utilize, so skillfully, the ju-jitsu-style techniques of witness flipping.

In all honesty, the state’s prosecution witnesses became defense witnesses.

And where the defense was adroit, the prosecutor bumbled and fumbled.

I may be wrong – I **hope** I’m wrong – but I don’t think I am.

We shall see.

July 17th - The Re-Education of Lauryn Hill

Her name, her incredible contralto, her audacious talent, her scrumptious beauty have made Lauryn Hill a legend in hip-hop and music generally.

Her solo effort, “The Miseducation of Lauryn Hill”, earned her a Grammy in 1998 (for best album), and a place

in the hearts of millions.

When she tired of the industry she tried to build a life for herself and her family, but the business continued to beckon.

Now, this enormous talent is behind prison bars, charged with tax evasion on some \$2million in income over several years.

Two million dollars sounds like a lot of dough, but consider this: of the many U.S. based transnational corporations with assets of over \$100 million, 37% paid nothing in US federal taxes. That's right – not one red cent.

That's according to Mark Zepezauer's *Take the Rich of Welfare* (South End: 2004) (p.29)

And that's because Congress has been slashing corporate taxes for years, while raising taxes on people.

Who needs money more, a mother of 6 children; or the CEOs of corporations who sometimes make over 500 their own workers pay?

We have punished people while bowing to corporations—whom the law has granted constitutional rights of personhood.

That's crazy – but true.

Meanwhile, schools are closing; cities are crumbling; bridges are toppling and good jobs are fleeing. That's because, as Zepezauer has written, "the rich are on welfare."

The super rich pay nothing; and some have flown to the Caymans to hide their loot and escape taxes.

Even if caught there are no jail cells for them, although they deprive their country of trillions in tax revenue. Also, how can you jail a corporation – even one granted personhood under the ignoble Citizens United decision of the US Supreme Court?

They throw a few farthings into the public kettle, while Lauryn Hill, a national –no, international – treasure and mother of six goes to prison.

This then is the re-education of Lauryn Hill. (And she thought the music industry was crappy!)

July 22nd - The Verdict

It may've begun with a bang; but it ended with a whimper.

The acquittal of George Zimmerman for the slaying of 17 year old Trayvon Martin was, for a generation of youth, a wake up call.

Young people around the country made this their cause, and believed, as only young people can, that justice would prevail.

But belief and knowledge are two very different things. While it is true that national protests forced the state of Florida to try Zimmerman, they did not result in the ends they sought.

Zimmerman, son of a judge, defended by a lawyer who is the husband of a judge, received a trial, all right, but not one that most folks have ever seen.

An almost all white jury threw it out in roughly a day and a half of deliberations.

What does it mean? Well, it means precisely what you think it means. That Black life is as cheap as day old pretzels.

That white is privileged, and important. And that white fear is the operative perspective from which all court action flows.

For, if we reverse the two principals here and Trayvon survived this encounter, who can doubt that he would be enroute to Starke, Florida, the home of Death Row and its infamous death chamber?

Trayvon would've had an overworked and underpaid Public Defender, who would've considered a life sentence a victory.

Who seriously doubts this proposition?

As long as that holds true, then talk of equality is as fantastic as stories about Santa Claus.

What we talk about – freedom, justice, equality and fair trials – is just that: talk.

When one enters the courtroom, the talk ceases.

It's time for legal war.

July 15th - Mumia Abu-Jamal Wins Contact Visits with His Son Jamal

After a year and a half the DOC finally approved contact visits between Mumia and his oldest son, Jamal Hart. This is an important acknowledgment by the DOC of Mumia's right to contact with his family. Thanks to all who called, emailed or faxed the DOC to stop this harassment of Mumia. This shows the power of our collective action.

When Mumia was transferred to general population after 30 years on death row, the DOC denied contact visits between father and son on the absurd grounds that Jamal was a security risk! Nonetheless Mumia and Jamal had a four hour contact visit without incident a year ago--the first in 30 years. But afterwards the DOC insisted on enforcement of the no-contact restriction. The situation was stalled until you began the calls and emails.

Now Jamal can have contact visits with Mumia—and bring his son and one-year-old granddaughter to visit. Mumia is a great-grandfather!

Mumia's phone calls were reinstated on Saturday, July 13 and his calls to Philadelphia attorney Michael Coard's radio program, "Courtroom Radio" (WURD 900 AM) have been approved.

As Mumia said when the state was defeated in its 30-plus year attempt to have him "legally lynched"—"the next step is freedom."

12 Jul - Sixth person arrested in 2012 Tinley Park mob attack

Jason Hammond, brother of alleged Anonymous and Lulzsec hacker Jeremy Hammond, was arrested in connection to the Tinley Park Five case. Jason is being accused of taking part in the attack on white supremacists at a Tinley Park, Illinois restaurant in May 2012. We've included a corporate media article about his arrest. Please keep in mind that the corporate media has been consistently wrong in regards to this case, so read the following with a critical eye. We're also including Jason's address-- make time to drop him a line.

MORE:

A 28-year-old Chicago man has been charged for his role in a bizarre mob attack on a group of alleged white

supremacists dining at a Tinley Park family restaurant in May 2012, officials said.

Jason Richard Hammond of the 3300 block of South Morgan Street was charged with armed violence, aggravated battery and mob action on Thursday, Tinley Park Police Chief Steve Neubauer said. He is the sixth defendant to be charged in connection with the melee.

On May 19, 2012, a group of 18 masked men charged into the Ashford House in the 7900 block of West 159th Street to confront a group of alleged white supremacists who were said to be at the eatery.

The masked men, all from the Bloomington, Ind., area, are members of the Hoosier Anti-Racist Movement. Hammond belonged to same group, Neubauer said.

Security video shows the men in masks carrying batons and other clublike objects. Within minutes, a melee broke out between the two groups, and several bystanders were injured.

Brothers Dylan, Cody and Jason Sutherlin and two other men, Alex Stuck and John S. Tucker, were arrested by an off-duty police officer shortly after the attack and have since each pleaded guilty to three felony counts of armed violence in connection with the attack. Their sentences range from 3 1/2 to 6 years in prison.

The case is a high priority for the police department, Neubauer said. The attack occurred on a Sunday afternoon and disrupted a graduation party and a bridal shower, he said.

"These people came in masked with weapons and created mayhem in the place," Chief Steve Neubauer said. "It was surreal."

"You just can't have those kinds of things going on, so we have worked on this thing relentlessly," Neubauer said. He declined to discuss how the police department tracked down Hammond, noting that there are still 12 suspects who have yet to be arrested.

Nick Cardinal, the manager at Ashford House who was also on the scene at the time of the attack, said he was pleased by the latest arrest.

"They're getting to the bottom of it and we're happy to see results," Cardinal said.

Jason Hammond #2013-0712237
Cook County Department of Corrections
Post Office Box 089002
Chicago, Illinois 60608

On a personal note, we at NYC ABC are saddened and outraged to hear about this ridiculous persecution of Jason. For us his "guilt" of being involved in shutting down a major meeting of individuals representing several Neo-Nazi organizations (which we doubt seriously) is not the issue. Maybe Jason is an innocent victim of targeting by law enforcement because of his and/or his brother's activism. Maybe he is one of the courageous antifascists who stormed that restaurant. Either way he deserves our support.

You can donate to Jason's Bail fund at <https://www.wepay.com/donations/jason-hammond-bail-fund>

July 17th - Chicago Takes Prisoner in War on Activists: Jason Hammond Arrested
Chicago, Courtroom, November 2010:

"I made a mistake," Jason Hammond, 24, told the Cook County Judge, before he was sentenced to one-year probation for his anti-Olympics shenanigans.

Hammond's twin, Jeremy, was sentenced to 18 months probation and 130 hours of community service.

"I accept full responsibility for my actions," said Jeremy Hammond.

The Hammond brothers were convicted for tearing the paper packaging from an Olympic banner. It was being hung on a Picasso statue that was used to bolster the city's Olympic bid. The Hammonds felt that an Olympic nod would stretch the already scarce resources allocated to Chicago's working class and urban poor. The brothers had added a little performance hijinks to their civil disobedience. Ironically, Picasso, the artist as well as a member of the French communist party until his death, might have approved.

Jason Hammond, the now 28-year-old twin brother of jailed hacktivist Jeremy Hammond, was arrested Thursday. Jeremy is the guy who crashed a book signing by a Holocaust denier and spilled red liquid on the books. Jason is the guy who can be seen playing his banjo or doing cartwheels at rallies. Thus, Chicago area activists were shocked when he was charged with armed violence, aggravated battery and mob action, in connection with the case known as the Tinley Park 5. The charges stem from a May 19, 2012, altercation between anti-racists, and white supremacists. Jason Hammond is charged with participating in the assault against white supremacists who were attending the 5th annual White Nationalist Economic Summit and Illinois White Nationalist Meet-and-Greet in Tinley Park, Ill. Hammond's bail is set at \$100,000 with no bond.

Last May I spent 10 days in Chicago talking to young activists that know Jeremy Hammond in order to flesh out a portrait of the young but already legendary Chicago hacktivist. Jeremy currently sits in Metropolitan Correctional Center for hacking into the private intelligence contractor Stratfor as he awaits sentencing. He released 5.2 million emails to Wikileaks, the Internet leaks website. The emails are today considered extremely important because they revealed Stratfor's surveillance activities against protestors and activists including those involved in the Occupy movement. The emails also revealed various media companies on Stratfor's payroll. Jeremy Hammond took a 10-year plea for the intrusion but still defended his actions saying, "I believe people have a right to know what governments and corporations are doing behind closed doors."

I am working on a documentary, *The Reality Wars*, about the targeting of hacktivists, activists and journalists by the government and I did my due diligence, speaking to everyone about Jeremy and his work. But there is nothing less cinematic than having a bunch of people sitting around talking about someone else, no matter how good the stories. This just wouldn't do. My new idea was to spend some on-camera time with Jason, the more outgoing, cheerful and artistic twin. I thought that if my audience got to see Jason play the banjo, hang out with friends and do his community organizing thing then I could draw parallels between the twins and, thus, bring Jeremy, though in jail, to life.

Jason invited me and my friends Peter Ludlow, a professor of Philosophy at Northwestern University, and subverzo, a New York activist and a subject of my documentary, to spend an unseasonably chilly Friday night at a community space in Pilson where Jason would be DJing. No cameras, he warned. I thought we would be going to an underground punk club or something equally as foreign to me. I was surprised to arrive at a jam-packed though comfortably toasty space filled with working class Latinos of all ages. The talk ranged from water rights to sustainable urban agriculture and hemp farms in Mexico. Jason Hammond and my friends seemed to be the only white people in the room. How ironic, it seemed, that I had come a very long way to feel so at home in this welcoming room in Pilson.

Let me quickly back track -- I am 100 percent Cuban. My father, Max Lesnik, a former Cuban revolutionary leader, is a legendary journalist, grassroots organizer and anti-Embargo activist. His magazine, *Replica*, as well as his person, were the targets of the CIA trained anti-Castro terrorists. In 2007, while I was making my documentary film *Man of Two Havanas*, I requested and received a heavily redacted version of my father's FBI file.

The document confirmed that while the FBI was investigating assassination attempts on his life and the nine bombings of his magazine, they were also gathering information on the purported victim, my father. My father

believed that U.S. Policy toward Cuba was wrong. He wanted dialogue and peace between Cuba, the U.S. and the Cubans living in Miami. That particular view at that point in time was unacceptable. It's easy to see the parallels between my father's story and that of the Chicago brothers and their friends, current targets of the state.

Okay, back to Jason. Since his arrest I have spent a great deal of hours speaking to many of his friends and supporters. No one from the police has spoken to me, nor have Jason's lawyers. I have heard the same story over and over again; the overreaching consensus is that Jason is incapable of the acts with which he is charged.

A friend of his of eight years who wanted to be identified only as Scott said:

"There is not a violent bone in his body. I saw his then girlfriend destroy his banjo and he didn't raise an eyebrow as he said, 'Why'd you do that?' When I lived with him at Mount Happy [an anarchist collective of about twelve people], he would get up at the crack of dawn to make us potato pancakes. He's a goofball that feeds the homeless and rides a bike to his job teaching kids guitar. It's preposterous. No one will believe it."

We talked for over two hours. "I'm talking to you from my cellphone. I didn't need Snowden [a reference to the NSA whistleblower that revealed PRISM, a mass surveillance program] to tell me anything. I am worried that they're coming after me but you can use my name," said Scott with no last name.

Another friend who wanted to be identified only as Scurvy continued:

"Jason may have run with all sorts cuz he loved everyone, but he and I did not smash shit up. We were much more into making spectacles of ourselves, cartwheels and handstands and all that. Sure we were part of the anarchist scene but we were not part of the fuck shit up philosophy. Jason was not one of them."

Before I hung up I asked again if I could use his name as he had initially introduced himself. His answer, "Best to just call me Scurvy."

I spoke to a father who was answering my questions as he tended to his young son. He was eager to paint me the picture of his world and that of the Hammond brothers. His name is Brian No-Last-Name. A new father at the time, Brian met the brothers at Food not Bombs, a group that addresses hunger through food donations and dumpster diving.

"We came to Food not Bombs through these girls that offered to help with child care and we stayed because it was kid friendly and we could spend the day there helping feed the homeless. Jeremy and Jason were very active. A significant chunk of the left don't believe in state solutions and massive legislation drives, but rather local solutions, people based solutions. We don't have to wait for legislation to solve problems. Anti-capitalist or anarchist are slander terms in the U.S. It's equated with terrorist. Not so outside the U.S."

Brian was expressing views that are not within the limited smorgasbord of acceptable political discourse in America. I heard different renditions of these core anarchist views from law abiding working people repeated over and over again as they attempted to explain how they live, work and love.

I asked Brian, how he felt about the charges against Jason.

"This is impossible to believe. It's just not true. The timing is off here. The way I see the situation with Jason is that Jeremy shed light on massive spying on Occupy and other criminality on the part of the government and Jeremy was made an example of. If you study social movements you see that the response from the authorities here is the standard package. First, you arrest Jeremy and in this very horrific way with this overreaching show of force with militarized police, automatic rifles, grenades and close off the street and for what, a Hammond brother, when you could just as easily picked him off the street that morning? I bet the house wasn't even locked. And [then] within two months of this happening, when Jason is scared shitless, he's involved in a vigilante action? No way."

Jason Hammond, who was present at the time of his brother's arrest, was detained on the premises and later released. I have heard countless activists voice skepticism and suspicion as to the timing of the alleged actions. Sue Crabtree, a nurse who runs Jeremy Hammond's support network and now also works nonstop to raise Jason's whopping \$100,000 bail, said of the allegations, "Impossible, Jason is a sweet boy and, anyway, he barely left the house at this time. He was traumatized by his brother's arrest. No one believes this. No one."

Brian concludes:

"This is a political case. The Tinley 5 were picked up last year. You have to ask yourself why now? Jason ran his brother's donations and worked in the support network. By locking him up now, they tax the network. And now they have to come up with \$100,000 for Jason. Anyone who doesn't see how that serves the government is pretty naïve."

15 Jul - Daniel McGowan Loses Lawsuit Against Bureau Of Prisons

Recently released Earth Liberation Front prisoner, and friend of NYC ABC, has had claims against the U.S. Bureau of Prisons over a restrictive prison wing he was housed in dismissed.

MORE:

Matt Sledge (*Huffington Post*)

A federal court has dismissed an environmental activist's claims against the U.S. Bureau of Prisons over a restrictive prison wing he was housed in, but a lawsuit filed by other prisoners against the government over its restrictive communication management units continues.

Daniel McGowan, 39, served seven years in federal prison for arson connected with the Earth Liberation Front, four of them in the secretive communication management units, or CMUs, dubbed "Little Guantanamo" by critics.

Along with dozens of other mostly Muslim inmates, McGowan's phone calls with the outside world and physical contact with his family were severely limited. Even after he was released to a halfway house, McGowan was briefly tossed back into prison this year for writing a Huffington Post blog entry detailing his case.

McGowan's lawyers at the Center for Constitutional Rights had argued that his re-jailing proved he was still at risk for re-incarceration in the CMUs. But the judge overseeing the lawsuit disagreed, citing a 1990s-era law that severely restricts the rights of federal prisoners to challenge cruel and unusual punishment.

McGowan's lawyers at the Center for Constitutional Rights said in a statement that they were "deeply disappointed" by Senior Judge Barbara J. Rothstein's decision, but that they would push on with the larger lawsuit.

July 18th - Daniel McGowan, Put in an Extreme Prison Isolation Unit for Writing Things, Loses Lawsuit Against Bureau of Prisons

Anna Merian (*Village Voice*)

A New York environmental activist stuck in an extreme isolation unit for writing letters and publishing articles -- and then re-jailed for writing about being put in that isolation unit in the first place -- has had his lawsuit against the Federal Bureau of Prisons dismissed, a development he calls "gross and unjust."

We've written before about Daniel McGowan, a 39-year-old environmental activist from Rockaway Beach, Queens who was once affiliated with the Earth Liberation Front, a group he says he left in the summer of 2001. He spent five and a half years in a federal prison in Terre Haute, Indiana, convicted of arson and conspiracy to commit arson, for trying to burn down two Oregon lumber yards in 2001, actions for which the ELF as a group claimed responsibility.

McGowan was released in December of 2012 and sent to a halfway house, where he was supposed to stay for six months before beginning three years of supervised release. But he was briefly re-imprisoned this April, three days after writing an article for the Huffington Post about his time in a Communications Management Unit, an experimental pod within the prison that drastically cut off his ties to the outside world.

McGowan explained in the Huffington Post piece that he landed in the CMU about a year into his prison bid, despite having a spotless disciplinary record. CMU rules drastically limited his access to phone calls and visits, as well as banning physical contact with his family and friends when they were allowed to see him. When his wife visited, they were separated by a thick pane of Plexiglass and a row of bars, communicating by phone.

In 2010, with help from the Center for Constitutional Rights, McGowan and several other CMU inmates filed suit against the Bureau of Prisons, challenging the constitutionality of CMUs and alleging that inmates were often assigned to them for their political beliefs, a practice which the CCR called "discriminatory and retaliatory." In McGowan's case, he and the CCR believed he'd been stuck in the CMU for writing letters and articles, which were still, when last we checked, constitutionally protected First Amendment activities.

As memos released during the suit revealed, he was right. They showed that McGowan was tossed in the CMU in large part for writing articles and letters about animal rights, as well as the need to unite the animal liberation and Earth liberation movements. Les Smith, a chief in the BOP's Correctional Programs division, wrote that McGowan's communications needed to be monitored constantly:

"Inmate McGowan's communications warrant heightened controls and review due to the fact that he was an organizer of [Earth Liberation Front]; wrote communiques for ALF/ELF actions; used coded communications during the commission of the offenses; participated in the recruitment of others into the group; espoused his anti-government beliefs verbally and in written communications; trained others to design and construct incendiary devices as well as how to conduct arson without being caught; and demonstrated the ability to plan, organize and carry out his plans without detection.

While incarcerated and through social correspondence and articles written for radical publications, Inmate McGowan has attempted to unite the radical environmental and animal liberation movements."

Three days after the HuffPo piece went live, on April 4, McGowan was picked up from his Brooklyn halfway house and locked up at the Metropolitan Detention Center. After one night, he was re-released to the halfway house, but with a new condition: no publishing articles.

"As far as we know, this is a made-up rule applied only to Daniel," the CCR wrote in a press release, "in a further attempt to chill his freedom of speech."

On June 5, McGowan was released from the halfway house, to go home to his wife and begin his supervised release. "I am out of the reach of the Bureau of Prisons," he says. He's now working as a receptionist in a law firm. On Tuesday, as Courthouse News first reported, Senior U.S. District Judge Barbara Rothstein dismissed McGowan from the BOP lawsuit, under the logic that his release from prison has made his standing to bring the case moot. Only two inmates remains in the lawsuit, Kifah Jayyousi, who was convicted of aiding Al-Qaeda, and Yassin Aref, convicted of aiding Jaish-e-Mohammed, a Kashmiri terrorist organization. (Aref was recently moved out of the CMU and sent to another federal prison in Pennsylvania.)

The Center for Constitutional Rights said it was "deeply disappointed" by the dismissal of McGowan's suit. It added that a portion of the suit was dismissed under the Prison Litigation Reform Act, a 1996 federal law that makes it very difficult to prisoners to sue the government for damages unless they've been physically injured. The CCR refers to this as a "second-class system of justice."

"I have to say, I find the dismissal severely disappointing," McGowan told us via email yesterday. "That my claims can be dismissed on what amounts to a technicality is just a sad example of how badly our system of justice works. The PLRA essentially states that prisoners cannot seek relief from the courts for emotional or

mental injuries, only physical injuries. There is something very gross and unjust about that. After spending 48 months in the CMU, I'm appalled that I will not get my day in court and be able to testify about what it is like to live in those conditions and the severe impact CMU designation has on one's family and community ties."

16 Jul - What Will It Take to Free Our Political Prisoners?

There's a very comprehensive article on generalized campaigns to free political prisoners, written for The Feminist Wire, that we've included below.

MORE:

Liz Derias (*The Feminist Wire*)

The Malcolm X Grassroots Movement (MXGM), a revolutionary organization based in the u.s. that fights to uphold the self-determination and the human rights of Black people in the world, has been working to free political prisoners for over three decades. The organization has actively worked on the cases of Assata Shakur, Mumia Abu-Jamal, Geronimo ji Jaga Pratt, the San Francisco 8 (SF8), the MOVE 9, the Cuban 5, and more. Additionally, MXGM has worked with the founding Black August Organizing Committee of California to popularize Black August, a month of commemoration and action in support of political prisoners.

Through the heed of political prisoners Assata Shakur and Nehanda Abiodun, MXGM has also taken a lead in inspiring and mobilizing the Hip Hop generation to take action in support of political prisoners, particularly through the annual Black August Concert, which has featured artists such as Talib Kweli, Yasiin Bey (Mos Def), Erykah Badu, Dead Prez, and others. MXGM works with other leading organizations that have championed action to free political prisoners, such as the National Black United Fund, the Prisoners of Consciousness Committee, the Nation of Islam, and numerous support committees around the world.

This article will describe the history and current context of political prisoners in the u.s., the conditions for them while incarcerated, and the organizing strategies employed by MXGM over the years to free them.

The Legacy of COINTELPRO

We cannot discuss the case of political prisoners in the u.s. without having an understanding of COINTELPRO. COINTELPRO, or the Counter Intelligence Program, was the federal government's secret program during the 1950s-1970s used against many forces of the Black Liberation movement, leftists, and political dissidents in the u.s., including the Chicano Nationalist Movement and the Puerto Rican Independence Movement. It was secret because it was illegal.

Under COINTELPRO, the FBI and local police forces assassinated, arrested, tortured, and framed hundreds of leftists, particularly Black leftists, who were considered to pose the greatest threat to the racist status quo of u.s. society. The tactics of COINTELPRO can be categorized in four main areas: infiltration of organizations, psychological warfare from the outside, harassment through the legal system, and extralegal force and violence, including extrajudicial killing and outright murder. The FBI's stated motivation for the program was "protecting national security, preventing violence, and maintaining the existing social and political order.

COINTELPRO was revealed to the public after a group of activists retrieved documents about the program from an FBI office in Media, Pennsylvania, and forced news agencies to publish the documents and related news stories. In 1976, a major investigation was launched by the Select Committee to Study Governmental Operations with Respect to Intelligence Activities of the United States Senate, commonly referred to as the "Church Committee", under committee head Senator Frank Church (Democrat from Idaho). The committee found that the program indeed violated constitutional rights. As a formal program of the FBI, COINTELPRO was dismantled, yet millions of documents gathered under the program have yet to be released. Additionally, the program has re-emerged as a new beast in the u.s.

With funds made available by Homeland Security's post-9/11 "war against terrorism," an Anti-Terrorism Task Force housed in the Department of Homeland Security was created. This Task Force is COINTELPRO on

steroids. Detectives, many of whom had been agents of COINTELPRO, came out of retirement to serve on this Task Force and have worked with local police forces to conduct sweeps across the country that primarily arrested former Black Panther Party members. These Panthers were faced with grand jury subpoenas, as we saw in the case of the SF8 in 2006. These grand jury subpoenas continue today. As recently as a year ago, many activists were summoned to appear before the grand jury, particularly those working on environmental issues in the northwest states, and those working on issues of Palestine, including Hatem Abudayyah, renowned Executive Director of the Arab American Action Network in Chicago, Illinois.

Isolation in u.s. prisons

To date, there are more than 100 political prisoners languishing in u.s. prisons, more than half from Black Liberation organizations, including the Black Liberation Army. In the last five years, twelve political prisoners have died while inside. The long-term confinement of political prisoners is often characterized by forced isolation. The severity of the conditions they are subjected to, and the extraordinary lengths of time that have been imposed on them, have sparked international support campaigns, such as in the case of Mumia Abu Jamal, Geronimo ji Jaga Pratt, Russell Maroon Shoatz, and others. Their campaigns have also been championed by leading national u.s. human rights organizations, such as the Center for Constitutional Rights, the National Lawyers Guild, and the National Conference of Black Lawyers. According to an April 2012 news article, “U.S. political prisoners have endured decades of abuse, many face death in prison.” Author Richard Muhammad references a report of the National Conference of Black Lawyers addressed to the United Nations which stated,

The continued incarceration and mistreatment of these prisoners violates UN treaties and conventions that guarantee human rights, forbid torture and outlaw racial and political targeting by government....

In many cases, political prisoners are isolated in solitary confinement. In an August 2012 article, “Solitary Confinement: Torture Chambers for Black Revolutionaries,” written by the Human Rights Watch, the authors state,

Any discussion on solitary confinement begins and ends with a number: a prisoner is kept in his or her cell 23 or 24 hours per day, allowed three showers every week and served three meals a day. According to a report by United Nations Special Rapporteur [on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Juan] Mendez prisoners should not be held in isolation for more than 15 days at a stretch. But in the US, it is typical for hundreds of thousands of prisoners to pass in and out of solitary confinement for 30 or 60 days at a time each year.

Human Rights Watch estimates that there are “approximately 20,000 prisoners being held in Supermax prisons, which are entire facilities dedicated to solitary confinement or near-solitary. It is estimated that at least 80,000 men, women and even children are being held in solitary confinement on any given day in US jails and prisons.” The Prison Discipline study, a mass national survey assessing formal and informal punitive practices in u.s. prisons conducted in 1989, revealed that “Black prisoners and the mentally ill were [also] targeted for especially harsh treatment.” Perhaps the most notorious case of this targeting is the case of the Angola 3, three Black Panthers who have been held in solitary confinement in Louisiana. Robert King was released after 29 years in solitary, but his comrades— Albert Woodfox and Herman Wallace—recently began their 40th years in solitary confinement. The three have spent a combined 100 years in solitary confinement.

It is simply inhumane— the physical and psychological tactics used against prisoners, and in particular political prisoners: sensory deprivation, lack of social contact, and restricted access to all intellectual and emotional stimuli. Additionally, to understand political prisoners we must have an analysis of torture in prisons and detention facilities. Although the vast majority of the world does not know that the u.s. even has political prisoners, due to a deliberate tendency by the u.s. to tout itself as a leader of “human rights” and “democracy” in the international arena, these issues came to light in the world when the sadistic pictures of u.s. military persons degrading Iraqi prisoners in Abu Ghraib were released. These incidents have opened an opportunity for political prisoner organizers and advocates to expose the contradictions of torture as a violation of international treaties and domestic law. However, what has become a challenge for political prisoner advocates and organizers is that

under the Patriot Act, evidence extracted under torture is now admissible, meaning it can be used in cases of [political] prisoners. This was not the case prior to the Patriot Act. This means that despite the international outcry, and as a result of 9/11, the u.s. has attempted to legitimize torture as a necessary and acceptable practice in a domestic case. We must pay attention to this as movement workers, and actively employ strategies that counter our current context, which makes torture not only permissible, but normal.

Strategies and Objectives to Free Political Prisoners

We must develop sound objectives and strategies to free our political prisoners. In the case of the SF8, MXGM employed several strategies that effectively aided in freeing several of the brothers. These strategies can be replicated in other cases.

In 1973, several former Black Panthers were arrested in New Orleans due to an unidentified shooting of a San Francisco officer. Frank McCoy and Ed Erlatz were the two arresting and questioning officers in New Orleans. With no justifiable charges, the brothers were detained and tortured, including being subjected to electric probes to their genital areas and severe beatings while blindfolded. All charges were dropped in 1975 because of the illegality of evidence gathered under torture and because of lack of evidence. In 2003, these same arresting officers came out of retirement, were promoted to the u.s. Anti-Terrorism Task Force and deputized to interrogate the brothers once again. On January, 23, 2006, several police officers and government authorities desperately in need of upholding COINTELPRO, arrested five brothers: Hank Jones, Harold Taylor, Richard Brown, Ray Bodreaux, and Francisco Torres. Two other brothers, Jalil Muntaquim and Herman Bell, who were already serving time as political prisoners, were also implicated in the case. One man, Richard Bridgeforth was sought but never arrested. They were subpoenaed to appear in front of grand juries, and, after refusing to cooperate, spent many months in jail. Bail was set between \$3 million and \$5 million for them. MXGM took immediate action in support of these brothers.

MXGM's objectives in supporting the case were to:

1. defeat the prosecution;
2. build a culture of non-compliance to their prosecution;
3. build a case for the parole of Muntaquim and Bell who were incarcerated since the 70s on non-related cases; and
4. weaken the political and social initiative of the advancing "war on terror".

In order to meet our objectives, MXGM's strategies included:

1. broadly politicizing the case in general and building a multi-racial alliance that would support the brothers;
2. exerting constant pressure on the court and impacting the jury (both the pool and the sitting jury itself);
3. questioning the motives of then-Attorney General Jerry Brown of California, and isolating his position; and
4. raising considerable media coverage.

Lessons

Over the course of four-and-a-half years, MXGM learned many important lessons, which include (in no order of importance):

- *Establish a Support Committee.* The Committee for the Defense of Human Rights (CDHR), which hosted the SF8 organizing committee, was quickly established. Because of the Bay Area's historical legacy as a founding site of the Black Panther Party and other leftist organizations, it was fairly easy to garner an array of multi- generational supporters.

- *Visit often.* Because the brothers were held in San Francisco County Jail, a facility in the center of San Francisco that was easily accessible by transportation, consistent visitation was easy. This may not be as easy for political prisoners who are often moved across the u.s. on short or little notice, or are detained in isolated cities/states, such as the ADX Supermax in Florence, Colorado. It was essential to visit the SF8 often, as it kept their spirits high.
- *Advocate for their care.* Conditions in the prisons for the SF8, all of whom were elders, were harsh and inhumane. Several brothers had ailments and conditions that worsened under these conditions. Organizers had to advocate for access to their medications, and in some instances the use of herbal medications.
- *Get them out on bail.* It is easier to work from the outside than on the inside. The CDHR included white leftists who had histories of supporting Black Liberation organizations. Frankly, many fronted the monies for bail funds and other related court costs.
- *Politicize the community.* Education of the community was key, particularly as it helped to influence the jury pool. Asian organizers politicized the Asian communities— rather large communities of potential jury members. CDHR supporters also drew in college students who oftentimes, provided a physical presence by attending court hearings, organizing actions on their campus or their cities, etc.
- *Use media to educate the community.* The Freedom Archives, an organization in San Francisco whose mission is to document movement history, released Legacy of Torture, a 27-minute video that featured footage of the brothers, family members, and supporters speaking on the case. The video was a useful tool in college and community presentations.
- *Fundraise.* In the case of the SF8, and in many cases, political prisoners are often the primary income providers in their homes. The sudden arrests of the SF8 left their wives and children struggling to pay bills and maintain their homes. Putting money on the books for them freed up money for family members to pay for medicines, calling cards, bills, etc. MXGM has also raised funds through the Black August concerts and donation drives over the years.
- *Develop an organizing strategy.* This organizing strategy must include tactics that actively counter u.s. hegemony, which asserts that prisons are necessary and that political prisoners should be jailed and punished. The counter hegemonic tactics used in the SF8 case included conducting surveys to gather supporters, specifically by gauging community sentiment on police brutality, police repression, and conditions in prison. The intent was to build a culture of non-compliance to police brutality in our community and prison repression towards our people. Moreover, when the brothers were released on bail, MXGM members actively spent time with them in strategizing sessions to determine targets, tactics, and timeline.
- *Pressure lawmakers and decision makers.* Four-and-a-half years of mass support for the brothers drew support from the San Francisco Central Labor Council, the Berkeley City Council, and several San Francisco Supervisors.
- *Celebrate victories.* Celebrating victories, even minor ones, was important as it replenished the spirit of the organizers and the brothers, and helped to raise community awareness.

In January 2008, the SF8 claimed victories. The charges of conspiracy were dropped against five of the defendants, and Richard O’Neal was removed from the case all together, changing the name of the case to the San Francisco 7. On June 29, 2009, Bell pleaded guilty to voluntary manslaughter in the death of Young. The following month, charges were dropped against Boudreaux, Brown, Jones, and Taylor, and Muntaquim pleaded no contest to conspiracy to commit voluntary manslaughter.

What We Have to Do

Well-resourced, strategically timed, intelligent legal strategies coupled with grassroots organizing strategies are a necessity to free political prisoners. It is unlikely that the Obama administration will move on issues of political prisoners. But, this does not mean we should yield our efforts. During this time, we must continue to build with the political prisoners and politicize the community. We must also develop a timeline for ourselves. There may be opportunities to challenge the Obama administration to make changes on issues related to mass incarceration, solitary confinement, torture, and political prisoners. There may be an opportunity in the second to

third year of his final term (when presidents are more “flexible” to challenge the status quo policies en route to leave a “legacy”) to highlight these issues and change policies to work in our favor, and to free some political prisoners. Moreover, and on a larger scale, we have to not only challenge the mass incarceration and imprisonment of peoples in this country, but also the post-9/11 “war on terror” that is spreading like a disease. We have to keep alive the legacy of political prisoners to challenge u.s.-led imperialism, white supremacy, and u.s. hegemony. The u.s. attempt to invisibilize the stories of political prisoners is an attempt to erase the legacy of resistance of the Black Liberation Movement and other movements.

Movement workers should stay updated on cases of political prisoners by signing up for updates on support committee websites; connecting with international committees to free political prisoners, such as the International Committee for the Freedom of the Cuban 5; creating support committees; attending and hosting local events in support of political prisoners; and raising awareness with friends, family members, and community members through fact sheets, organizing events, letter-writing parties, concerts, and video and media resources such as COINTELPRO 101, produced by the Freedom Archives (available for purchase at <http://www.freedomarchives.org/Cointelpro.html>).

In closing, the words of former political prisoner Assata Shakur never rang more true: “It is our duty to fight for our freedom. It is our duty to win. We must love and protect each other. We have nothing to lose but our chains.”

Free ‘em all!

17 Jul - No ‘Stand Your Ground’ Right For CeCe McDonald Against Neo-Nazi Attackers

Check out the following article, outlining the way white supremacy has played out in recent “stand your ground” defense cases-- namely those of George Zimmerman and CeCe McDonald.

MORE:

The Minneapolis Star-Tribune reported that 23-year-old CeCe McDonald was sentenced June 4, 2012 to three years and five months in prison for the death of Dean Schmitz, a white Neo-Nazi.

McDonald was walking past a Minnesota bar on June 5, 2011 when an altercation between her and Schmitz, in addition to other patrons, erupted on the sidewalk outside. According to various reports, McDonald pulled out a pair of scissors in a clear self-defense attempt after the group hurled a glass at her face, resulting in a gash that required 11 stitches: far more than the two Band-Aids George Zimmerman received for his injuries. The Neo-Nazis targeted McDonald with both anti-homosexual and racist epithets, including “fagg_ts,” “n_ggers” and “chicks with d_cks.”

Minnesota’s Governor Mark Dayton, vetoed the “Stand Your Ground” defense, claiming that “state law already protects law-abiding residents who shoot someone in defense of themselves or others when it is reasonable under the circumstances.” Critics of the “Stand Your Ground Law” have said is used to facilitate the murder of African Americans, while the right is in turn denied to members of that community.

Schmitz, who had a swastika tattoo died at the scene from the self-defense stab wound to his chest. Minneapolis City Council Member Cam Gordon is among those to defend McDonald, saying she was targeted for her race and transgender identity. “It appears that CeCe was the victim of a hate crime that involved many people but she was the only person held by the police,” Gordon wrote on his blog. “Here is another example transgender women of color being targeted for hate- and bias-related violence. It is unfortunate that in this case, as in so many, the hate crime itself appears to have been ignored.”

Melanie Williams, columnist for the Minnesota Daily, felt similarly. “[Schmitz’s] attack, therefore, was not just a random attack on one person’s body, but an attack on an entire race and entire gender,” she wrote. “An entire population of living, breathing, feeling people are hurting with McDonald, perhaps not physically but in the core of who they are.”

Though prosecuting attorney Mike Freeman has insisted that “gender, race, sexual orientation and class [were] not part of the decision-making process,” McDonald’s supporters have also drawn attention to the treatment she is said to have received from officers and other officials throughout the course of the investigation and trial.

In the end, CeCe McDonald was sentenced to 41 months in prison for self-defense against an unprovoked hate-crime from Neo-Nazis. George Zimmerman, of course, was allowed to walk free after shooting Trayvon Martin, a 17 year old African American, dead after receiving only a bloody nose and a scratch requiring two Band-Aids.

19 Jul - Statement from Dr. Mutulu Shakur Regarding Sekou Uwusu

A longtime friend and comrade of Mutulu Shakur's recently dies and we're including his tribute.

MORE:

The New Afrikan independence movement has lost a very important, dedicated, and tireless freedom fighter. He happened to be one of my oldest friends in the struggle. very few individuals do you go to junior high and high school with in the same neighborhood, become friends, and join the same movement and become comrades, then pursue a career and become allies. My best friend, the one I got into all this trouble, and who I recruited into the Republic of New Afrika (RNA) in South Jamaica, Queens and he never looked back. I never had to be with him to keep him motivated, he embraced the ideology, and at that time the practicality, that we as a people must determine our own destiny like all other people on the planet, and struggle against oppression and for self respect. He believed we had to have a nation that contained land, so from 1967 he was our nation builder. this message can encompass the many joys, pains and campaigns that Sekou Owusu, myself, and many others shared in the battlefield. The visuals are comical in themselves - he was an upright, bespectacled, bureaucratic looking Kosi, and more fit for a university or better yet an accountant's office.

Deep in the back woods of Mount Bayou, Mississippi, his glasses broke while he was driving the van, molotov cocktails lining the floor in preparation for defense against the MississippiI klan trying to run us out of town. With their promises of 6 feet under for us, we forged ahead to Secure el-Malik, the first piece of land we had dedicated to the Republic of New Afrika as members of the new African security force. A true, true, freedom fighter committed to sacrificing it all, while at the same time complaining that we had it all wrong. He was not one to let criticism get in the way of his action (he could have left the criticism at home). We were a rag tag bunch, but we built a foundation where some doubted the practicality of the nation, but they could not doubt the dedication and love he had for our people. I could imagine what he thought of Chokwe becoming mayor of Jackson.

All during the 70's he was responsible for establishing a political education class for all the victims of the drug plague that we treated at Lincoln Detox in the South Bronx. He integrated the principles of Nguzu Saba. He provided the political foundation to augment the treatment for the victims of the drug plague with his nerdy self. For 10 years he formed a special relationship with the bottom of despair. He was a kind of brother when you needed some small change he would do this unique zorro slash to his left back pocket, and pull out that damn wallet of his, the only one of our cadres that had one, and of course a long lecture!!! In the mid 70's I received a phone call. Sekou needed some people to help him move. My first question was from where to where? I said give me the address and me and the brothers will come and help you. He gave me an address in the middle of the South Bronx drug market, on Hoe Ave. The building was abandoned, and on the the floor where he was moving 8 apartments were burned out. The whole community looked like Germany after the bombing. We had to post security on our cars. Sekou was helping a sister in trouble move into the apartment and he was going to move in there with her to provide protection, and she wasn't even a girlfriend or a wife. But he loved his people, and boy did he try hard for over 5 decades to build a Black family. He called that nation building.

Last story. After the FBI military shoot-out on the Republic of New Afrika government center, brother Alajo called in reinforcements from around the country. Sekou, who was the RNA counselor, and I as the minister of defense, organized a (5) man cadre to go and reinforce, except that Sekou left me in charge of New York and he took the cadre south. He tried to pull rank - political over military. In the 5 man unit there were a couple of nerdy college dudes from Queens, not familiar with COINTELPRO. As you can imagine, Jackson, Mississippi was an armed camp full of FBI, local police, and klan militias, all encasing our center. The stress was so intense that one of our cadres from Queens had a nervous breakdown and possible stroke trying to get in the middle of a road block. Sekou took responsibility of the cadre. He took him to the hospital and took care of him. He refused to let the FBI, Jackson PD or anyone else talk to or question him, and in those New African Security Force uniforms, we stood out like an invading army. He held his post for 2 days until Alajo sent in reinforcement - and then he fainted on the spot from exhaustion. That is our Sekou. I just want a lot of people to know he is a part of our foundation that built the RNA. After years of stress he seemed to be the last one standing, holding out for all his comrades of the past, and for that we love him and honor him. It is said that the reward is more rewarding than the test, surely he has been tested. I pray to Allah that he sees fit to grant him such reward when our government has realized we must honor him and his frugal nature.

I feel your loss Sister Ayisha and Brother Takarhara

Long live his example, praise his effort, and recognize his success.

19 Jul - Barrett Brown Prosecution Threatens Right to Link, Could Criminalize Routine Journalism Practices

We aren't naïve in pretending the First Amendment will protect any of us once targeted by the federal government. That said, even the illusion of safety that amendment holds is slowly being eroded at the expense of folks like Barrett Brown.

MORE:

Hanni Fakhoury and Trevor Timm (*Electronic Frontier Foundation*)

Twitter was abuzz yesterday when an unknown person published what was alleged to be a group of passwords for the email accounts of Congressional staffers. Multiple journalists, including reporters from the Daily Beast and BuzzFeed, commented on the list while linking to it.

While one would assume linking to the list is a First Amendment-protected activity—given the journalists had nothing to do with stealing the passwords—Barrett Brown is currently under indictment, in part, for remarkably similar behavior. And if he is convicted, it could have dire consequences for press freedom.

Brown, who has written for Vanity Fair and the Guardian among other publications, started a website called “Project PM” in 2009, which crowdsourced public information about security contractors who worked with government agencies like the NSA. Part of what Brown and other Project PM users investigated were leaked emails from security contractors like HB Gary and Stratfor.

Now, it’s important to note that, despite his fascination with Anonymous, Brown has never been accused of participating in any hacking. In fact, he lacks the expertise to even do so. Northwestern professor Peter Ludlow described what happened after Stratfor emails were leaked online by Anonymous: “When the contents of the Stratfor leak became available, Brown decided to put ProjectPM on it. A link to the Stratfor dump appeared in an Anonymous chat channel; Brown copied it and pasted it into the private chat channel for ProjectPM, bringing the dump to the attention of the editors.”

The link, it turned out, contained credit card numbers, among the wealth of information on the company itself.

But by merely transferring the link from one chat room to another, Brown was indicted for trafficking in stolen authentication features (specifically the credit card verification values (“CVV”), or the three-digit number on the back of a credit card), access device (i.e., credit card) fraud and aggravated identity theft. (He is also indicted in two separate criminal cases with making online threats to an FBI agent and obstruction of justice, but those have no bearing on the charges being discussed here.)

The government’s prosecution theory isn’t limited to credit card numbers. The same theory could potentially be used against the Daily Beast or BuzzFeed journalists yesterday, or against any journalist that has linked to stolen material of a similar nature. That’s because the federal identity theft statute, 18 USC § 1028, is remarkably broad.

The statute criminalizes knowingly transferring an “authentication feature” known to be stolen or taken without lawful authority. “Authentication feature” means any “symbol,” “code” or “sequence of numbers or letters” used to authenticate a means of identification. And “means of identification” is defined as “any name or number that may be used alone or in conjunction with any other information, to identify a specific individual” including a “unique electronic identification number, address, or routing code.” The government has argued before—specifically in its prosecution of Andrew “Weev” Auernheimer—that this definition covers email addresses.

Under the government’s theory in Barrett Brown’s case, all journalists (and anyone else for that matter) tweeting out the link to the list of Congressional staffer email addresses and passwords were trafficking in authentication features and are guilty of a felony. While it turns out that many of the passwords in this case may not have been accurate, this lesson holds true anytime someone links to groups of stolen passwords posted online, which seems to happen fairly frequently.

And in this situation, under the Justice Department’s theory, those linking to the list violated the aggravated identity theft statute too because during that crime, they knowingly transferred “without lawful authority, a means of identification of another person”—the email addresses. These are serious charges; aggravated identity theft alone carries a mandatory two-year prison sentence that must run consecutively to any other sentence imposed.

It bears repeating: the government does not allege Brown participated in the hacking of Stratfor at all. Here, Brown didn’t even publish anything, he merely directed other people to where information was already published via a standard hyperlink. The right of journalists—or anyone for that matter—to link to already-public information, including sensitive information, is in serious jeopardy if Brown is convicted.

We’ll have more on the dangers of the Barrett Brown prosecution to both the press and public soon. In the meantime Brown’s case and the massive linking to the Congressional e-mail addresses and passwords that occurred yesterday emphasize why journalists should be worried when the right to link is threatened.

21 Jul - Marie Mason’s Album, Not for Profit, Now Available for Free on Soundcloud

In 1999, Marie Mason put out the powerful neo-folk album , Not for Profit. We’re excited that this is now available for all to hear on soundcloud.

MORE:

You are free to listen and download the album in its entirety at <https://soundcloud.com/freemarie/sets/not-for-profit>

If you’d like to make a donation in return for the album, you may do so by visiting <http://supportmariemason.org/donate>

The album features guitarist and Earth First! activist Darryl Cherney, Steve Hesh, Peter Amazing, Che Guevara, Tony Askins, Edie Morris, and Peter Childs.

22 Jul - Ag-Gag Lawsuit Challenges Corporate Attempts to Criminalize Free Speech and Journalism

A new lawsuit was brought in an attempt to reverse the criminalization of investigative journalism and whistleblowing. We've provided the details below.

Will Potter (*Green Is the New Red*)

The first lawsuit against ag-gag laws will be filed in Utah today, arguing that it is unconstitutional to criminalize investigative journalists and animal welfare advocates who expose cruelty at factory farms and slaughterhouses.

The lawsuit brings together activists, academics, and journalists who are directly targeted by the law: the Animal Legal Defense Fund, PETA, Professor James McWilliams, Daniel Hauff, *CounterPunch*, and myself.

Utah passed an ag-gag law in 2012, and it was the first state to attempt a prosecution. Amy Meyer was prosecuted for filming a slaughterhouse from the public street. News of her case went viral and the mayor and prosecutor were flooded with calls. Just 24 hours after I broke the story, all charges were dropped.

That was great news for Meyer, but the ag-gag law is still on the books. That's where this lawsuit comes in.

It's not enough to fend off these unconstitutional prosecutions one at a time. As Amnesty International wrote in opposition to ag-gag: "... **abuses thrive in the dark.** Time and time again, Amnesty's research has shown that governments and corporations alike try to keep out of the reach of public and judicial scrutiny what they know can never be justified."

I felt compelled to join this lawsuit because ag-gag laws are especially troubling to me as a journalist.

Utah's law, and others like it, directly place both me and my sources at risk. There's a long history of investigative journalism in this country based on exactly the type of research and whistleblowing that these laws criminalize. What if Upton Sinclair's *The Jungle* were released today, accompanied by a YouTube video? He would undoubtedly be prosecuted under ag-gag.

Even if journalists themselves escape prosecution, ag-gag laws would make it impossible to report stories that are vitally important to the public. Whistleblowers and undercover investigators shine a light on criminal activity, and also standard industry practices. Without them, there is no meaningful window into animal agriculture; there would be no insight into the industry except for what the industry approves.

It should come as no surprise, then, that ag-gag laws are expanding to other industries. A bill pending in North Carolina right now is called the Commerce Protection Act. It doesn't just criminalize those who blow the whistle on ag industry abuses— it includes all industries, from factory farming to fracking.

This lawsuit is an exciting step forward in rolling back these unconstitutional attacks on free speech and freedom of the press. I'm proud to be part of it, and I'll keep you updated here as the case develops.