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Updates for October 29<sup>th</sup>

## **1 Oct - If Left to their Own Devices: Police Provocation & Terrorists' Tendency to Fail**

*Here's an article that ties together the spying on Muslim and anarchist communities by the United States government.*

### **MORE:**

By Michael Loadenthal (*Unrest*)

If a mischievous teenager provides matches, gasoline and bags of old newspaper to a pyromaniac-prone child, and that child goes on to set alight some structure, do we blame the child or does one immediately displace responsibility towards the facilitator; the entity that provided the means, opportunity and provocation? Without being shown how to soak kindling in accelerant, would the child have known how to set such a fire? Without the teenager's ability to access matches and fuel, would the child have ever been able to access these resources, or would their potential danger serve to prevent their acquisition? This fictional vignette is meant to bluntly drive home the focus of this short exploration. The following will explore contemporary tactics in policing, specifically the post-9/11, militarized, counter-terrorism framed style of policing that has become so common in Fortress America.

### **The (Not so Fine) Line Between Informant and Provocateur**

Since the rise of FBI counterterrorism operations in the post-9/11 environment targeting Arab and Muslim communities, it is no surprise that these communities found themselves the target of consistent infiltration by State informants. In one such example, an ex-convict and paid FBI informant Craig Monteilh infiltrated Muslim communities in southern California (termed Operation Flex by the FBI), and has reported being given explicit permission to have sex with Muslim women (Bartosiewicz 2012; Harris 2012) and "record their pillow talk." During Monteilh's 15-month tenure, he was paid \$177,000 (Daily Mail UK 2010) and was responsible for collecting massive surveillance including audio, video and photographic records.

Concerning his use of sexual inroads, as Monteilh so bluntly told the Guardian, "[The FBI] said, if it would enhance the intelligence, go ahead and have sex. So I did" (Harris 2012). In his role within the southern California Muslim community, Monteilh acted as a confidential informant for the FBI, "carry[ing] out or plot[ing] fake terrorist 'attacks'" (Harris 2012). Monteilh presented himself as French-Syrian Muslim convert Farouk Aziz, and recorded a wealth of conversation between himself and mosque attendees in Orange County. According to Monteilh and a subsequent lawsuit (United States District Court Central District of California 2011), the FBI's goal is not only to unearth those individuals with potential for violence, but also to collect evidence of impropriety such as adultery, financial distress, drug use and homosexuality, that the FBI could leverage in order to generate additional informants from within the target community. According to court documents:

[FBI] agents Armstrong and Allen talked repeatedly with Monteilh about obtaining new informants within the Muslim community, primarily by getting information on potential informants that could be used against them if they refused to inform—such as immigration issues, sexual activity, business problems, or crimes like drug use. Agents...instructed Monteilh to pay attention to people's problems, to talk about and record them...Agents...on several occasions talked about different individuals that they believed might be susceptible to rumors about their sexual orientation, so that they could be persuaded to become informants through the threat of such rumors being started. (United States District Court Central District of California 2011, 34)

Such instructions from the FBI mirror counter-insurgency strategies such as that of the Israeli intelligence services in their development of Palestinian collaborators (Rudoren 2012; Oliver and Steinberg 2006). In the

Israeli, counter-insurgency context, small moral improprieties are recorded or fabricated with the intention of using such leverage to convince Palestinians to act against their national interests. In a similar fashion, the FBI sought to identify potential embarrassment in the hopes that such secrets could be exploited and used to convince Muslim community members with no other motivation to act as government informant. The Monteilh case highlights another problematic feature of State infiltration campaigns, namely the informants' tendency to act as a provocateur, urging targets to carry out acts of violence in excess of that which they would have come to on their own accord. In Monteilh's case, his militant urgings were so heavy handed that mosque attendees reported him to the FBI and filed for a restraining order, not wanting an Islamic extremist in their presence. When viewed in a larger context, Monteilh's actions as a provocateur are not uncommon.

Far removed from the mosques of California, activists in Texas recently began fighting their own legal battles, as individuals affiliated with Occupy Austin discovered that police provocateurs were responsible for creating the material conditions for their arrest. According to longtime journalist Amy Goodman, host of "Democracy Now" radio:

On December 12th [2011], members of Occupy Austin joined protesters from around the region to block a street entrance to the Port of Houston. Seven of the protesters in Houston locked their arms together using locks hidden inside [polyvinyl chloride] PVC pipes... While most of the demonstrators were charged with misdemeanors, those using the lockboxes were charged with felony use of a, quote, "criminal instrument." Well, evidence in the case now reveals that an undercover detective with the Austin Police Department not only bought the equipment to make the devices, he also designed them, put them together and dropped them off for the group to use. (Garza and Gladden 2012)

What one observes from these cases, a shared characteristic between the Austin Occupiers and would-be jihadis, is that without State provocation, those charged with more serious offences may have taken divergent paths. Without FBI agents delivering PVC lockboxes to activists, or advanced military weapons to jihadis (Corera 2011), would these individuals seek the usage of such means? Certainly in some cases a motivated attacker would find the means, yet in a growing number of cases it appears that without State-led, cajoling efforts, such actions may never have come to fruition.

This is the history of what are known as agent provocateurs, entities employed by the State, acting covertly to entice and provoke others to carry out illegal acts while simultaneously creating an atmosphere to implicate others. Such tactics have become commonplace in modern policing, and are used domestically, such as when police masquerade as protesting activists and are often reported to be more aggressive than demonstrators (Cardona 2013; Dwyer 2005), to incidents where special agents of the Israeli intelligence service have been found to have thrown stones at Israeli army soldiers (Levinson 2013). In this manner police are regularly observed at demonstrations masquerading as militant protestors (Carroll et al. 2001) and even being arrested by unknowing officers (Preklet 2013). While the actions of provocateurs have vaulted a host of 'plots' from fantasy to prosecutable reality, one must ask the burning, nascent question: If left alone (un-provoked, un-supplied, un-facilitated), would these terrorist plots emerge as actualized realities or fall flat on their faces due to inability and declining motivation?

### **If Left To Their Own Devices...**

The vast majority of Muslims, Arabs and Asians arrested in post-9/11 'terrorist plots', have epitomized a pie-in-the-sky style of attack plans where perpetrators fail to demonstrate the wherewithal or ability to carry out their plans. Often these attacks are made possible via the knowledge and logistical skills of federal informants. In a 2012 study analyzing 50 cases of so-called 'jihadi' terrorism planned in the US following 9/11 (study ranges September 2002-March 2012), the authors note that in the vast majority of cases, FBI facilitation of the crime was essential, as without it, potential attacks would have been called off due their own impossibility. In describing the perpetrators of the fifty attacks and attack plots:

With remarkably few exceptions, [analysts] describe their [terrorist] subjects with such words as incompetent, ineffective, unintelligent, idiotic, ignorant, inadequate, unorganized, misguided, muddled, amateurish, dopey, unrealistic, moronic, irrational, and foolish. And in nearly all of the cases where an operative from the police or from the Federal Bureau of

Investigation was at work (almost half of the total), the most appropriate descriptor would be “gullible” (Mueller and Stewart 2012, 88)

Other noted security professionals and critics (see for example Schneier 2007; Byman and Fair 2010; Dalmia 2011) have mimicked these sentiments, challenging the notion that without interference from security forces, these attacks would have actualized their destructive intents and killed Americans and damaged property. Based on the study of 50 attacks mentioned above, the authors developed a four point case typology and explain that nearly all attacks can be described as:

- 1.) An Islamist extremist conspiracy or connection that, in the view of the authorities, might have eventually developed into a plot to commit violence in the United States
- 2.) An Islamist extremist terrorist plot to commit violence in the United States, no matter how embryonic, that was disrupted
- 3.) An Islamist extremist plot to commit violence in the United States that was essentially created or facilitated in a major way by the authorities and then rolled up with arrests when enough evidence was accumulated
- 4.) An Islamist extremist terrorist or terrorist group that actually reached the stage of committing, or trying to commit, violence in the United States. (Mueller and Stewart 2012, 87)

While such a framework can aid in conceptualizing a threat, one quickly observes that nearly all of the plots post-9/11 qualify as number three, wherein security forces, most often the FBI, ‘create or facilitate’ the attack. For example, in describing attempts by Russel Defreitas to blow up segments of JFK airport in 2007, security analyst Bruce Schneier (2007) states that not only was the would-be attacker’s plans unrealistic and unlikely to succeed, but that without resources provided by a FBI facilitator, he would have been unable to obtain necessary plot components such as building infrastructure maps and explosives. Despite the likelihood that such attacks would fail on their own ineptitude, Republican Senator Arlen Specter (as quoted in Schneier 2007) called Defreitas’s plot, “the potential to be another 9/11” demonstrating once again the persistent memory of trauma the 2001 attacks are meant to mobilize.

### **When Did Protest Become Terrorism?**

The distinction between where policing ends and provocation and facilitation begins is at the heart of formulating a judgmental ruling on the ethical nature of such State strategies. To conclude, one can examine two additional cases occurring in the American Midwest in the Summer of 2012. Both cases exhibit the State drawing provocative lines of relations between revolutionary social movements and a newly criminalized dissent.

Between May 20-21, 2012, in Chicago, the North Atlantic Treaty Organization (NATO) held its summit in the US for the first time. As a result, a sizable number of protestors assembled in the city to show their dissent. Several days before the summit was set to begin, local police, in conjunction with the FBI and Secret Service (Main, Konkol, and Lansu 2012), preemptively arrested Brian Church, Jared Chase and Brent Vincent Betterly and charged them with an Illinois anti-terrorism statute that had never before been used. In the 19 May 2012 court papers (2012a), the defendants are charged with three felonies: 1.) Material Support for Terrorism, 2.) Conspiracy to Commit Terrorism, and 3.) Possession of Explosives or Explosive or Incendiary Devices, amounting to 17-85 years in prison. The evidence gained through “covert investigation” (2012a, 2) claims that the defendants conspired to attack police facilities with Molotov cocktails, and to use the police’s distracted response to target further sites. The report details their preparations, ensuring to present the defendants as highly organized, well-armed domestic insurgents. Despite recurrent descriptions of “destructive devices” and “improvised explosive-incendiary devices,” (2012a, 2) when it comes to a descriptive account of these preparations, the court papers describe the “devices” as “empty beer bottles that were filled with gasoline and fitted with fusing.” (2012a, 2) The “fusing” described is later said to be a bandana cut into pieces. (2012a, 2)

Beyond the description of their actionable offenses, the court papers describe the defendants as “self-proclaimed anarchists, and members of the ‘Black Bloc’ group, who traveled together...in preparation for committing terrorist acts of violence and destruction directed against different targets in protest of to the NATO Summit.”

(State of Illinois County of Cook 2012a) While the four defendants certainly planned disruptive and violent actions, is it accurate to label the construction of four accelerant-filled beer bottles as conspiring to commit terrorism? The subsequent grand jury indictment (2012b) lists eleven counts for which the three have been indicted. These charges include the previous charges, as well as conspiracy to commit arson, solicitation to commit arson, attempt arson, and unlawful use of a weapon. Such a judicial strategy is plain to interpret as the overcharging of dependents is done to:

Give prosecutors more leverage in negotiating a plea deal later or in boosting their chances of securing at least some convictions if the case does eventually go to trial...prosecutors frequently use additional charges in an indictment as bargaining chips in later stages of the case, sometimes offering to drop the most serious charges if a defendant pleads guilty to lesser crimes. (Tarm 2012)

The public framing of three activists—aged 22-27—within a language of conspiracy and terrorism has a political target. The fear-inducing language serves to detract media coverage (Potter 2012) from the anti-NATO protests, delegitimize the political motivations of the defendants, and rhetorically link those opposing the summit to those seeking to undermine democratic means through violence. The State was able to frame the urgency of their police actions, and the threat of the attackers because of the preparatory steps taken towards violent ends. Yet despite these preparations, in reality the defendants posed little risk to life or property as the subjects were under police surveillance constantly. Undercover police were present during the construction of the Molotov cocktails, and according to the defendants' legal council, other undercover agents had "befriended" the defendants and "egged [them] on" (Main, Konkol, and Lansu 2012).

In the second Midwest case, five defendants were arrested in Cleveland, Ohio and indicted for conspiracy to destroy a bridge via explosives. The defendants were arrested when they attempted to detonate readymade, yet inert explosive devices they believed to be active, having purchased them from an undercover federal agent. Despite the FBI's assertion that the public was never in danger due to the defendants' constant surveillance, US attorney Steven Dettelbach stating, "These defendants were found to have engaged on terrorist activities and will spend nearly a decade in prison" (Rockwell 2012). After their arrest, it was revealed that the police investigation was built around information provided by a confidential informant, Shaquille Azir, a convicted felon paid by police. Azir was arrested twice for passing bad checks while under FBI direction during the Cleveland case! (The Smoking Gun 2012) According to the indictment, Azir, as the "confidential human source," began working for the FBI 20 July 2011 (2012, 2), and was first arrested 25 July 2011, and then again 22 December 2011 according to documents released by the court. Azir also has previous convictions for possession of cocaine, robbery, possession of stolen property, grand theft, and four additional counts of passing bad checks. (The Smoking Gun 2012) Having been arrested himself during his cooperation with police, Azir had a clear motivation in providing his cooperation to the FBI.

In the end after negotiating a non-cooperative plea deal, for their role in the bridge conspiracy, Douglas Wright and Anthony Hayne received 11.5 years, Brandon Baxter received nine years and nine months, and Connor Stevens received eight years and one month. Joshua Stafford took his case to trial, lost, and was sentenced to ten years despite playing the smallest role in the 'conspiracy.' In the end, District Court Judge David Dowd concludes that since the men's actions were designed to "intimidate the United States government" (Rozboril 2012) they were thus planned as acts of terrorism. Additionally, while the FBI press release (2012) quotes Attorney Dettelbach as stating that the "defendants were found to have engaged in terrorist activities," none were convicted of terroristic crimes.

Such cases are increasingly common, and are reminiscent of the prosecution of eight organizers (known as the "RNC 8") who organized opposition to the 2008 Republican National Convention and were charged with "conspiracy to riot in furtherance of terrorism." Social movement journalist Will Potter writes that the NATO, Cleveland and RNC 8 cases all share three key elements in the State's criminalization of dissent:

- 1.) FBI infiltration, and reliance on government informants to manufacture the 'plot'
- 2.) Terrorism charges
- 3.) Labeling the defendants 'self-proclaimed anarchists'...

#### 4.) Unveiling the ‘domestic terrorism’ arrests days before key protests (Potter 2012)

Certainly being labeled a “terrorist” in the public sphere has disciplinary functions. Wright, one of the Cleveland defendants and said to the group’s leader, expressed concerns about the bridge as a potential target. According to a summary of the recorded conversation between Wright, a second defendant (Brandon Baxter), and a police informant (Shaquille Azir):

BAXTER and WRIGHT stated they don’t want people to think they are terrorists, so they would want to blow up the bridge at night or possibly pretend to be a construction crew and drop orange cones off at each end of the bridge to stop traffic before blowing up the bridge, thus limiting the number of casualties and the potential for killing possible supporters. (2012, 8)

Such calculations by activists seeking to avoid a terrorist labeling are a key component of the post-9/11 reframing of social movement activism. As Colin Salter points out in his discussion of the Green Scare, “The threat of being labeled in such a way, directly or through association, continues to have an impact on self-censorship” (2011, 219).

Additionally, claims of entrapment abound as activists are led to increasingly destructive tactics with the aid of knowledgeable and resource-rich undercover agents. According to one description of the case’s interaction with informant Azir:

Azir molded the [Cleveland] five’s childish bravado and drunken fantasies into terrorism. He played father figure to the lost men, providing them with jobs, housing, beer and drugs. Every time the scheme threatened to collapse into gutterpunk chaos, he kept it on track. FBI tapes reveal Azir led the brainstorming of targets, showed them bridges to case out, pushed them to buy C-4 military-grade explosives, provided the contact for weapons, gave them money for the explosives and demanded they develop a plan because ‘we on the hook’ for the weapons. (Gupta 2012)

Such accusations of entrapment have become a regular part of cases of this type as according to another account of the case, “Their arrests that night marked the latest case in which FBI agents planned fake terrorism plots alongside targeted suspects, an indication it continues to be a top strategy for the government in preventing terrorism.” (Franko and Sheeran 2012)

#### **Conclusion: Newspeak to Explain a New World**

One of the beautiful aspects of the American judicial system is the notion that defendants are ‘innocent until proven guilty,’ that it is the responsibility of the State to prove guilt, not the accused to prove innocence. This places the burden of proof on the one doing the jailing and not the other way around. Now while such a judicially-intentional design is often perverted through methods such as the Grand Jury indictments of social movement participants, for the majority of everyday criminals, one enters the court room with the presumption of innocence. While it is thus the responsibility of the accused to solely prevent the demonstration of their guilt, when in the criminal planning stage, with provocateurs and clandestine agents afoot, it becomes the responsibility of underground conspirators to not only prevent the State from demonstrating their guilt, but also one must prevent the police from forcing their hand. The lesson here is simple, while you can prevent self-incrimination in a court of law, in the court of dissenting, revolutionary street politics, you DO NOT have the right to avoid self-incrimination, and in fact, great powers may have mobilized against your self-interest to prove just that.

In a sense the justice system has lowered the burden of demonstrable proof. Whereas in the past a court would have to prove you were guilty of committing a crime, now it simply has to demonstrate that if someone supplied the knowhow and weaponry, would you press the button? It would seem that this corrupts the intention of incident-based policing. While the historic role of the police is to investigate crime that has already occurred, this appears to be the State’s attempt to enter the “crimethink/thoughtcrime/precrime” arena and begin a new era where crime is stopped at conception, before the pin is pulled. [1] Can American justice sustain in this newly found era of terrorist-tinged, criminalized dissent? Maybe it’s simply a corruption of labeling, a question of

poorly-appropriated languages?

Maybe all we need is a bit of a newspeak rewriting?

As we have already seen in the case of the word free, words which had once borne a heretical meaning were sometimes retained for the sake of convenience, but only with the undesirable meanings purged out of them. Countless other words such as honour, justice, morality, internationalism, democracy, science, and religion had simply ceased to exist. – “The Principles of Newspeak”, 1948

#### Notes:

[1] For additional exploration see George Orwell’s *Nineteen Eighty Four* and/or Philip K. Dick’s “The Minority Report”.

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## **14 Oct - U.S. Army Lists Earth First! as Terrorist Threat Alongside Al-Qaeda**

*A U.S. Army training manual that instructs troops how to recognize terrorist organizations includes environmental groups like Earth First!, and lists the Animal Liberation Front alongside al-Qaeda.*

### **MORE:**

By Will Potter (*Green Is the New Red*)

The declassified manual was created by the U.S. Army Training and Doctrine Command, which says "This handbook is designed to specifically provide trainers, leaders and soldiers a 'hip pocket' reference to identify all the known logos used by insurgents, terrorists, paramilitary and other militant groups worldwide."

Among the listings are a page on "Environmental Terrorists," with images of Earth First! t-shirts and patches, and "animal liberation" t-shirts that have been sold by national non-profits since the 1990s.

Other terrorism threats identified in the United States include the Weather Underground, which dissolved in the 1970s.

The 60+ page guide does include information on groups which, unlike Earth First!, have actually harmed human beings. However, this training guide offers no information on the types of threats these groups pose, and in doing so presents non-violent activists as violent threats. For example, one page on terrorism groups in the United Kingdom lists the Animal Liberation Front side-by-side with Al Qaeda.

As Ali Abunimah notes at ElectronicIntifida.net notes, the guide also conflates insurgent groups with entire communities:

on page 31 of the army guide itself, a simple Palestinian flag appears next to the name "Abu Nidal Organization (Sunni)."

The group, notorious in the 1970s, is designated as "inactive" by the US Department of Homeland Security-funded

National Consortium for the Study of Terrorism and Responses to Terrorism at the University of Maryland...

In any case, even if the Palestinian flag were indeed the logo of any specific organization, the guide provides no warning or caveat that the Palestinian flag by itself should not be "recognized" as the symbol of a "terrorist, insurgent or militant" group given its global recognition as the flag of a country.

What's especially troubling about a guide like this is that it is created "to assist units in identifying groups by their logos found in videos, magazines, newspapers, graffiti and other types of media." In other words, it's meant to be a cipher for decoding First Amendment activity that might be created by "terrorists."

This has real-world consequences, as groups like Earth First! are putting their bodies on the line through tree sits, road blockades, and non-violent civil disobedience to stop environmental destruction. The Marcellus Shale campaign against fracking is just one example. Teaching military and law enforcement that these activists are on par with al-Qaeda, and that anyone who wears this logo is part of that threat, could have dangerous consequences.

### **15 Oct - The Failure of the Rule of Law: Joshua "Skelly" Stafford Sentenced 10 years for Terrorism**

*Joshua Stafford, 25 known as Skelly, was sentenced last week to 10 years in prison and life probation for his involvement in a terrorist plot to blow up a bridge near Cleveland.*

#### **MORE:**

By Vivien Lesnik Weisman (*Huffington Post*)

Joshua Stafford, 25 known as Skelly, was sentenced last week to 10 years in prison and life probation for his involvement in a terrorist plot to blow up a bridge near Cleveland. His co-defendants, Douglas Wright, 28, Brandon Baxter, 21, Connor Stevens, 20, and Anthony Hayne, 37, pled guilty to all counts and were sentenced between 6 years and 11 and a half years with life probation as well.

The statutory maximum sentence for their charges was life imprisonment.

One could argue that a 10-year sentence for the horrific act of attempting to blow up a bridge is too light a sentence. But in the case that has come to be known as the Cleveland 4, one would be dead wrong. (The case was originally referred to as the Cleveland 5 before defendant Anthony Hayne's post-arrest collaboration with the government.)

One explanation for the 10 year sentence is that the prosecutors and the judge know this to be one more of those cases where the government creates a terrorist plot and then foils their own plot and then a jury convicts the government created "terrorists". The public was never in danger. The defendants would never have come any closer to blowing up a bridge than they came to scaling skyscrapers and kicking over the bank signs atop them. This is neither law enforcement nor justice. This is a system wide failure of law enforcement and the judicial system. This is the failure of the rule of law.

Almost 90% of the so-called home-grown terrorist crimes that have been averted since 9/11 involved a government informant choosing vulnerable individuals and working on them for months, sometimes years until the informant snares the individuals into the government created conspiracy.

One well-known lawyer that has defended more than one of these cases tells me that no matter how poor the government's case--no matter how unreliable the informant or how many crucial conversations go unrecorded due to equipment failure or obvious edits--when the jury hears the "T word", the jury convicts. For this type of case he strongly recommends taking a plea. These cases cannot be won. The jury always convicts. Out of 508 cases in the last decade, every single defendant has either been found guilty or pled guilty.

Enter Skelly. He thought he could prove his innocence if given the opportunity to plead his case in open court.

Skelly was so sure of his innocence and distrustful of the government-paid lawyers that he represented himself. By all accounts he had no idea how to proceed. On the first day of his trial he ended it by telling the judge that he was going to have to sleep in the next day and would not be returning to court. It was an agonizing experience for his friends and supporters to watch him bungle one question after another, one day after the next.

Skelly, 23 at the time, met several of his co-defendants at the short-lived Occupy Cleveland encampment. Skelly's anxiety levels made him sleepless for days and the perfect night watchman of the tent city. Until Occupy, Skelly had not been able to maintain a significant relationship with anyone. His self-harm, suicide attempts and frequent psychiatric hospitalizations landed him in a "therapeutic" high school. Due to the nature of the school there was a not an expulsion policy. According to records presented at trial, in order to keep Skelly from harming himself and others, by the end of high school he spent every day in restraints.

Occupy gave Skelly a sense of community and purpose he had never experienced. More importantly, he had friends for the first time in his life.

He found people he could relate to on an emotional level and who accepted him on his own terms. In addition to a new sense of possibility and empowerment they found at Occupy, the co-defendants had several things in common, including difficult childhoods and emotional issues to varying degrees, which lent to self-destructive behavior. Several had repeated suicide attempts and petty criminal priors.

After the Occupy Cleveland encampment closed Skelly and his new friends bounced between the lone Occupy "Info Tent" and a series of temporary communal living quarters. These young men were jobless and often hungry. Vulnerable, impressionable and rudderless, they were indeed a crime waiting to be crafted in the hands of a seasoned con-man out to make a buck, avoid yet another jail term and impress and advance the careers of his FBI handlers. Enter FBI paid informant Shaquille Azir, 39, who befriended Douglas Wright on the final day of Occupy before the tents were taken down.

Skelly and his friends were supposedly targeted by the FBI because of their propensity to violence. The prosecution points to a bank action as an example of this propensity. But a closer examination reveals just the opposite. Doug Wright had the idea of going into a high rise building that housed a bank and dropping a banner or toppling a bank sign from a great height, a direct action against the banksters, corporate America and the 1%. He then added that he would throw stink bombs as a distraction. Stink bombs smell. They are not bombs. They are pranks. One young man from OWS shook his head in disbelief and said, "Occupy kids shit talk a lot about direct actions that never happen. We should be able to brain storm non-violent forms of protest without having sleeze-ball informants and their FBI handlers decide that they're going to make some money and careers out of setting us up for crimes that they create and make happen by targeting the most vulnerable and troubled of our comrades. Then they get to be the big heroes, but it's really designed to make us, Occupy, look bad, discredit us. Funny how they go after the indigent anarchist kids not the college grads who might have an uncle who's a lawyer."

But even this non-violent direct action had very little chance of success according to Julia, Occupy Cleveland organizer who asked I not use her full name. Julia explained, "The way Doug looked; this disheveled kid would never have gotten past the front lobby, let alone to the roof. They would never have let him in the building. He would have had to go home."

By spring Occupy had defied skeptics' predictions as they survived the winter and maintained a constant presence via the lone "Info Tent". As a lead up to May 1st, International Workers Day, there was a festival planned that would culminate with scheduled Occupy and labor direct actions.

A group of Occupiers, including Skelly, Brandon, Connor and Tony, moved into a warehouse rented by Occupy Cleveland. In order to live there one had to take turns manning the lone but symbolic tent that remained erect. The kids in the warehouse lived commune style and experimented with anarchist principles like shared possessions. They had few. They shared responsibilities like washing dishes, cleaning and cooking. They did so infrequently. In actuality, they often went without food, eating beets and spaghetti out of donated cans. Ramen

became Occupy's potato chips; eaten raw with the spices sprinkled on it. But mostly they dumpster dived, eating the discarded, expired canned and packaged foods from the piles of trash behind grocery stores. Juss, 20, who lived at the warehouse and dated Brandon for a couple of months, explains, "Pretty much all of the food at the warehouse was dumpster dived. Though we had a lot of donated bread, and some of us went to food banks. I don't think I was ever more excited about cereal than I was the first day we went to the food bank."

Azir spent many months working on the young men, except for Skelly who was not brought into the plot until the very day it happened. Azir gave them jobs working on his apartment building, excluding Skelly. They had no car so he picked them up and dropped them at the construction site everyday. He fed them and gave them beer all day long. He dropped them off every evening with bags of pot, beer and Adderall. They worked twelve-hour days for \$5.00 an hour. Exhausted, they picked splinters out of their arms and scratched their fiberglass-inflamed backs all night. They were sleep deprived but proud of having jobs and bragged about their cool boss to the others kids in the warehouse. Julia says, "It resembled a cult more than anything else with Azir as the guru. They were chosen because they were the most vulnerable and then he isolated them further. He took care of their needs, but kept them sleep-deprived. And there was the isolation due to long workdays. These kids had very tough early lives. We all call them kids because they were very young in a way. Both Connor and Brandon were under 21, and now here is a father figure taking care of all their needs. Then there was the Adderall [prescription amphetamines] and the sleep deprivation. That clouds your judgment. I can't believe they just brushed that off at trial as if it had no meaning when it goes straight to how they ended up at the bridge that night."

For months Azir set up meetings and pushed and prodded them to come up with a target. Ultimately, Azir suggested the target, pressuring the young men about the timing, and loaning Skelly's co defendants half the money to purchase the fake explosives. The young men, who were interested mainly in protective gear for a trip to anti-NATO protests in Chicago, left the meet-up on the hook for a large sum of money both to their boss and the FBI agent they believed to be an arms dealer.

Many conversations were reported where the young men could not decide what to do and what to target before Azir's suggestion. Concern for avoiding injury or death was expressed repeatedly. Few conversations between Azir and the co-defendants were recorded. The Cleveland 4, case as do all these homegrown terrorism cases, mostly relies on the testimony of the informant, in this case, Azir. So why would the FBI, the US Attorney, and later a jury give so much credibility to Azir's testimony? He was paid \$5,750 for his services. He has convictions for grand theft, cocaine possession (1990), robbery (1991), tampering with records, aggravated theft, and four convictions for passing bad checks between 1991 and 2011. While working over time with the FBI on this case, he was charged with knowingly passing a bad check for \$1,471.87 and a second felony for defrauding a Cleveland credit union for \$2,165. He also violated the conditions of his parole. Not surprisingly, Azir's most recent convictions in November 2011, for grand theft and passing bad checks, resulted in no more than a slap on the wrist with 18 months probation despite a lengthy rap sheet.

Two days before the scheduled bridge incident was to take place, Connor Stevens, decided that he did not want to go forward. He wanted out. Connor wanted to know if he withdrew from the conspiracy could he still keep his job with Azir, according to FBI Agent Ryan Taylor. This is a telling example of how the 20-year-old Connor needed to keep his relationship with Azir. Eventually, Connor remained. We do not know the full extent of the psychological pressure applied by the informant. We do know that it was a long and meticulous psychological operation on all the co-defendants.

Except, of course, Skelly.

Julia explains, "As a group, there is an issue with entrapment over a longer period, but Skelly never spent any meaningful time with Azir before the day of the event. Skelly was just thinking his friends needed help and he was getting a free meal out of it. So he got in the car."

Skelly was brought in on the day they were all arrested. He was unaware of the plan, was not part of the planning process, and wasn't present when the explosives were procured. He didn't know what he was getting in that car

for. He went when Azir offered a meal and cigarettes, two things he always had a hard time getting. Skelly testified in court that Azir asked him to move boxes, which ended up being the fake explosives provided by the FBI. The government, the FBI and the prosecution never contested that Skelly missed all planning, purchasing and important conversations. They did try to prove that he was filled in on the plan while in the car, that he placed the fake explosives under the bridge and that he did the detonation with a cell phone provided by Azir.

To prove that he was filled in on the plan in the car, the prosecution presented a recorded conversation. Only one person is heard talking. Skelly responds. "Huh." The transcript contains only one "huh" (not "ahuh"). Notes from friends in court who heard the recording say that the recording is peppered with "huh" throughout. Skelly testified that he could not hear.

Juss explains, "He never talks much, and even if he's there, sometimes he's not 'there'. He also checks out under stress, like when he told the judge he was sleepy and not returning for day two of the trial. The talk in the car was overwhelming to him so his coping mechanism kicked in and he heard and understood nothing."

Skelly contends that he thought they were tagging the bridge to spray paint it and that the boxes contained the paint. If he did check out, this is certainly an explanation. Julia offers an alternative explanation, "We know he disassociates under stress. He had no idea what he was doing. As the trial date approached and the stress level mounted it took 3 visits to get him to recall his shoe and pant size accurately."

Azir testified that Skelly followed instructions and detonated the fake bombs by dialing a set of numbers into the phone he provided. Julia said, "I definitely believe he could only have dialed the phone if someone was instructing him to push certain buttons in the same way the IQ test required his psychologist to read it to him as he did the problems. They're claiming he did it on his own. Kid can't remember his pants size."

In order for the terrorism enhancement to apply, which can add an additional 20 years at sentencing, the state must prove by a preponderance of the evidence that Skelly was aware that there was a political intent for his action. Blowing up a bridge in and of itself is not an act of terrorism. It is a crime. The government did not even contest that Skelly was not at any of the planning meetings or discussions. It is difficult to see how the state met its burden.

Nonetheless, Judge Dowd could not be dissuaded from applying the terrorism enhancement. Judge Dowd's decision to apply the enhancement and then vary downward is tantamount to an admission that the state will have its win at all costs, but he didn't buy any of it. This charge carries a 30-year minimum sentence yet the sentence he handed down was 10. But his hands were not tied. He was free to not apply the enhancements. What would make a person go along with this travesty rather than take a principled stand? Skelly is a young man with a history of childhood neglect, abuse, physical and mental illness, and the most horrifying treatment at the hands of the very institutions that should have been looking out for his well-being. He put his freedom and possibly his life (many feel it is unlikely that Skelly will be able to survive 10 years of incarceration) on the line, kept his ground and took a principled stand. Not one individual in law enforcement, the Office of the US Attorney or the courts that encountered his case had the courage and the independence of will to buck the corrupt system that condemned this young man last Monday.

Another disturbing aspect of this case is that Skelly was offered a 3-year non-cooperating plea. That plea was on the table until the day the trial began. Skelly refused to take it. Julia said, "We [the lawyers and the support group] all begged him to take the 3 year deal, right up to the end, especially when the judge denied his request for a continuance." According the mental health records presented at sentencing, Skelly has a 5th grade reading level, severe ADHD and the emotional maturity of a 12 year old. And here he was defending himself and pressed for time to prepare with inadequate access to the evidence against him and boxes upon boxes of material to read through.

At sentencing the state asked for 30 years, arguing vigorously that public safety hung in the balance. That the state can be willing to take a 3-year non-cooperating plea and when the defendant stands his ground and

proclaims his innocence, turn around and ask for 30 under the pretext of public safety is punitive and cruel and has nothing to do with justice. It does however send a message loud and clear. If we say you're a terrorist then you are. But since we know that you aren't, just say you are, so we can declare another victory in the never-ending "War on Terror" and let you off easy.

But the case of the Cleveland 4 sends an additional message, and a more far-reaching one. If you are an activist kid and you dream of challenging the 1%, living in tents, scaling skyscrapers, dropping banners and embarrassing the banksters, do so at your own peril. Or maybe just stay home.

I asked Juss if she was still at the warehouse. She answered, "After the arrests, we were waiting to be raided. After all that's where 'the terrorists' lived. All the evidence would be there, right? No one ever came. So much for the dangerous terrorists. After that we leased the warehouse and dispersed. I support the boys and work on the Cleveland 4 website. But Cleveland is a black hole of activism, and after the guys got arrested I stepped back from that scene. I noticed yelling at empty buildings isn't productive. It just makes for nice photos and a news article, but nothing ever comes from it." Could that sentiment be the intended legacy of the Cleveland 4?

I would like to thank Julia and Juss, named sources and instrumental in helping me access all court records and FBI affidavits. I have linked to them on the Public Access to Court Electronic Records (PACER) database at PACER.gov as they are my primary sources. However, access to these records are behind a paywall. In 2008, Aaron Swartz, information freedom activist downloaded and released 2.7 million court documents stored on the PACER database. He believed the public had a right to access this information. In 2013, Aaron Swartz committed suicide after a long struggle with the US government over a similar release of data. Unlike Aaron Swartz, connected and widely admired whose persecution has inspired the US Congress to propose "Aaron's Law", Joshua "Skelly" Safford and his co-defendants are championed by few. Still both are examples from opposite poles of the economic spectrum of the criminalization of dissent and the systemic failure of the rule of law.

## **16 Oct - Journalists Reveal Details of NYPD Spying**

*Earlier this month Pulitzer Prize Winning Journalists Matt Appuzo and Adam Goldman published Enemies Within: Inside the NYPD's Secret Spying Unit and Bin Laden's Final Plot Against America.*

### **MORE:**

The book detailed not only how the NYPD focused unprecedented resources and time into spying on Muslims after 9/11, but also how some of those resources were used to spy on activists. In 2008 following a minor explosion that caused some damage to the door of the Time's Square Army recruitment station the NYPD focused attention on one particular activist: Dennis Burke (A.K.A. Thadeaus) who was publishing the website Bombs and Shields. The site posted about the explosion hours after the incident, including a link to a Fox News Story on the action. This was enough to justify a police investigation to both Burke and "certain of his associates."

According to documents leaked from within the NYPD to Apuzzo and Goldman, the NYPD knew that Burke was behind the website thanks to a "confidential source," who had infiltrated activist circles and provided information as far back as 2005. The identity of the confidential source remains unknown! Beyond Burke other organizers were targeted including William DiPaola and B. Neubauer who along with Burke were members of the environment direct action organization Time's Up!.

All of this spying was orchestrated by the NYPD Intelligence Division, which was formed post 9/11 by former CIA Deputy Director for Operations (DDO) David Cohen. The "confidential source" who provided information about Burke as far back as 2005 and attended activists events may still be enmeshed within activist circles. If that's not the case it's likely that other snitches, informants, and undercover officers are active and are undoubtedly playing a more than passive role. As Matt Appuzo said in an interview with Sam Seder of the Majority Report promoting the book: "an undercover" NYPD officer "was assigned to infiltrate these groups: Time's Up! New York, Critical Mass, Friends of Brad Will."

The NYPD followed connections, some of them tenuous to say the least, all the way to New Orleans where undercover police officers attended the People's Summit, and reported back to their superiors in NYC. One of their reports erroneously identified an activist named Jordan Flaherty as "a main organizer" of the summit. Flaherty did introduce a film at an associated film festival, but was not an organizer of the festival or the summit. News of the NYPD's New Orleans excursion came to light as a result of the same documents leaked by sources within the NYPD, possibly by a disgruntled officer frustrated by seeing the department wasting time and resources, or maybe just with their bosses generally, we don't know. Appuzo and Goldman wrote about the Louisiana spy mission all the way back in March of 2012, but it wasn't until this September, with the release of their books and accompanying source documents that a broader picture of the surveillance effort came to light.

These newly revealed details aren't the first indication that law enforcement might be actively trying to infiltrate activist communities within New York City. In November 2009 the FBI brought a case to trial in Austin, Texas, but failed to convict Kate Kibby for allegedly threatening the FBI snitch Brandon Darby via email. Prior to the trial the FBI offered Kibby a deal on two occasions to make the charges go away were she to agree to become an informant herself, either locally in Austin or in New York City. Kate turned down that job offer, but sadly it is likely that someone out there didn't turn it down and is posing as a friend and comrade of activists in NYC today.

### **16 Oct - Freeing Marissa Alexander**

*Three years ago, a single warning shot sent Marissa Alexander to prison. Last month, an appeals court overturned her conviction, ruling that the jury received flawed instructions on self-defense. Supporters are calling for the prosecutor to drop all charges rather than subject Alexander to a new trial.*

#### **MORE:**

By Victoria Law (*Truthout*)

As reported earlier on Truthout, Marissa Alexander, a mother of three and a survivor of abuse, had given birth to a baby girl in July 2010. The previous year, she had obtained a restraining order against her ex-husband Rico Gray. When she learned that she was pregnant, she amended it to remove the ban on contact while maintaining the rest of the restraining order.

Three years ago, a single warning shot sent Marissa Alexander to prison. Last month, an appeals court overturned her conviction, ruling that the jury received flawed instructions on self-defense. Supporters are calling for the prosecutor to drop all charges rather than subject Alexander to a new trial.

As reported earlier on Truthout, Marissa Alexander, a mother of three and a survivor of abuse, had given birth to a baby girl in July 2010. The previous year, she had obtained a restraining order against her ex-husband Rico Gray. When she learned that she was pregnant, she amended it to remove the ban on contact while maintaining the rest of the restraining order.

On August 1, 2010, she and Gray were at home when Gray attacked her. "He assaulted me, shoving, strangling and holding me against my will, preventing me from fleeing all while I begged for him to leave," Alexander recounted in an open letter to supporters. This was not the first time that he had assaulted her.

Alexander escaped into the garage but realized she had forgotten the keys to her truck and that the garage's door opener was not working. She retrieved her gun, which was legally registered, and re-entered her home to escape or grab her phone to call for help. "He came into the kitchen ... and realized I was unable to leave ... he yelled, 'Bitch, I will kill you!' and charged toward me. In fear and desperate attempt, I lifted my weapon up, turned away and discharged a single shot in the wall up in the ceiling," she recounted. Gray called the police and reported that Alexander had shot at him and his sons. Alexander was arrested and charged with aggravated assault with a deadly weapon.

Alexander attempted to invoke Stand Your Ground, but a pretrial judge ruled that she could have escaped her

attacker through the front or back doors of her home. In a 66-page deposition, Gray admitted to abusing all five of the women with whom he had children, including Alexander. Several witnesses, including Alexander's daughter, younger sister, mother and ex-husband testified that they had seen injuries that Gray had inflicted on her.

The judge instructed the jury that, when considering Alexander's self-defense plea, that she had to prove beyond a reasonable doubt that Gray was committing aggravated battery when she fired. The jury deliberated for 12 minutes and returned with a guilty verdict. Prosecutor Angela Corey added Florida's 10-20-LIFE sentencing enhancement, mandating a 20-year minimum sentence when a firearm is discharged.

On September 26, 2013, an appeals court found that the judge's instructions regarding self-defense shifted the burden of proof from the prosecutor to Alexander. "At trial, the only real issue was whether she had acted in self-defense when she fired the gun. Because the jury instructions on self-defense were fundamental error, we reverse," the court stated, remanding her case for a new trial. Marissa Alexander, however, remains in prison.

### **Mobilizing to Free Alexander**

After her arrest, Marissa Alexander's first husband, Lincoln Alexander, and her sister, Helena Jenkins, formed the Committee to Free Marissa Alexander. Shortly after her conviction, individuals in various states mobilized to form the Free Marissa Now campaign. Sumayya Fire had been working against domestic violence as an advocate, consultant, trainer and program builder for more than 20 years when she learned about Alexander's case. "It touched my heart as an advocate and survivor of violence, to make a decision about defending yourself and get 20 years in prison," she told Truthout. "It sends a message to women who fight back, who choose to save their lives. I could not not use my voice and my resources to help."

Although Fire had never organized a campaign before, she began reaching out to those who had been organizing before Alexander's sentencing. Radical Women and Pacific Northwest Alliance to Free Marissa Alexander was one of the first groups to respond. Lincoln Alexander referred her to Aleta Alston-Toure with the New Jim Crow Movement in Jacksonville, Florida, who had been organizing around the case.

Alisa Bierria, who has organized with INCITE! Women of Color Against Violence, remembered reading about Alexander shortly after her sentencing. "I connected her case with the tradition of black women organizing for their right to self-defense, including movements to free Joan Little, the New Jersey Four and CeCe McDonald," Bierria told Truthout. She reached out to Lincoln Alexander, who connected her with Sumayya Fire.

From these connections came the Free Marissa Now mobilization campaign. The campaign attracted increased national attention after the acquittal of George Zimmerman in the shooting of Trayvon Martin. News pundits and organizers compared her case - complete with the denial of a Stand Your Ground defense - with Zimmerman's. "The Zimmerman verdict spiked attention to Marissa Alexander overnight," Fire said. "In one week, we had thousands of new followers on our Facebook page and hits on our tumblr. There was outrage that, in the same state, Zimmerman killed a person [and got off] while Marissa fired a warning shot and got 20 years."

"I believe that Marissa's case got national attention because of the timing," Bierria agrees. But, she adds, "we have to do everything we can to keep her name out there." She points to the 2001 INCITE! and Critical Resistance statement on the divide between the movements addressing mass incarceration and domestic and sexual violence. "There's been a depoliticization of work to end domestic violence and sexual assault. It's been integrated into the state's increase in criminalization and incarceration." A decade later, she notes, "Black women are less likely to be the symbol used to provoke organizing against mass incarceration and police brutality. Also, instead of being supported, Black women survivors of domestic violence tend to be punished by the media, their communities and institutions. We have the opportunity to highlight the connection between domestic violence and mass incarceration. We can see it clearly with Marissa, but she's not the only survivor in prison. This is an opportunity to bring attention to all the other survivors whose names we don't know."

For Marissa Alexander's 33rd birthday, on September 14, 2013, supporters across the country held events to commemorate the day and draw attention to her case. "We had birthday parties, rallies and parades," Fire said. In addition, supporters sent Alexander cards. "Marissa received 200 cards in one day," she recalled. "Part of our peaceful protest is to get as many people to connect with her, to let her know that she's not forgotten."

Utilizing October as Domestic Violence Awareness month, Emotional Justice Unplugged, the Chicago Taskforce on Violence Against Girls and Women, and Free Marissa Now launched a monthlong multimedia letter-writing campaign called #31forMARISSA. The campaign urges men to write letters of support to Alexander, share stories of violence experienced by women in their lives, donate to Alexander's legal expenses, and become engaged as active allies in the domestic violence movement. Noting that men make up 25 percent of the campaign's 14,000 Facebook followers, Fire stated that #31forMARISSA "gives men an opportunity to support the campaign and to speak out about domestic violence and sexism."

"We are asking a nation of men - of all creeds and colors - to stand up and engage in the pursuit of freedom of a black woman," the campaign call stated. The letters appear on the SWAGspot tumblr, which was launched in 2013 as an emotional justice community of conversations with men for men, and excerpts of the letters appear on Ebony.com daily. Each week, paper copies of the letters are mailed to Alexander.

#### **Four Decades Earlier: Yvonne Wanrow, Self-Defense and Support**

In 1972, a single shot also changed the life of Yvonne Wanrow, a mother of two in Spokane, Washington, and a Colville Native American. On August 11, William Wesler attempted to pull Wanrow's 11-year-old son off his bicycle and drag him into his house. The boy escaped to the house of Shirley Hooper, a family friend. Wesler followed him.

Earlier that year, Hooper's 7-year-old daughter had been raped by an unidentified person. The rape had given her a sexually transmitted disease. When she saw Wesler, the girl told her mother, "He's the man who did it to me." Hooper's landlord also saw Wesler; he told Hooper that Wesler had tried to molest a young boy who had previously lived there.

Hooper called the police. Although they had previously arrested Wesler for child molestation and were familiar enough with him to nickname him "Chicken Bill," they refused to arrest him. Instead they recommended that Hooper wait until after the weekend to file a complaint at the police station. The landlord suggested that Hooper hit Wesler with a baseball bat if he tried to enter the house. The police did not discourage the suggestion; they advised Hooper, "Yes, but wait until he gets in the house." Hooper telephoned Wanrow, asking her to spend the night at Hooper's home. Wanrow, a 5-foot, 4-inch woman, recently had broken her leg and was on crutches. She brought her pistol. The women also asked Angie and Chuck Michel, Wanrow's sister and brother-in-law, to spend the night.

At 5 in the morning, Chuck Michel went to Wesler's house with a baseball bat. He accused Wesler of molesting small children. Wesler, who was visibly intoxicated, suggested that they straighten the matter out at Hooper's house.

Once inside Hooper's house, Wesler refused to leave. Wanrow went to the front door to yell for Chuck Michel. When she turned and found the 6-foot-2 Wesler towering over her, she shot him.

At her trial, the judge instructed the jury to consider only what had happened "at or immediately before the killing." These instructions omitted Wesler's record as a sex offender. Neither Hooper's daughter nor the doctor who had treated Wanrow's son after Wesler's kidnapping attempt was allowed to testify. Wanrow was convicted of murder and sentenced to 25 years in prison.

Social justice groups and organizers took up her cause, turning her into a symbol of a woman's right to defend herself and her family from assault. Feminists in Seattle and Washington, D.C., formed Yvonne Wanrow

Defense Committees, hosting events to generate public interest and raise legal funds. Women in Minnesota formed the Lesbian Feminist Organizing Committee to support her. Members of the American Indian Movement, Women of All Red Nations and the Native American Solidarity Committee organized a two-day benefit to raise money for her defense fund while educating the 200 attendees about her case, the underlying issues of violence against women, and the history of systemic violence against native people in the United States.

In 1977, the Washington State Supreme Court granted Wanrow a new trial, partially on the basis that the original instructions to the jury on the law of self-defense were inaccurate. The judge's instructions had not allowed the jury to consider the relevant facts: Wesler was a known child molester; Wanrow had heard that he had previously raped her friend's daughter; and, less than 24 hours earlier, he had attempted to assault her son. "The justification for self-defense is to be evaluated in light of ALL the facts and circumstances known to the defendant, including those known substantially before the killing," the court declared. The court also recognized that women's lack of access to self-defense training and to the "skills necessary to effectively repel a male assailant without resorting to the use of deadly weapons" made their circumstances different from those of men. "Care must be taken to assure that our self-defense instructions afford women the right to have their conduct judged in light of the individual physical handicaps which are the product of sex discrimination." The decision was hailed as a landmark case for a woman's right to self-defense.

At her 1979 retrial, Wanrow pleaded guilty to reduced charges. She received suspended sentences on the manslaughter and assault charges, five years of probation and one year of community service. Without the pressure, publicity and resources generated by her supporters, Wanrow would most likely have stayed in prison.

### **"We don't want to wait to see her come out the gate"**

As proven nearly 40 years earlier, support can make a huge difference. The Free Marissa Now campaign understands this and is harnessing the attention and outrage to press state officials to drop Alexander's case rather than proceed with a new trial. "We're hoping that letters will make a difference," Fire said. "I just wonder if Marissa would receive a fair trial if the state already sees her as guilty and with such personal prejudgment in interviews and articles. So we are we're asking our supporters to write e-mails and letters to encourage the state to drop the case."

She and Bierria hope the attention and actions around Alexander's case will lead to her freedom. "It will be through community organizing, advocacy, political education and love of self and value of our own lives that we reaffirm our right to live," Bierria said.

### **17 Oct - Lawyers for Russell Maroon Shoatz submit request to UN Special Rapporteur on Torture**

*Lawyers for Russell Maroon Shoatz submitted a communication to Juan Mendez, the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, requesting that he inquire into Shoatz's nearly 30 years of solitary confinement within the Pennsylvania Department of Corrections (PA DOC).*

#### **MORE:**

Shoatz is a 70-year-old, former Black Panther Party member who has been locked in solitary confinement at various state prisons for the past 22 consecutive years, and 28 of the past 30 years.

The request comes at a time when the campaign to release Shoatz from solitary confinement has been gathering increasing international attention. In August, Nobel Peace Prize laureates Jose Ramos-Horta of East Timor, Mairead Corrigan Maguire of Northern Ireland, and Archbishop Desmond Tutu of South Africa marked the occasion of Maroon's 70th birthday by sending a letter to PA DOC Secretary John Wetzel that read: "We also affirm, in the strongest possible humanitarian terms, that now is the time for the immediate and unconditional release from solitary confinement and restricted housing of Russell Maroon Shoatz. After decades of solitary confinement – including the past 22 consecutive years – there is no reason for further delay. Continued

confinement in 23-hour-a-day isolation is nothing short of torture.”

For the last 23 years, Shoatz has had an impeccable disciplinary record, and has not received on serious rule violation during this time. Despite his model behavior, advancing years, and health problems, the PA DOC has refused to release this father, grandfather, great-grandfather, human rights advocate, and published author into the general prison population.

“The Special Rapporteur on Torture has recently spoken out about similar instances of extraordinary long-term solitary confinement in the United States in Pelican Bay state prison and in the case of the Angola 3. Like these cases, the solitary confinement of Russell Shoatz is yet another extreme violation of international human rights standards,” said Jules Lobel, President of the Center for Constitutional Rights and one of the attorney who submitted the document to the Special Rapporteur on Shoatz’s behalf.

Although Shoatz is still held in the solitary confinement unit, he has been permitted more out of cell time in recent weeks, as prison officials inform him that he is being assessed for release from isolation. On September 23, 2013, Shoatz began a 60-day step-down program where he is permitted out of his cell as a block worker for approximately one-hour Monday through Friday.

Although this program represents the most out-of-cell time Shoatz has been afforded since he was in federal prison in 1991, and the most in a PA DOC prison since 1983, there is no guarantee that he will eventually be released into the general population. Prison officials have stated that he will merely be considered for release after the completion of the program.

The communication to the UN Special Rapporteur on Torture was submitted by Jules Lobel; Dan Kovalik, Senior Associate General Counsel for the United Steelworkers; Dustin McDaniel and Bret Grote of the Abolitionist Law Center; and attorney Hal Engel.

The 14-page document observes that a 2011 report issued by the Special Rapporteur provided a “legal analysis . . . that resoundingly affirms the conclusion that U.S.-style solitary confinement units are prohibited under international law.” It called on the Special Rapporteur to “immediately initiate a prompt and comprehensive investigation into the facts surrounding Russell Maroon Shoatz’s nearly 30 years of solitary confinement in the PA DOC.”

The communication concluded by recognizing that even if he is soon released from isolation, “It is vital that the egregious violations of Shoatz’s human rights are recognized by your office and the international human rights community more broadly, both for his own sake, and for the hundreds of thousands of men, women, and children who have been subjected to these conditions of social isolation and sensory deprivation in U.S. jails and prisons over the years.”

### **17 Oct - North American Anarchist Black Cross Medical Justice Committee statement on the state of health care of Political Prisoners in the U.S.**

*On October 4, 2013, the world lost one of its greatest fighters in the struggle against oppression and injustice. Herman Wallace spent 41 years in solitary confinement after being targeted by the state for his work against racism and oppression from within the prison system.*

#### **MORE:**

Amnesty International and mainstream news sources recently highlighted the release of Herman Wallace from prison. Tragically, Herman was able to breathe the air of freedom for only 3 days before he passed away. Herman was denied any kind of compassionate release by the state of Louisiana, despite his advanced liver cancer and the prognosis of a mere two months to live. Though it was the circumstances of his original conviction that compelled a judge to grant Herman his freedom, it was the state’s lack of concern for his medical condition that led to the resurgence of public and media interest in his case.

Herman was just one of many, aging political prisoners (and prisoners of war) in the United States who are currently being denied adequate medical care and the compassionate release for which they qualify. These people are incarcerated for their opposition to actions or policies of the US government that are in violation of human rights, and as such should be afforded the protections of international law. It is the opinion of the North American Anarchist Black Cross Medical Justice Committee that these captured dissidents and combatants be granted compassionate release and dignified medical care, with respect to their age, health and sacrifice in service of legitimate struggles against oppression and exploitation. It was too little, too late for Herman; that must not be the fate of our other elder comrades.

Unfortunately, cases like Herman's are far too common. Albert "Nuh" Washington, Bashir Hameed and Marilyn Buck are other recent victims of prison medical neglect. Some, such as Merle Africa, have died under suspicious medical circumstances. More will soon follow, if swift action is not taken.

Lynne Stewart is a 73 year old movement attorney convicted of materially aiding a terrorist organization for issuing two press releases on behalf of her client Sheikh Omar Abdel-Rahman. Lynne was initially sentenced to 2 years in prison. But after publicly claiming that she could survive the 2 years, the government appealed her sentencing and she was punitively re-sentenced to an outrageous 10 years in prison. Diagnosed with stage 4 breast cancer prior to her sentencing in 2009, Lynne was denied compassionate release because the BOP (Bureau of Prisons) claimed "she is not suffering from a condition which is terminal within 18 months," though treating physicians have estimated her life expectancy at 12 to 18 months. She is currently awaiting a decision from an independent committee within the BOP. From there it will go to the director of the BOP for the final recommendation and request for a motion to the Judge. Lynne's health deteriorates daily. Her case is one example of many ongoing cases of medical neglect, including Abdul Majid, Robert Seth Hayes, Tom Manning, Jalil Muntaqim, Dr. Mutulu Shakur, Chelsea Manning, and Leonard Peltier.

There are currently over 100 political prisoners in the United States. These women and men are listed and recognized as political prisoners by numerous human rights, legal defense and progressive/socialist organizations. They come from the Civil Rights/Black Power/New African Liberation struggles, the Puerto Rican Independence Movement, Indigenous Peoples survival struggles, Chicano/Mexicano Movements, anti-imperialist/anti-war movements, anti-racist/anti-fascist struggles, the Women's Movement, social and economic justice struggles, and especially in the past several years, from the Environmental/Animal Rights movement. They are Black, white, Latino and Native American. Most of these political prisoners have been in captivity since the 1970s and 80s. Some were convicted on totally fabricated charges, others for nebulous political conspiracies or for acts of resistance. All received huge sentences for their political beliefs or actions in support of these beliefs.

Despite international recognition of political prisoners within the US, the US government continues to deny their existence. An article in the Harvard Black Letter Law Journal Vol. 18, states that "Despite their prevalence in United States society, U.S. Government officials have long denied the very existence of political prisoners. When Andrew Young, the former U.S. ambassador to the United Nations, publicly acknowledged the existence of over 100 political prisoners in his country, he was swiftly removed from office." - The Reality of Political Prisoners in the United States: What September 11 Taught Us About Defending Them by J. Soffiyah Elijah

The harsh punitive conditions of confinement, often in special "control unit" type prisons, that political prisoners face daily, decade after decade, exposes and refutes this government myth.

The Geneva Conventions contain the internationally recognized standard of care for prisoners of war. The standard of care for Political Prisoners in the United States ought to be at least as sound as the Geneva Conventions. It currently is not. We have many ageing comrades struggling for the most basic health care while incarcerated. Even the Office of the Inspector General found that the existing BOP compassionate release program has been poorly managed and implemented inconsistently, likely resulting in eligible inmates not being considered for release and in terminally ill inmates dying before their requests were decided, as noted in the Department of Justice April 2013 review of the BOP compassionate release program . We cannot allow this to

keep happening. What's happened to Herman Wallace should never happen again. No one should die in prison. Least of all, perhaps, those who have spent their lives fighting oppression and injustice.

## **18 Oct - Prisoner Sent to Solitary for Having "Copious Amounts of Anarchist Publications"**

*An inmate in Illinois has been in solitary confinement since July for possessing "copious amounts of Anarchist publications" and "handwritten Anarchist related essays," according to prison documents.*

### **MORE:**

By Will Potter (*VICE*)

Mark "Migs" Neiweem is a prisoner at the maximum security Pontiac Correctional Center who, in addition to the publications and his writings about the prison industrial complex, was also found in possession of anarchist symbols including a "Circle A" and "Circle E" (the latter, which stands for equality, is described in prison reports as representing "class warfare, the 99%").

"I've been doing this work since 1979 and I can't think of another case where someone has gotten a disciplinary report for something so obviously political as this," said Alan Mills, who is Neiweem's lawyer and a professor at Northwestern University.

Neiweem also had documents in his cell from the Anarchist Black Cross, which the Illinois Department of Correction says is "a political organization and openly supports those who have committed illegal activity in furtherance of revolutionary aims." That's a menacing way of saying that the group writes letters to prisoners and solicits donations so they can buy food from the prison commissary.

Prison officials spent months investigating Neiweem, combed through his cell, and even used a confidential informant to obtain more information on his anarchist views. According to a disciplinary report dated August 8, 2013, Neiweem was identified by the Intelligence Unit as an anarchist, and the confidential informant reported that he was attempting to recruit other prisoners to "be part of a collective."

At a disciplinary hearing, at which Neiweem was not allowed to have an attorney present, he was found in violation of two departmental rules: possessing gang symbols, and possessing "written material that presents a serious threat to the safety and security of persons or the facility."

Neiweem isn't accused of plotting to harm guards or other prisoners, though; his political beliefs alone are described as a threat.

"At no point did they even ask him, 'What is anarchism?'" Mills said. "If they actually read what he wrote, they would have gotten a very different impression of what anarchism really means."

For Neiweem, anarchism means solidarity and mutual aid—people putting their faith in each other, rather than cops, courts, and politicians. It means opposing "patriarchy, homophobia, sexism, racism, genocide, mass incarceration, environmental destruction, capitalism." In a public statement, he said that the support he has received while in prison has only reinforced those anti-authoritarian beliefs: "All of these acts of solidarity continue to prove how beautiful our humanity and 'the people' really are, and display why we need not a State and a force to regulate and stunt our growth, to keep us from experiencing our full humanity."

The prison review board did not return phone calls seeking comment for this story.

Neiweem was moved to solitary on July 13. His punishment includes six months of segregated housing, no access to the prison yard, and no contact visits for six months. In an unusual move, he was later given a cellmate: a white supremacist.

"They're in a very small cell with no ability to leave during the day," said Rachel Unterman, who works with

Neiweem's support committee. "[Prison officials] are pretty much doing whatever they can to make him miserable however they can. But he's in incredibly good spirits."

Unterman says she did not know Neiweem before he was in prison, but she volunteered with Occupy Chicago and helped organize the protests against a NATO summit in that city in 2012. In the lead up to that protest, Neiweem and others—dubbed the NATO 5—were targeted by undercover cops and arrested. Police accused them of attempting to possess incendiary devices; civil rights advocates questioned the heavy hand that police informants played in the case.

As part of his punishment, Neiweem was also told that he would have his "good time" revoked, meaning he would not qualify for early release. Unterman and other activists organized a call-in and letter-writing campaign. In a small victory, the Illinois Department of Corrections recently reduced Neiweem's lost good time from 3 months to 1 month. He is scheduled for release on December 12.

However, he still has about ten weeks left in solitary confinement.

"I reach my arms out and touch both walls with room to spare," he said in a letter to his legal team. "I don't know the dimensions but it's by far the smallest cell I've ever been in. The front is steel plates with some holes drilled in them and the tiny view is of a brick wall ten feet away. No light but the one they leave on nearly 24 hours a day..."

"Please send pictures of people, places, and things. These walls are ugly."

### **18 Oct - Eva Botten released!**

*On October 18th, 2010 Toronto G20 protest prisoner was released from Canadian prison.*

#### **MORE:**

Last Friday was a good day. In the cool of the morning I walked with my arm around a friend I had never touched before, a friend who I meet through thick glass, a friend who I only had spoken to through a phone line, recorded. A friend whom I had only exchanged letters with, those letters read by the screws that caged her. Eva carried a shopping bag full of papers and letters and a huge smile on her face. She climbed into our borrowed vehicle and thanked us for bringing her real coffee. We laughed and joked about how we had both cut our hair short.

Before Eva flew off to her warm home filled with cats and loved ones we had a few hours to spend together. We resolved to head to Crawford Lake and we found a short loop trail to hike. Along that path we discovered an apple tree. Together walking and talking, snacking on apples, we enjoyed that autumn day to its fullest. And even though our conversation was a bit heavy at times our laughter echoed into the forest. It was a good day.

Eva Botten, convicted of six counts of mischief and one count of wearing a disguise from events that occurred at 2010's G20 in Toronto, who spent 10 months in cages of the state was released into the arms of her supporters, friends, and cats on Friday, October 18th 2013.

### **21 Oct - Angola 3 supporters bring demands to state Capitol**

*Supporters of the last imprisoned member of the trio of inmates known as the Angola 3 gathered on the Capitol steps in Baton Rouge on October 21st, and demanded the state drop its latest attempts to keep Albert Woodfox in jail.*

#### **MORE:**

By Lauren McGaughy (*The Times Picayune*)

Albert Woodfox was jailed in 1972 for armed robbery but found himself in permanent lockdown after he was charged with the murder of Brent Miller, a prison guard at the state penitentiary more commonly known as Angola, or "The Farm." Herman Wallace, who was also charged with Miller's murder, was released on Oct. 1

after it became clear he had only days to live. He died on Oct. 4 from liver cancer.

Both spent 42 years in solitary confinement in Louisiana's prisons, always insisting their conviction was a political act predicated on their founding of Angola's first chapter of the Black Panther Party.

Now, Amnesty International, the National Religious Campaign Against Torture and others are again demanding Woodfox's release. And they aren't alone -- more than 50,000 people signed a petition requesting the state drop its appeal to keep Woodfox in prison.

The petition was delivered to Gov. Bobby Jindal's office Monday. The signatures weren't received by the governor, who is in Clinton as part of his 64-parish tour, but were delivered instead to his secretary.

In advance of the delivery, Woodfox's supporters gathered on the Capitol steps to reiterate their plea for his release. Speakers included Woodfox's brother Michael Mable, Angola 3 member Robert King -- who was exonerated in the murder of another prisoner and released in 2001 -- and Billie Mizell, an investigator in Woodfox's case.

Teenie Rogers, Miller's widow, was also in attendance but did not speak. She believes the two men were not involved in her husband's death and has previously called for their release.

"I do not have the words to convey the years of mental, emotional and physical torture I have endured," Woodfox said in a letter read by his brother. "I ask that for a moment you imagine yourself standing at the edge of nothingness, looking at emptiness. That is insanity."

Jasmine Heiss of Amnesty International called Woodfox's continued imprisonment "a case of injustice compounded" and reminded the assembled crowd that his murder indictment has been overturned three times.

Attorney General Buddy Caldwell appealed the latest ruling to the U.S. 5th Circuit Court of Appeals, keeping Woodfox behind bars after the court cleared him of the murder charge. His supporters hope Wallace's release and the petition will convince Caldwell to change his tune on the 65-year-old inmate.

The attorney general's office did not return requests for comment. In response to the petition, Pam Laborde of the state corrections department confirmed Woodfox's continued imprisonment in closed-cell restriction, or CCR.

"Offenders in CCR have access to visitors, exercise, television, library materials and canteen purchases, among other privileges," Laborde said, not commenting on Woodfox's case. "If those opportunities are revoked (in CCR or other assignment), it is because the offender has committed violations that threaten the safety/security of employees, fellow offenders and/or the general public."

CCR in Louisiana involves spending at least 23 hours a day in a 6' x 9' cell. Interactions with the general prison population is barred.

Malik Rahim, the Black Panther alumnus who first exposed the Angola 3's decades spent in CCR, was also in attendance at the gathering Monday. He read a letter from state Rep. Patricia Haynes Smith, D-Baton Rouge, which detailed her support of Woodfox's release.

Rahim also said he intended to meet individually with all of the members of the Legislative Black Caucus, as well as some White Democrats, to discuss Woodfox's case. Even with Smith's support, Rahim said, he was disappointed more lawmakers haven't spoken out.

"This has now become a human rights issue," Rahim said. "What happened to those (lawmakers) that represent New Orleans? Where are they?"

One could ask the same question about Woodfox's supporters. While around 20 people stood behind the podium on Monday, holding signs that said "Free Albert Woodfox" and "Remember Herman Wallace," the crowd listening was limited to a few reporters and passersby.

Even though few might have been in attendance, Heiss hoped to send a clear message to Jindal and Caldwell -- "the world is watching."

### **21 Oct - Message from Jaan Laaman**

*Jaan's son died two years ago. For his father, we honor him.*

#### **MORE:**

Hello - Tere, My dear family - friends --

October 21, 2013. On this day, 731 days ago, my dear son Ricky, died. For those of us who share his blood, for those who shared his friendship, for those who shared some of the short time with him on this earth... for all of us who liked him, cared for him, loved him and just enjoyed his company, take some moments today, to remember and honor Rick - Michael - Ricky chan.

I don't have any real idea of what to say or do, suggest or request. That horrible October 21st, 2011 friday, was and will remain the saddest and worst moment of my life. It was the day my heart was fundamentally torn. Days and now even 2 years have gone on. So take a little time to hold Rick close. I will fast and sit-meditate with the love of and for my son today. Take care of yourself and those close to you. dynamic peace and justice, jaan

### **21 Oct - New Writings by Mumia Abu-Jamal**

*We're including transcripts of Mumia's latest commentaries.*

#### **MORE:**

#### **October 21<sup>st</sup> - The Walking Dead**

(Explanation: I am not discussing a TV show)

The subject today is the tens of thousands, indeed, over several hundred thousands of men, woman and juveniles who are doing life sentences in American prison.

In Pennsylvania, the largest juvenile lifer population in the world exists: in the world.

As I wrote in my first book, Live From Death Row, the fury and governmental rage fueling the unprecedented level of mass incarceration during the '80s, would deplete state budgets, and prove unproductive.

Today, even conservative voices are echoing some of those concerns, driven, no doubt, by declining state budgets, rather than humane concerns.

During the '80s, ambitious politicians launched the toxic rhetoric of more and more prisons, longer and longer sentences, and tougher, meaner prisons. Of course, such positions cost more and more tax dollars.

Many of these politicians are gone now, out of office or out of existence; and the bills are becoming due. States can no longer foot the bill without drastically slashing other public services, like education.

This long, bitter and expensive path could've been avoided, if only reason had prevailed over ambition;

but it did not. That's because the politicians of the '80s used fear to push their punitive programs, something Americans are always susceptible to.

Scholar/activist Angela Y. Davis has long argued that political elites, deprived of the boogey-men of communism (especially after the fall of the Soviet Union), focused on crime to establish new systems of state repression.

Fear sells – again.

Remember conservative scholars and critics, foaming at the mouth about juvenile so-called 'Super-Predators'? It was sheer nonsense, of course, but it opened the door to political support for life sentences – and death sentences – for juveniles.

The lesson?

Fear works.

At least until the fever breaks.

### **October 21<sup>st</sup> - War For Power**

As the clock ticks down toward the looming debt ceiling, and the federal government shutdown, the parties stare at each other like adversaries across an abyss.

For they are at war with each other for political primacy: who will prevail?

China's revolutionary leader, Mao Ze-Dong, once wrote that "Politics is war without bloodshed."

That may be so, but I, like any other war, certainly has no shortage of civilian casualties.

The loss of federal monies has created havoc across the nation, in an economy that is still on the brink of another recession. That members of Congress have intentionally stoked this public pain has sent congressional standing to an all-time low. According to at least one broadcast report, only 5% of the nation now regards Congress favorably.

When people understand that these are politically created crises, actually made by politicians, and therefore wholly artificial, even that astonishing figure may drop further.

The damage done to real people, to workers, to social programs, to children unfed is but a means to an end. That end? To turn Obama's presidency into a broken, shattered disaster.

This politics as war, to nuke his legacy and his singular policy achievement: health care.

What is unacceptable to scores of conservative politicians is Obama's success.

When President Franklin D. Roosevelt signed Social Security into law (1935), he earned the unremitting enmity of the class from which he came: the wealthy. They called him a 'socialist'.

Sound familiar?

The political war now being waged today is far from over no matter what resolution comes in the next few days or weeks.

It will continue, thanks to the recent Citizens United case, as long as the wealthy can rent (or buy) politicians to do their bidding.

### **October 23<sup>rd</sup> - Herman Wallace: Revolutionary**

If the long and tortured life of Herman Wallace, of the famed Angola 3, was meant to terrorize us; to stifle the resistance that flamed throughout Black America (and many others across the country) during the '60s and '70s.

If so, it failed utterly.

For Herman Wallace, former Black Panther, despite the monstrous torture he sustained of 41 years in the hole of Angola (I will not dignify it with the name, prison) – slave plantation, was one who was caged precisely because, in mind, if not in body, he was free.

He was one of 3 men, his fellow ex-Panthers, Robert Hillery King and Albert Woodfox (the rest of the Angola 3), who exemplified strength, determination, and will during their hellish times in Louisiana's wretched dungeons.

I have used the word 'torture', and I don't use it lightly.

Juan Mendez, Special Rapporteur for the United Nations, has found that solitary confinement, for any period past 14 days, constitutes real psychological torture that destroys human beings. 14 days.

Herman Wallace, convicted on trumped-up charges under poisonous Louisiana 'justice', spent 41 years in solitary.

In Angola. In Louisiana. In the United States of America.

Forty-one years. Let's put it another way.

Herman Wallace spent 14,965 days in solitary.

Herman Wallace spent 359,160 hours in solitary.

Herman Wallace spent 21,549,600 seconds in solitary.

When a federal judge tossed out his illegal and unconstitutional conviction, ordering his release, Herman Wallace, bed-ridden, spent 3 days in freedom, until returning to his ancestors.

His flesh is returned to the earth, our Mother.

But his spirit burns with strength, and rock solid commitment to freedom for us all

According to published reports, Herman's last words were, "I am free!"

But, he always was.

Herman's contribution to freedom, even while in the vilest dungeons in America, while in shackles and

chains, in Angola, was immense.

If he were still present, he would urge us all not to forget his brother-in-chains, Albert Woodfox. For, as the saying goes, 'Freedom is a Constant Struggle!'

In the Black Panther Party, there was a saying: 'When an oppressor dies, it is lighter than a feather; but when a revolutionary dies, it is heavier than a mountain.'

Herman's death is heavier than a mountain, for he deserved more than 3 days of freedom, away from the stench of Angola and Louisiana 'justice'.

Yet, his death, his suffering, his torture, his loneliness reminds us all of the true nature of the System; and the dark, monstrous features of the Prison Industrial Complex; a complex of matchless cruelty, and unbridled savagery.

Herman, Albert and Robert were subjected to such treatment because they courageously resisted and opposed such repression. They organized a chapter of the Black Panther Party while prisoners in Angola!

They were targeted and tortured for engaging in (I kid you not) "Black Pantherism!"

So, remember Herman's sacrifice; 41 years. 14,965 days. 359,160 hours. 21,549,600 seconds.

And his last words: "I am free!"

May we all live to find such freedom!

### **October 24<sup>th</sup> - Media Matters**

For most in prison, media doesn't mean what it means to millions of media consumers.

They read the newspapers, yes; and some watch TV; but what they read and see is something far different than others, for their voices, their perspectives are often missing from the tales told therein.

Except for small newsletters, such as Graterfriends or the Leon Williams Journal, there are few pieces open to publishing either the prose or poetry of prisoners.

Graterfriends is a publication of the PA Prison Society, and the Leon Williams Journal is a monthly publication put out by a Philadelphia attorney; Leon Williams.

There are thus few challenges to the reigning ideology which supports and defends the notion of the burgeoning industry of mass incarceration. Unread by all but the few who know of such publications, prisoner's voices are silenced and their perspectives are easily ignored.

This matrix of invisibility serves to strengthen the state's repressive apparatus, and such silence supports the out-of-sight, out-of-mind nature of American prisons.

One wonders: How can several million people, spending an eternity in chains and under the uncontrolled impunity of the State be invisible?

Simple: look at your TV; scan your newspapers. When and where do you see prisoners? You see them going to courts, chained like little Hannibal Lectors. You see them wearing ridiculous neon-orange jumpsuits.

You may see them in dramas, but rarely do you see them simply as human beings, speaking, thinking, being human.

That's invisibility. That – in the nation which is the largest incarcerator on Earth.

Isn't that incredible? Isn't that stunning?

'Land of the Free'.

Indeed.

### **23 Oct - Update on Tyler Lang and Kevin Olliff (On Hunger Strike)**

*Kevin Olliff has gone on hunger strike to protest a book ban that went into effect hours after he and his codefendant's wish lists went online.*

#### **MORE:**

**UPDATE** (it's a long one): As most of you know now, Kevin has been on hunger strike since Wednesday night. His single purpose for starving himself is to protest Superintendent Michael Waterworth's book ban. It's been nearly two months since Kevin, Tyler, or any other inmate at Woodford County Jail have received books.

In a move of solidarity and his own opposition to the book ban, Tyler Lang also joined the hunger strike last week. However, on the advice of several friends and legal counsel, he's decided to start eating again in order to keep a clear head. With the pretrial coming up on November 6th and extra pressure on the jail happening right now, Tyler needs to be able to focus on their case and to communicate clearly with the outside. Right now, he's doing relatively well, exercising, growing a curly mustache (yes, it looks as funny as you're picturing it), and playing a lot of chess and cards to pass the time. He told me he's trying not to think too much about being out, because focusing on finding small things to be happy about inside are what's getting him through day-to-day.

Kevin is staying strong, as we all know he's good at doing. However, life inside Woodford County is becoming exceedingly difficult—primarily because he has no way to pass the time or distract himself from the people he's surrounded by. In all seriousness, Kevin's pod is full of child molesters and snitches. He's going out of his way lately to be asleep when they're awake and vice versa. The nocturnal schedule in combination with no food are sure to take their toll physically in no time. Of course, psychologically, Kevin's antsy and bored all the time with nothing to stimulate his mind. That said, I'll reiterate that he is handling everything well (probably far better than most of us would) and taking care to stay hydrated and eat extra vitamins.

So what can we do? Make sure this hunger strike doesn't have to go on much longer: **CALL THE JAIL EVERYDAY**. Give Kevin and Tyler something to read in the meantime: **MAIL PRINTED ARTICLES ON TOPICS THEY LIKE**. Keep up their spirits: **SEND LETTERS**.

Thanks to all of you for keeping up the support. Kevin and Tyler send their love.

\*To address a few questions that'll no doubt arise:

Yes, you can mail articles, ebooks, printed material in 8x11" manilla envelopes. We just learned of this not long ago, and we're hoping the jail doesn't restrict this right too.

**Kevin Olliff is on hunger strike until the Woodford County Jail book ban is reversed.**

It has been over 6 weeks since Michael Waterworth banned all books from entering the Woodford County Jail. The psychological toll of life in a cell without any way to pass the time has been nearly insufferable, as they are forced to waste away without even the most basic form of mental stimulation.

Today Kevin announced that he is prepared to go without food until the book ban is lifted. The hunger strike is effective as of midnight, Wednesday night.

### **What you can do**

Continue to call Michael Waterworth and the jail repeatedly, this time with the added word of caution that they will soon have a sick and dying prisoner if they do not undo the ban. Kevin is prepared to go the distance and not eat until the jail allows prisoners access to books.

Jail: **309.467.2116**

Sheriff Pierceall: **309.467.2375**

### **Why did the jail ban books?**

The ban was instituted hours after Tyler & Kevin's book wish list was posted online. The book ban was not the result of any rule violation or taken as a practical measure, and appears to be purely punitive in response to the attention Kevin & Tyler have received.

The jail's only attempt at an explanation has been to say the jail library is full. This transparent attempt to distract from the issue does not even address the book ban, in which books are no longer allowed to be mailed in directly to prisoners. The capacity of the library is not at issue.

### **How lawless is Michale Waterworth and his jail?**

1. They have banned books.
2. They admit they read attorney-client privileged mail between prisoners and their lawyers.
3. They steal outgoing mail which documents prisoner abuse.
4. They lie to the media and concerned people who call the jail.

### **Who is responsible?**

A proud law man (who does not respect the actual law) named Michael Waterworth is solely responsible for implementing the draconian ban on books. He is also responsible for allowing guards to read attorney-client privileged mail, and all other abuses taking place. He lied to Tyler & Kevin that he would undo the book ban if they were patient, placating them long enough for the media attention to die down, at which point he reneged on his promise.

### **Addressing Michael Waterworth's lies, preemptively.**

Please note Michael Waterworth is telling the media and others that the prisoners have access to a library of books. This is 100% false and has been confirmed repeatedly by Tyler & Kevin over the past 6 weeks.

Some jail staff have stated that they do not read and don't understand why prisoners would want books. The jailers being openly illiterate goes a long way towards explaining why a jail would deny prisoners books, and the culture of ignorance Tyler & Kevin are now at the mercy of.

### **Please continue to call the jail and the media**

It is crucial we continue to put a spotlight on the out of control Woodford County Jail. Demand Kevin, Tyler, and all prisoners are allowed access to books, and that the community in Woodford County is aware of the stain on them made by this jail.

- Jail: **309.467.2116**
- Sheriff Pierceall: **309.467.2375**

## **Write Kevin and let him know he is supported during this hunger strike**

While Kevin is on hunger strike and enduring this difficult struggle to reclaim a basic right, please send him letters of support.

And please include in every letter internet printouts of interesting articles or other material he can read (they can receive reading material printed off the internet).

(And don't forget about Tyler).

*Note Kevin's legal name is Kevin Johnson.*

**Kevin Johnson #4565  
Woodford County Jail  
111 East Court Street  
Eureka, Illinois 61530**

**Tyler Lang #4564  
Woodford County Jail  
111 East Court Street  
Eureka, Illinois 61530**

### **October 23<sup>rd</sup> - FBI using divide and conquer tactics in attempts to question friends of Kevin & Tyler.**

Be aware: The FBI has been questioning (and more often, attempting to question) several friends of Tyler & Kevin in the Los Angeles area. While this is not remarkable in any politicized case, there are two important elements here that make this latest round of questioning notable:

**The FBI is attempting to turn friends against Kevin:** Unfortunately, at least one person has unwisely spoken to the FBI. Los Angeles FBI agents pulled one of the oldest tricks in their book: Using disinformation to build negative feelings against Kevin to make the person being questioned more willing to talk. While this trick should be transparent, its worth repeating: The FBI isn't just allowed to lie, they usually do. "Divide and conquer" wouldn't be such a well-worn tactic if it didn't work. Don't be one of the people to fall for it.

**The FBI told one person their goal is to entrap people into perjury charges:** FBI agents told the person who spoke with them they already knew the answers to everything they asked, and the only reason they questioned her was in hopes she would lie and they could charge her with perjury. If ever there was a more glaring reason to not speak with the FBI, this is it: They want you to talk so they can put you in prison.

There is never any incentive to speak with the FBI. They will use your "cooperation" to put you in prison.

### **October 28<sup>th</sup> - Contact Illinois Governor Pat Quinn Hunger Strike Day 4**

With an Illinois inmate now starving himself to protest a violation of his First Amendment Rights, we think it's time for Governor Pat Quinn to know what's going on at facilities in his state. Once he's aware, a chat between the Governor and Woodford County Jail Superintendent Mike Waterworth would likely bring a swift end to the book ban—and to Kevin's hunger strike.

To access Quinn's online contact form, go to <http://www2.illinois.gov/gov/Pages/ContacttheGovernor.aspx>

Please send a polite message notifying him of what's going on, along with a request that he intervene immediately.

## **24 Oct - Winter Needs Fundraising for the Cleveland 4**

*A prisoner's first winter is terrible not just for the obvious reasons, but also because there are unexpected needs (such as sweatshirts, coats, blankets, et cetera). The Cleveland 4 need financial help to secure these basic necessities.*

### **MORE:**

The Cleveland 4 have some important needs, that exceed way more than we're getting in their commissary funds. The Holidays are coming up soon, and I was hoping we could fill these needs before winter comes.

Connor and Doug both need winter clothes, Which costs about \$60.

Doug's MP3 Player also got stolen, And he's really upset that he doesn't have it, so we're also trying to replace that (which is about \$70).

Josh also just moved, And I'm sure he'll need winter clothes as well, So we're setting the goal for this at \$250.

This is the list I got from Connor

Sweat Pants (2): \$16.90

Sweat Top (2): \$15.75

Scarf Gray: \$6.40

Thermal Pants: \$7.95

Thermal Top: \$7.95

Please, Spread the word, and donate if you can, Every penny counts.

Brandon expressed at this time he doesn't have an urgent winter needs, because he's in Florida.

## **26 Oct - Environmental Activists Organize Write-In For Marie Mason, Serving 22 Years**

*Supporters of environmental activist and convicted arsonist Marie Mason have organized a write-in campaign to support her transfer away from a restrictive prison unit in Texas. Let's get her free!*

### **MORE:**

By Matt Sledge (*Huffington Post*)

Mason was sentenced to 22 years in federal prison in 2009 for setting a series of fires aimed at stopping logging, housing sprawl and the development of genetically modified organisms. After two and a half years in a low-security prison in Minnesota she was transferred to FMC Carswell in Texas. At Carswell, her supporters claim, she has been cut off from her friends and family in the Midwest and subject to extensive communications monitoring.

"They just grabbed her," said Mason's lawyer, Susan Tipograph. "She was a model prisoner. Had no disciplinary problems. Was a good citizen at the jail."

Tipograph plans on filing a public records request shortly with the federal Bureau of Prisons to determine why Mason was transferred. She has already filed a lawsuit against the FBI seeking more records on their investigation into her client. Carswell is host to the federal prison system's only death row for women.

Supporters have linked Mason's long term for her crimes, which caused no deaths or injuries, to what they call a "green scare," or government action against the environmental movement. The Bureau of Prisons did not immediately respond to a request for comment on the letter-writing campaign or Mason's placement.

## **2 Nov – 5th Annual Freedom Dance**

**WHAT:** Party With A Purpose – The 5th Annual FREEDOM DANCE

**WHEN:** 7:30 pm to 1:00 am, Saturday, November 2nd

**WHERE:** National Black Theater – 2031 5th Avenue (at 125th Street) Harlem

**COST:** \$20 (proceeds support U.S.-held political prisoners)

### **MORE:**

Celebrate 34 years of liberation of Assata Shakur—and fight to keep her free! There will be food, drink, and dancing with music provided by DJ Revolution. And we'll introducing the new cocktail, the ¡ASSATA LIBRE!

For more information: [FreedomDancing5@gmail.com](mailto:FreedomDancing5@gmail.com)

## **3 Nov - Book & Bake Sale to benefit Books Through Bars**

**WHAT:** Fundraiser for NYC Books Through Bars

**WHEN:** 12:00pm-5:30pm, Sunday, November 3rd

**WHERE:** Freebird Books & Goods 123 Columbia Street, Brooklyn, New York 11231

**COST:** FREE

### **MORE:**

We are culling our collection and selling great books that we just don't get a lot of requests for from prisoners, including theory, feminism, and urban studies. We will have cheap books, cheap cider, delicious baked goods, coffee, and even face painting (from noon - 2pm only so come early)!

## **10 Nov - 2nd Annual Acupuncture & Holistic Health Benefit For Dr. Mutulu Shakur**

**WHAT:** Benefit for Mutulu Shakur

**WHEN:** 11:00am-7:00pm, Sunday, November 10th

**WHERE:** Brooklyn Open Acupuncture (88 South Portland Avenue) and A.R.T./New York (138 South Oxford Street)

**COST:** \$10-50, suggested donation

### **MORE:**

For everyone fighting the good fight: treat yourself to holistic health care to benefit Dr. Mutulu Shakur!

<https://www.facebook.com/events/671675572850213>

### **FEED YOUR BODY:**

11am - 7pm

Brooklyn Open Acupuncture (88 South Portland Avenue)

Choose from acupuncture, herb & supplement consultations, and massage, or schedule a treatment as a gift for someone who deserves it. Your \$15 - \$50 sliding scale donation is tax-deductible & supports Dr. Shakur's legal defense, commissary essentials, and projects promoting justice for the Black community.

Schedule an Appointment: <http://bit.ly/R3NVnF>

### **FEED YOUR MIND:**

3-4:30 pm

A.R.T./New York (138 South Oxford Street)

A Widening Health Crisis: Openly Confronting Chronic Disease - a panel discussion featuring physicians and alternative health practitioners. Suggested donation \$10.

**Directions:** G/A/C to Fulton Street or B38 bus to Lafayette and South Portland

The Family & Friends of Dr. Mutulu Shakur, in collaboration with colleagues and comrades, dedicate this day to fighting the new norm of rampant chronic disease. We do so in the spirit of Dr. Shakur and all of those who fight for holistically healthy lives: mind, body and spirit. For more information on the renowned acupuncture practitioner and teacher, see [mutulushakur.com](http://mutulushakur.com)

### **14 Nov - Film Screening and Letter Writing for Jerry Koch: A Brick**

**WHAT:** Movie night for an imprisoned comrade

**WHEN:** 7:00pm, Thursday, November 14th

**WHERE:** The Base - 1302 Myrtle Avenue Brooklyn, New York 11221

**COST:** FREE, but loot to cover supplies is appreciated

**MORE:**

We present this film with special audio introduction by anarchist Jerry Koch, currently imprisoned for refusing to cooperate with an ongoing federal grand jury investigation. We will have supplies on hand in case you would like to write to Jerry afterwards. All proceeds go to his legal support.

In this film, a teenage loner pushes his way into the underworld of a high school crime ring to investigate the disappearance of his ex-girlfriend.

### **15 Nov - Pack the Courtroom for Jeremy Hammond**

**WHAT:** Jeremy Hammond Sentencing

**WHEN:** 9:00am Rally, 10:00am Court Support

**WHERE:** Foley Square, then to the United States Courthouse 500 Pearl Street  
New York, New York 10007

**COST:** FREE

**MORE:**

As many of you know, Jeremy has pled guilty to one count of violating the Computer Fraud and Abuse Act. His sentencing will be held on November 15, 2013 at 10 AM. He faces up to ten years in prison for a politically-motivated act of civil disobedience from which he personally gained nothing, and which he only hoped would make the world a better place.

We would like to fill the courtroom with as many supporters as possible. Sentencing is always an emotional event, and it is incredibly encouraging for him to see friendly faces in the gallery.

### **15 Nov - Noise Demo for Jeremy Hammond**

**WHAT:** Demonstration for Jeremy Hammond

**WHEN:** 7:00pm, Friday, November 15th

**WHERE:** MCC New York - 150 Park Row New York, New York

**COST:** FREE

**MORE:**

In a non-cooperating plea deal, Jeremy pled guilty to one count of the Computer Fraud and Abuse Act. His sentencing will be held on November 15, 2013 at 10 AM at Federal District Court for the Southern District of New York. That night, we will raise holy hell to let Jeremy know the solidarity he has just over the wall.

Bring whatever you have to make noise-- enough noise to reverberate through the walls and raise Jeremy's spirits.

Since March of 2012, Jeremy has been denied bail, cut off from his family, and held in solitary confinement-- treatment normally reserved for the most egregious offenses. He did nothing for personal gain and everything in hopes of making the world a better place. He is facing a maximum sentence of ten years, but the minimum is zero. It's time for him to come home.

## **23-30 Aug, 2014 – Week for Anarchist Prisoners – Call for an international mobilization**

*Yes, this is VERY early, but a call has been announced for an international mobilization for anarchist political prisoners. NYC ABC will be participating and the details are below.*

### **MORE:**

In summer 2013 members of several ABC groups discussed the necessity of introducing an International Day for Anarchist Prisoners. Given there are already established dates for Political Prisoners Rights Day or Prison Justice Day, we found it important to emphasize the stories of our comrades as well. Many imprisoned anarchists will never be acknowledged as ‘political prisoners’ by formal human-rights organizations, because their sense of social justice is strictly limited to the capitalist laws which are designed to defend the State and prevent any real social change. At the same time, even within our individual communities, we know so little about the repression that exists in other countries, to say nothing of the names and cases involving many of our incarcerated comrades.

This is why we have decided to introduce an annual Week for Anarchist Prisoners on August 23-30. We chose August 23 as a starting point, because on that very day in 1927 the Italian-American anarchists Nicola Sacco and Bartolomeo Vanzetti were executed in prison. They were convicted of murdering two men during an armed robbery at a shoe factory in South Braintree, Massachusetts, United States. Their arrest was a part of a bigger anti-radical campaign led by the American government. The State’s evidence against the two was almost totally non-existent and many people still today believe that they were punished for their strong anarchist beliefs.

Given the nature and diversity of anarchist groups around the globe, we have proposed a week of common action rather than a single campaign on a specific day making easier for groups to be able to organize an event within a longer target period.

Therefore, we call on everyone to spread the information about the Week for Anarchist Prisoners among other groups and communities and think about organizing event(s) in your city or town. The events can vary from info evenings, screenings and benefit concerts to solidarity and direct actions. Let your imagination run free.

Till all are free.

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ABC Belarus

Brighton ABC

Bristol ABC

ABC Cardiff

ABC Czech Republic

ABC Finland

ABC Kiev

ABC Latvia

Leeds ABC

London ABC

ABC Mexico

ABC Moscow

Nizhny Novgorod antirepression group

NYC ABC

ABC St.Petersburg