

Updates for January 21<sup>st</sup>

### **5 Jan - Comrades arrested in Mexico City**

*At about 10:00pm on January 5th, two groups of people dressed in black attacked the buildings belonging to the offices of Mexico's Secretariat of Communications and Transportation (SCT) with rocks and Molotov cocktails causing damage to buildings and a several vehicles. Unfortunately three comrades— two from Canada and one from Mexico, have been arrested and charged with what amounts to terrorism.*

#### **MORE:**

In an action against the SCT, we have heard reports that the federal police that were guarding the building, shot several rounds into the air as a gesture of intimidation and then fired directly towards our comrades several times, but no one was hurt.

Because of this the Office of the Attorney General of Mexico City (PGJ-DF) reported that three people have been detained: They are:

**Fallon poisson** (Canadian)

**Amelie Pillierst** (Canadian)

**Carlos López Martin** (Mexican)

#### **January 7<sup>th</sup> Update**

In the morning of January 7th, the Ministry of the Public announced to the lawyer, the decision of the Attorney General of Mexico City (PGR) to extend the constitutional detainment time for another 48 hours, with the justification that the detainees are being charged with: **TERRORISM, SABOTAGE, ORGANIZED DELINQUENCY AND PROPERTY DESTRUCTION**, all federal crimes. For the moment, communications between the lawyers and our comrades have been permitted, so they know that they are being helped by a trusted comrade and not by some lying piece of shit that works for the system.

We are still waiting for the government to to make a statement and give us new information. The comrades have been allowed to eat and for the moment are doing well, even after being threatened and harassed during interrogation.

#### **January 10<sup>th</sup> Update**

This morning we learned that Fallon, Carlos, and Amelie are now being held under a portion of Mexican Federal Law referred to as the 'arraigo' that permits arbitrary detention without charge or evidence for a period of 40 days, which can be renewed one time, while under investigation by the Centro de Investigacion y Seguridad Nacional (CISEN), a branch of federal policing comparable to CSIS. During this period of detention without charge, our three friends are being held in a special detention centre under the authority of of the CISEN, and not in a regular prison.

The full implications of the their extended detention in this facility are not clear right now. However, it is likely that direct communication with the three arrested will be impossible, and we do not still know the limits on communication with our friends.

The 'arraigo' violates the presumption of innocence until proven guilty, denies the detained and their legal team the right to know the charges and evidence against them, and has permitted the state to detain people in specific 'arraigo' detention centres that at times have included hotels, private residences, and military facilities. Often, the location of these facilities is kept secret. The 'arraigo' has also been compared to security certificates in Canada.

This sort of arbitrary detention gives the state absolute authority to abuse, torture, extort, and otherwise mistreat detainees, and there have been thousands of reports of abuse under the 'arraigo'. It has been described as a 'license to torture', and has been denounced by the U.N.

## **7 Jan - Activists Who Took FBI Files in 1971 Praise Edward Snowden, Defend How He Blew the Whistle**

*Activists who raided an FBI office in Media, Pennsylvania, on March 8, 1971, while millions were tuned into a fight between Muhammad Ali and Joe Frazier, have come forward to reveal their identities. In recent interviews, they have expressed support for Edward Snowden.*

### **MORE:**

by Kevin Gosztola (*The Dissenter*)

The shrill brigade of critics opposed to National Security Agency whistleblower Edward Snowden have repeatedly emphasized their belief that if he truly thought he was engaged in civil disobedience he should have remained in the United States and allowed himself to be jailed and prosecuted like Daniel Ellsberg or even Dr. Martin Luther King Jr. But now, this argument should be even more difficult for critics to make.

A new book by Betty Medsger and film directed by Johanna Hamilton is being released on this courageous act, which helped lead to the unraveling of the massive system of surveillance created by FBI director J. Edgar Hoover.

None of the activists involved in the act came forward and identified themselves immediately to face the consequences of their actions. They did not go serve time in jail and martyr themselves as many critics argue Snowden should do. They kept silent and concealed their role well after they could be prosecuted because of the statute of limitations (five years for theft of government property). Yet, as one views stories recounting what they did, there is wide praise for them.

Bonnie Raines was a young activist who was part of the Catholic Left in Philadelphia. According to Bonnie, she was a part of efforts to disrupt the draft of "mostly poor and working class" Americans to fight the Vietnam War.

It was widely known at the time but "could not be proved" that Hoover's FBI was engaged in "illegal and heavy-handed surveillance to squash dissent." William C. Davidon asked her to join a group, Citizens Committee to Investigate the FBI, to raid an office in Media to "remove documents."

"I was selected to pose as a college student researching opportunities for women in the FBI and to get inside the office," Raines recounted. "I made an appointment to interview the office head, disguise my appearance and observe the furnishings, doors, and most importantly, to see if there were security alarms or locks on the filing cabinets."

There were no locks or alarms. The chance of success was excellent.

John Raines, who is married to Bonnie, was active in the civil rights movement in the south. He was also a part of resistance against the war. It was believed that Hoover was using the FBI to spy on activists. He knew that "someone would need to enter and remove files from the FBI office" to "prove our suspicions."

John was part of a small group that started to observe the office daily. On the day of the raid, they entered the building with around six suitcases. The suitcases were loaded and they walked out with the files.

At a secure location, John recalled, "We were careful to comb through them separating out those files that were clearly political [in content] and demonstrated illegal surveillance programs." (Files they were not going to release were apparently burned.)

“We then shared those files and only those files with the press and Americans,” John added. It was known that Hoover would throw out a dragnet to find who had done it, but there was no physical evidence left at the scene. “With thousands of active war resisters in the Philly region, those agents faced a daunting task.”

Medsker received an envelope two weeks after the burglary. It had a cover letter and multiple files, one which spelled out a core goal the FBI had: “To enhance paranoia and make people think there is FBI agents behind every mailbox.”

The FBI was conducting mass surveillance of African-Americans at “nearly every place they gathered” – church, work, libraries, etc. One informer was to report activities of Black people every two weeks. In Washington, DC, six informers tasked with spying upon Black people were required for every agent.

Files revealed COINTELPRO programs, including a program to target “New Left” and “Key Activists.” A May 10, 1968, memo indicated the FBI was concerned that the “anarchistic activities of a few” could “paralyze institutions of learning, induction centers, cripple traffic and tie the arms of law enforcement officials all to the detriment of our society.”

“The organizations and activists who spout revolution and unlawfully challenge society to obtain their demands must only be contained, but must be neutralized,” the memo read. “Law and order is mandatory for civilized society to survive.

According to Medsker, “To be subversive all you had to do is express even mild dissent, such as in a letter to the editor of your local newspaper or be black. To be black was considered to be dangerous in Hoover’s eyes.”

Medsker was one of the journalists who did decide to publish stories on the files. The New York Times handed their copy of the files, which was mailed to them, over to the FBI. The Los Angeles Times did not publish a story. But, three months before the Pentagon Papers, The Washington Post stood up to power and went ahead and made the information public, even though it owned television stations and had broadcast licenses the government could have revoked.

Keith Forsyth, who was part of the action, explained the silence was obviously maintained because they did not want to go to prison. “The prospect of being harshly punished for revealing immoral and illegal conduct by our government was not appealing,” he said.

Additionally, the activists wanted “the focus of public’s attention to be on the FBI documents” that were “found and the policies that they revealed,” and not on them as individuals.

Once the documents were successfully published by “brave journalists” at the Washington Post and other outlets, the first goal was achieved. Then, when some restrictions on the abuse of power were instituted, a second goal was achieved. Mostly their job was done.

The activists were not looking for glory or recognition. They did not need to come forward and identify themselves.

They did not know for certain that what they would take would actually contain files revealing illegal spying on activists, but the chance that they would steal files that were completely innocuous seemed slim and they were willing to accept the risk.

Today, the activists involved praise Snowden and see what they did as being distinctly similar.

“I consider him a whistleblower of significance. In a democracy, we need whistleblowers regularly. I do not think he’s a criminal. I do not think he’s a traitor. I think he’s made sacrifices to his own personal life,” Bonnie declared.

She added Snowden thought carefully about how to get information out to the public. He revealed the information responsibly by providing the files to journalists at The Guardian, not WikiLeaks. He also decided to reveal his identity so that the NSA would not cast a huge net in an investigation that would make it difficult for a lot of other people. He should be able to return to American society and not be severely punished.

John stated, “In a democracy, the sovereigns are the people, and Snowden had the same purpose as we, the Citizens Commission to Investigate the FBI—namely to reveal information to the general citizenry that would allow them to formulate opinions that were well-informed, that would allow them to consent or not consent, which is at the very heart of democracy.”

Forsyth pointed out a few days after the documents the FBI spread the word that those who stole the documents had taken national security documents with locations of missile silos and other things like that the Russians could possibly obtain. This was to suppress the documents. It was a “total fabrication.”

Similarly, today it is said that Snowden is a traitor. He has the “keys to the kingdom,” how foreign governments could protect their information from US intelligence. There is no proof, only the allegations of officials with an interest in promoting this perception that what he took included incredibly dangerous material.

What about the fact that the activists never went to jail? What do they think about the criticism levied against Snowden because he fled the country instead of turning himself into authorities to be arrested?

John asked, how would that have helped him achieve his “purpose” (goal)? He also reemphasized, “We were not interested in being heroes or villains. We were interested in being citizens and doing what only we could do at that point.”

“The instruments of the federal government were paralyzed either by being enamored by Hoover or being terrified by Hoover. The important message was not us,” he said. “The important message was the documents themselves and what those documents showed FBI was doing to violate the First Amendment and the Fourth Amendment of the Constitution.”

Bonnie contended he had made a tactical decision to have certain information released at certain points of time. She called this a “very good strategy” for keeping the debate going.

“It keeps the NSA off-guard. And it maintains the focus where it should be. He would not be able to do that from a jail cell in the United States,” she concluded.

Historically, there are multiple examples of civil disobedience. What the activists did by raiding the office in Media is one form. The other form is what people recognize the most—Dr. King’s going to jail as part of the struggle for civil rights.

Civil rights attorney David Kairys, who knows and advised the activists who raided the FBI office, recalled how the Tea Party threw tea into a harbor in an act of resistance. The Underground Railroad resisted slavery.

Nobody today says they had to go to jail in order for their contribution to be considered positively. And, if one were to suggest that, a person would probably mock them to their face.

Journalist Glenn Greenwald appropriately pointed out, “Just as is true of Daniel Ellsberg today, these activists will be widely hailed as heroic, noble, courageous, etc. That’s because it’s incredibly easy to praise people who challenge governments of the distant past, and much harder to do so for those who challenge those who wield actual power today.”

With age, even the activists who raided the FBI office might be a bit more cautious in their view of what are

acceptable acts of dissent. Bonnie said Chelsea Manning and others were different. She preferred to limit comparisons to what was done to Snowden.

Asked to give advice to antiwar activists, John said, “Empires always go to war because they have to justify their military budget.” He highlighted this issue and the importance of voting for people who would challenge the military budget. However, would he be willing to admit that government today should be confronted by antiwar activists or, more broadly, Americans in the same radical way that they confronted government in 1971?

That question is not one which John or Bonnie must answer. While their views might enlighten and add to the current conversation, they are much older now and have made their contribution to preserving a free and open society. It is younger people who are in positions to resist and challenge power, who should answer that question publicly or privately.

In fact, one should probably compare what the activists did then to hacktivists today, who are willing to digitally break into companies or firms and uncover information they believe is in the public interest (e.g. the Stratfor hack, which Jeremy Hammond is currently serving 10 years in prison for committing).

What must be done to build a society where systems of mass surveillance are not being built that can squelch dissent and indiscriminately violate the privacy of millions of citizens?

In the 1970s, they fought mass surveillance by taking files from an FBI office. In the 2010s, Snowden fought mass surveillance by taking files he had access to as a systems administrator for the NSA. And in both cases, as they professed, they wanted to start a debate that would give citizens the ability to know what their government was doing and impose constraints on what their government was allowed to do, if they chose to do so.

There will forever be a need for this kind of action in society, especially against mass surveillance. As John eloquently put it, “It will be a struggle for every generation and every generation will have to fight that struggle.”

## **7 Jan - Omaha 2 Update**

*Michael Richardson's examination of the Omaha 2 case continues to deepen and we've included the latest below.*

### **MORE:**

by Michael Richardson (*The Examiner*)

Former Omaha police lieutenant James Perry told a private investigator hired by Nebraskans for Justice that he pushed for the arrest of Ernie Chambers for the 1970 murder of policeman Larry Minard, Sr. A 2002 interview with Perry, conducted by Thomas Gorgen, was made public for the first time on Jan.7, 2014, at Examiner.com. Nebraskans for Justice is a grassroots group formed to help the Omaha Two, Ed Poindexter and Mondo we Langa (formerly David Rice), obtain justice.

Nebraska State Senator Chambers scoffs at suggestions he was involved in the bombing murder of Minard and has been the most vocal champion of the Omaha Two, who are serving life sentences at the Nebraska State Penitentiary in Lincoln. The imprisoned pair were leaders of Omaha's Black Panther affiliate chapter and targets of COINTELPRO, a clandestine counterintelligence operation of the Federal Bureau of Investigation. The men's trial was tainted by COINTELPRO manipulation of evidence and also marred by conflicting police testimony.

James Perry maintained the FBI had no role in the investigation except in locating Duane Peak, the confessed bomber. “No they didn't have anything to do with it. I take that back they did get an informant to tell where Peak was hiding out.”

J. Edgar Hoover had targeted Ed Poindexter and Mondo we Langa, so Omaha Special Agent-in-Charge Paul Young carried out a secret plan to withhold a report from the FBI Laboratory on the identity of the 911 caller who lured officer Minard to his death in a vacant house. However, Young's plan to get the Omaha Two

convicted for the crime needed the help of local police.

U.S. District Court Judge Warren Urbom has cautioned listening to Lt. Perry on the case and explained in detail why he does not trust what Perry had to say in a published court decision in Mondo's appeal.

"Given these facts I simply cannot credit this testimony of Lt. Perry," declared Urbom. "On the basis of the entire record before this court and having heard and seen Lt. Perry testify, it is impossible for me to credit his testimony in the respects mentioned. "

James Perry is now deceased. During his 2002 tape-recorded interview, Perry said he believed Ernie Chambers was behind the killing.

"What you want to do is get Rice to talk and (unclear) Ernie Chambers," said Perry. When asked if there was a connection between the two, Perry was quick to answer. "Oh I know it is. He is the guy that turned him in."

Perry described a large conspiracy to kill a policeman including all the Peak family and Raleigh House, treasurer of the Omaha Panther chapter, as well as Ernie Chambers. Perry said, "Tell Rice to start talking he'd get out of jail."

"He doesn't even have to show remorse. You know there is a lot of guys, the Raleigh House and Ernie Chambers and oh what is that other guys name, a couple of other guys, all friends, and some white gal and that whole bunch of them should have been there [prison]," said Perry.

"And they had a guy here in town before. You know they had other bombings before that," said Perry. "I worked with Intelligence, me and Swanson," Perry said referring to Jack Swanson who testified at trial that he found dynamite in Mondo's basement. "At the time there was a guy by the name of Crutch Holiday from the Oakland Chapter of Black Panthers in town. First he went up to, he was in Des Moines and shortly after there they had a booby trapped suitcase, or not a suitcase but toolbox that was left under a interstate viaduct or something up there." Perry added, "But the police were a little smarter than ours. They didn't come up and kick it or anything."

Jack Swanson, the Omaha police liaison with the Federal Bureau of Investigation, also had his mind on Ernie Chambers. Swanson added Chambers to a list he prepared of suspects for questioning.

Perry elaborated on his suspicions about Chambers. "And the first time I ever seen Ernie Chambers in my life other than we've had him under surveillance, and he was around that Black Panther Headquarters all the time but the first time I seen him in person is I went up to the Panther Headquarters there to interview Poindexter and I was talking to Poindexter and about that time here comes Ernie Chambers skidding to a stop and he advised him not to talk to us. And at that time Ernie Chambers was a Black Panther candidate for school board."

Perry continued, "So if you connect all the dots the reason Rice is keeping quiet is cause he figures Ernie Chambers is going to pop him someday."

Perry was asked what led the police to the Black Panther leadership. Perry replied sarcastically, "You would have to be a sap sucking idiot not to know who was responsible for the bombing you know."

Perry told of a discussion he had with a prosecutor about prosecuting Chambers and others. "And I talked to Sam Cooper. I wanted him to charge them all."

Perry closed the interview, "Yeah get Ernie Chambers...get him charged."

Ernie Chambers continues to be a vocal defender of Ed Poindexter and Mondo we Langa. Both men remain imprisoned for a crime in which they both deny any involvement. Supporters of the Omaha Two call the men

political prisoners.

**January 8<sup>th</sup> - Police lieutenant had access to dynamite in Omaha Two COINTELPRO case**

James Perry, an Omaha police lieutenant active in the investigation of the murder of Larry Minard, Sr., maintained his own cache of dynamite outside the police evidence locker. Perry, who is now deceased, was recorded in 2002, according to a newly released transcript. Perry's interview with a private detective, funded by Nebraskans for Justice and released to the public on January 7, 2014, contains his admission to storing dynamite out-of-state, outside the police evidence protocols and security.

Two Black Panther leaders, Ed Poindexter and Mondo we Langa (formerly David Rice), are serving life sentences at the Nebraska State Penitentiary for the August 17, 1970 bombing murder of Patrolman Larry Minard, Sr. Both men had been targets of J. Edgar Hoover's COINTELPRO operations and Hoover wanted them convicted for Minard's murder ordering the FBI Laboratory to withhold a report on the identity of the anonymous 911 caller who lured Minard to his death.

Lt Perry was a commanding officer in the search for Minard's killers, but Perry already had his own ideas about the crime. "You would have to be a sap-sucking idiot not to know who was responsible for the bombing you know," said Perry.

Perry was asked by private detective Tom Gorgen if he had any idea the dynamite allegedly found in Mondo we Langa's basement was planted there.

"Oh s\*\*t that's preposterous. First off there wasn't a policeman on the job that knew anything how to you know, I didn't know what a stick of dynamite looks like for Christ sake you know. And or how you dealt with it," said Perry.

But Perry actually did know what a stick of dynamite looked like, he had a cache of the explosive in rural Council Bluffs, Iowa. Perry said an informant, Jim Uding, directed him to a box of dynamite in July 1970.

Perry said Uding called him about 2 a.m. one morning. "And he wanted to know if I wanted this dynamite so he says I had to come out there to 72nd and Grant Street is where he had this used car place." Perry continued, "So I drive out there and he gives me a shovel and he says it's over in that vacant lot by the tree."

"So we dug it up and there was a box there with 19 sticks if I remember right," said Perry. "So I kept that in my car overnight. And then the next day we took it over to Rannies in Council Bluffs. Then that is where I left it."

Perry said that Uding would not say anything about where the dynamite came from.

Shortly after Perry's shovel work a detective, Jack Swanson, arrested three men with dynamite in their car trunk. Swanson transported that dynamite over to Perry's explosives depot at a private quarry. Charges against the trio were eventually dropped after Swanson testified that he found dynamite in Mondo we Langa's basement.

Swanson's trial testimony was later contradicted by another detective, Robert Pfeffer, who also claimed he found the dynamite in Mondo's basement. No crime scene photos of dynamite in the basement were ever made. Crime scene technicians did not see any dynamite until they photographed it on a table in a conference room at police headquarters.

Police also claimed that dynamite particles were found in Mondo's pants pockets. However, Mondo's hands, when swabbed after his arrest, tested negative for dynamite. Casting doubt on the police version of events, Mondo we Langa was photographed by the Omaha World-Herald moments before his arrest and subsequent hand-swabbing, with his hands buried deep in his pants pockets raising the question, just when and how did dynamite particles get in Mondo's pockets and not show up on his hands.

U. S. District Judge Warren Urbom listened to James Perry testify about the events leading to Mondo we Langa's arrest and concluded that Perry was not to be trusted. "On the basis of the entire record before this court and having heard and seen Lt. Perry testify, it is impossible for me to credit his testimony in the respects mentioned. "

Ed Poindexter and Mondo we Langa continue to deny any involvement in the death of Larry Minard, Sr. and both remain imprisoned in the maximum-security Nebraska State Penitentiary serving life sentences.

### **7 Jan - Statement to Press on Angela Corey's Harassment of Marissa Alexander**

*On Monday, January 6, Florida State Prosecutor Angela Corey filed a motion to revoke Marissa Alexander's release on bond, alleging that Marissa Alexander broke the conditions of her release by making unauthorized trips outside her home.*

#### **MORE:**

In fact, Alexander's legal team has shown that her Correctional Service Counselor authorized every trip listed in the State's motion. Marissa Alexander has complied with all conditions of her bond. Corey's office was aware of these facts but instead filed an inflammatory and misleading motion. Filing this motion is a wasteful, frivolous cost to the state and is further evidence of Corey's abusive and baseless pursuit of Marissa Alexander. A copy of the motion submitted by Marissa Alexander's legal team is available at <http://tiny.cc/xl8b9w>.

The Free Marissa Now Mobilization Campaign condemns Prosecutor Angela Corey's abusive harassment of Marissa Alexander. Others serving house arrest with electronic monitoring devices have been allowed to take authorized leave to address personal and business matters. Why is Marissa Alexander being held to a different standard than others who are in similar monitoring situations? The state's motion is nothing more than a smear tactic to undermine Alexander's credibility and criminalize her character in an attempt to sway public opinion before Alexander's new trial at the end of March. Despite knowing that all of the trips were authorized, Corey accuses Alexander of "repeatedly flout[ing]" the conditions of her bond; "demonstrat[ing] her utter disregard for conforming her behavior to the rules others must abide by"; "disrespect[ing]" the Court in "such blatant fashion." These obviously false accusations continue to expose Angela Corey as someone who is not driven by facts, but by her own inventions.

Angela Corey's strategy to stigmatize Marissa Alexander with no basis in fact is manipulative and an abuse of power and control. Making sudden threats of incarceration creates a climate of fear and anxiety in order to intimidate Alexander, her family, and her supporters.

We will not be intimidated. We stand with Marissa Alexander more than ever. We demand that this extreme harassment by Angela Corey's office cease immediately. Free Marissa Now supporters will be at the upcoming hearing on Alexander's bond release on Friday, January 10, 2014 at 9am in Jacksonville. We will walk with Marissa Alexander every step of the way until she is fully acquitted. We also encourage supporters everywhere to donate to her legal defense fund to ensure that her acquittal is finally won.

### **January 10<sup>th</sup> - Court Upholds Marissa Alexander's Bond Release**

Today, the court upheld Marissa Alexander's bond release, which means she is allowed to continue her house arrest and remain with her children and family until her new trial begins on March 31st. State Prosecutor Angela Corey filed a motion alleging that Marissa Alexander broke the conditions of her release by making unauthorized trips outside her home. Yet, Alexander's legal team presented proof that the Correctional Service Counselor who supervised Alexander's house arrest authorized every trip listed in the State's motion and the Counselor asserts that Alexander is not in violation of her release.

This motion is another example of Angela Corey's on-going abusive harassment of Marissa Alexander which amounts to a pattern of emotional and psychological abuse. Free Marissa Now member, Aleta Alston-Toure', said, "While we are relieved that Corey's motion was denied, we must ask the question, why is Angela Corey



targeting rather than supporting Marissa Alexander, a victim of domestic violence who defended her life after her husband strangled her and threatened to have her killed?” In 2010, Marissa Alexander fired a warning shot to defend her life during an attack from her abusive estranged husband, causing no injuries. Yet, Angela Corey prosecuted Alexander, who was found guilty and sentenced to a mandatory minimum of 20 years. That verdict has since been overturned and there is a new trial scheduled to begin on March 31st.

Alston-Toure' added, “Instead of being an ally to Alexander, the state continues to abuse her, including threatening to keep her from her children, minimizing the violence she experienced, making false accusations, and suggesting that her life is not worth saving. Corey has taken advantage of every opportunity to undermine Alexander’s credibility and criminalize her character in an attempt to sway public opinion before Alexander's new trial. Corey uses these manipulative media strategies to try to distract the public from the fact that her case has no actual merit. The court should limit the use of smear tactics ahead of a trial.”

Corey’s actions are rallying the growing movement of people in Jacksonville and all over the world who stand with Marissa Alexander. “Supporters will not be intimidated by Corey’s desperate tactics and will continue to demand that this extreme harassment by Angela Corey’s office cease and the case against Marissa Alexander be dropped immediately. We are more committed than ever,” said Alston-Toure.

### **7 Jan - Statement from one of the two activists facing potential “terrorism hoax” charges**

*Anti-fracking activists recently organized an act of civil disobedience in Oklahoma City. Two of those folks are now facing “terrorism hoax” charges. We’ve including below a statement by one of the two.*

#### **MORE:**

I grew up in Oklahoma chasing thunderstorms and running barefoot in pastures. I know the smell of a tornado. I know Oklahoma streams and smiles and sunsets and open spaces. I also know Oklahoma heartache. I know what fracking flaring looks like, when the excess natural gas is burned off into the air, sometimes for weeks, months, or years on end. I know what the water looks like after a frack site has wreaked its havoc, and I know what cancer looks like after the water has gone bad and the flares stop burning. I am saddened by the natural gas and oil industries’ greed and disregard for life, and I think it is important to draw attention to Devon’s involvement in fracking and tar sands mining through non-violent, peaceful acts of civil disobedience.

My name is Moriah Stephenson, and on December 13, 2013, I attended a non-violent, peaceful protest at the Devon Energy Building that was intended to draw attention to Devon’s involvement in hydraulic fracturing and tar sands mining. My intention was to hang a glittery banner that was dramatic, pretty, and would highlight the similarities between Devon’s disregard for life and “The Capitol’s” disregard for life as portrayed through the fictional story told in The Hunger Games. I am a waitress, and I am a student at the University of Oklahoma. I had two papers due the weekend of the 13th. After the protest, my intention was to go home and work on papers. I had no intention of going to jail or “scaring” anyone.

When we unfurled the banner and saw the glitter fall to the ground, we immediately felt guilty because we knew the janitor would have to clean it up. There was no panic, and almost immediately Devon employees began touching the banner and taking it down. Our hope was for the banner to stay up as long as possible, not to create any kind of “scare.” As we exited the building a janitor began cleaning up the glitter with a broom. No HazMat. No FBI. Stefan Warner turned to her and apologized for the mess. We exited the building and rallied on a public sidewalk with other protesters. The police arrived and began looking for some way to book us all into jail. The police arrested two of us and booked us into jail under the charge of “terrorism hoax.”

I know the sound of terrorism. I felt the Murrah Building Bombing shake my body; I will never forget. My grandfather, a doctor, provided free medical care for those wounded. I was chosen to paint a tile for the memorial. Calling non-violent, peaceful protesting “terrorism” is an insult to all of those who suffered due to the indiscriminate violence that ensued April 19, 1995. Activism that is attempting to protect land and lives in Oklahoma is not terrorism. Charging us with “terrorism hoax” for hanging up a glittery banner is insulting, inconsiderate, and disrespectful to all of those who have actually experienced terrorist violence. TransCanada

Corporation has been encouraging the police to charge environmental activists with varying charges that contain the word “terrorism” in order to scare and silence dissent.

My hometown is older than Oklahoma statehood and is now being destroyed by the oil and gas industry. In rural Oklahoma, where people go to see stars at night, I have seen the brightness of fracking flares dim out the stars. It is heartbreaking to think that we have reached a point in which I could face ten years in prison for peacefully hanging up a banner. Ultimately, this is an issue of free speech. A corporation is using scare tactics to try to silence my story and my voice. If nothing else, it is unfair for TransCanada and Devon to engage the government in silencing free speech through the threat of “terrorism” charges.

### **8 Jan - A reportback on Albert's January 7 oral arguments**

*For those who were unable to attend, Albert's oral argument in the 5th Circuit Court of Appeals, defending Judge Brady's decision to overturn his conviction for a third time, is now complete.*

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As expected, the proceedings were brief and rather mystifying. It was clear that most of the judges had already spent a great deal of time reviewing and considering the case, and were just tying up a few arcane legal loose ends.

The State's Attorney General Buddy Caldwell watched carefully as his team urged the Court to reverse Judge Brady's decision and reinstate Albert's conviction based on their now overruled version of the statistical story, and a misplaced deference to the broad powers given by the AEDPA. As you may recall, the AEDPA is a federal law used as the primary reason for reinstating Albert's conviction in 2010. It allows Federal Courts to defer judgment to previous Louisiana rulings against Albert if those rulings were not "unreasonable" or "contrary to clearly established federal law" – an insidiously squishy standard.

Albert's supporters filled the courtroom completely and his legal team deftly rebutted the State's claims and fielded a handful of questions from the 3-judge panel, which included Judges Jolly and Higginbotham (both Reagan appointees), and Judge Southwick (a George W. Bush appointee). Judge Jolly was tied up in transit so participated only by phone and did not ask any questions of either side.

A decision is expected in coming months. Although it took the 5th Circuit almost a year and a half to rule last time, we are more confident than ever that a swift decision will soon come in Albert's favor, finally releasing this innocent man from the solitary cell he was unjustly relegated to now nearly 42 long years ago.

The arguments were covered by the AP and in the Times Picayune both before and after. We will update you as soon as we have any additional information.

### **14 Jan - Kevin Sentenced to 2.5 Years for “Burglary Tools”**

*Kevin Olliff receives 30 month sentence for possession of fur farm “burglary tools.”*

#### **MORE:**

Tuesday, Kevin Olliff accepted a plea deal and was sentenced to 2.5 years in Illinois prison. The only allegation against him was possessing tools the prosecution claimed were intended to be used to “burglarize” a fox farm.

With credit for time served, and Illinois' “half time” credit, Kevin is expected to be released in 10 months.

This is a significantly harsher sentence than the one received by co-defendant Tyler Lang, who received a sentence of time served and was released in November. It has been speculated Kevin's history of arrests for animal rights activity made him a more appetizing target for the prosecution, translating to a longer sentence (Kevin served time in California on “stalking” charges for his role in the successful campaign against POM Wonderful).

## **A case that moved from generic burglary to animal liberation**

The case had numerous turns, including the prosecution claiming to have a neighbors surveillance footage from a mink farm raid that happened elsewhere in Illinois the night before his arrest (along with Tyler Lang).

While it was clear from day one the prosecution was using their history as animal rights activists against Tyler and Kevin, it wasn't until more recently this became explicit.

First, the prosecutor stated his intention to use the Morris, Illinois mink release (which occurred the night before their arrest) to build a circumstantial case that Kevin Olliff intended to use the items found in his car to target a fur farm.

Later, the prosecutor named a specific fur farm he believed Kevin and Tyler intended to target the night of their arrest (the Aeschleman fox farm in Roanoke, IL).

In the end, the government made it explicit: They intended to try Kevin Olliff for a full-blown conspiracy to raid a fur farm.

## **Government desperate for an arrest**

The last six months of 2013 saw 10 fur farm raids and not a single arrest. It's clear the government took a special interest in Kevin and Tyler in the absence of their ability to catch the ALF. Despite nearly all of the fur farm raids occurring after their arrest, the government appeared willing to settle for something symbolic (arresting animal rights activists at night in the rural Midwest) vs. actual success apprehending the Animal Liberation Front.

## **Transported to prison**

Kevin was taken from Woodford County Jail almost immediately after his sentencing, and transferred to a reception facility in Joliet. He is expected to stay there for a month, before being transported to an actual prison. During this next month, his ability to make phone calls is limited, though he can receive (but not send) mail. His new address will be posted as soon as it is known.

## **What you can do**

This outcome, while not ideal, would not have been possible without the legal maneuvering of Kevin's legal team, a group of hard working activist attorneys from Chicago (and one Woodford County attorney). Kevin's support fund is still badly overdrawn from legal fees, and several thousand more dollars are needed to pay the attorneys.

Please consider organizing a fundraiser for Kevin, or donating directly to his legal defense.

## **15 Jan - NATO 3 Update**

*Jury selection has started and the judge has imposed draconian public viewing restrictions on folks planning to attend the trial. All that and more below.*

### **MORE:**

The NATO 3—Brent Betterly, Brian Jacob Church, and Jared Chase—sat through another full day of jury selection today. Jury selection will resume tomorrow morning. A significant development in the case today was that the prosecution will not be trying an additional 2 counts that the defendants had been facing, reducing the number for trial down to 7 of the original 11 counts. The defendants will now be tried on the charges of material support for terrorism, conspiracy to commit terrorism, possession of an incendiary device (4 counts), and solicitation to commit arson.

We have also learned more about the public viewing process that will be used during trial. This process seems to be in the works still, so stay tuned for future updates. At this point, it seems that any person interested in attending the trial at any point will need to go to the Cook County criminal courthouse at 2650 South California Avenue to register as a spectator. Each person will need to provide a state-issued photo ID so that a background check can be run. This check will look for warrants and active orders for protection issued for anyone involved in the trial process (e.g., defendants, court clerks, attorneys, etc.). We should know more about the registration location and hours soon, so stay tuned.

Once people are approved to be a spectator, they will need to show their photo ID each time they come to view the trial. Seating will be filled on a first-come, first-served basis until the courtroom is full. Additionally, all approved spectators will need to be in their seats 20 minutes prior to the start of court in the morning. No one will be allowed to enter or leave the courtroom while court is in session, so everyone will need to wait to use the restroom until the judge announces that the court is in recess. Open seats in the courtroom can only be filled when the court is in recess as well.

The public will also be prevented from taking notes during trial. Spectators cannot bring in pens, paper, bags, or purses (only personal items such as keys and wallets). The judge has outlined more rules in a trial decorum order, which should be published shortly and which we will be posting on our website.

The defense attorneys vigorously objected to these restrictions, arguing that they prevented the public from actually attending the trial and could raise due process issues for the defendants since they have the right to a public trial. The judge entered the trial decorum order over defense objections.

As much as we decry these restrictions for the ways they prevent us from showing the defendants the full support and solidarity they have from the community, we do not want to do anything to jeopardize their legal defense or shine a negative light on them during trial. We are thus asking all supporters who come to trial to abide by all the rules set forth by the judge.

We hope that these restrictions will not dissuade you from helping us pack the courtroom for the defendants! However, if you are one of the many people we fear will be unable to attend or will be intimidated out of doing so by these restrictions, you can still support the defendants in other ways!

Members of the general public who wish to observe the upcoming People VS. Church, Chase & Betterly Criminal trial will be required to register for a seat in advance, the Cook County Sheriff's Office announced today.

Seating for the general public is limited, but will be available each day court will be in session. All seating will be on a first-come, first-served basis.

All members of the general public interested in viewing the trial must sign up in person in the lobby of the Criminal Courthouse the day before they wish to be in court. To sign up, interested parties must register their name with a Court Deputy in the lobby of the courthouse between 2 p.m. and 5 p.m. for the next day's court session. For example, if you wish to observe the trial on a Wednesday, you must come to the courthouse on Tuesday to add your name to the list. Individuals are not allowed to register anyone other than themselves. Each spectator must present a valid, government-issued photo ID such as a driver's license, a state ID, or passport.

Anyone wishing to observe the trial on a Monday is required to register the Friday before.

As this trial is scheduled to begin on Tuesday, Jan. 21, 2014, and Monday, Jan. 20 is a court holiday, the first day of Spectator Registration will be on Friday, Jan. 17, 2014, from 2 p.m. – 5 p.m.

Spectators are reminded to arrive one hour prior to the start of trial daily. This will allow ample time to pass

through the main courthouse security area as well as complete the check-in process outside the trial courtroom before being seated. All spectators are required to be seated in the trial courtroom 20 minutes prior to the start of trial each day.

Spectators will not be allowed to bring cell phones, bags, packages, briefcases, purses, or boxes of any kind into the trial courtroom or wear any type of clothing with prejudicial or inflammatory logos, per the Judge's Decorum Orders.

Anyone who causes a disruption, outburst, noise, or distraction will be immediately removed from the trial courtroom. Any violation may result in the violator being held in contempt of court and/or being subject to monetary sanctions according to Illinois civil and criminal law.

We received some additional clarification on how this policy will work:

- Everyone must register once and submit to a background check. Registration can only be done from 2-5pm when the courthouse is open and must be done the day before the first time someone wishes to attend the trial.
- Once approved to be a spectator, each spectator must sign up the day before they wish to view the trial.
- Each day, seating will be made available to registered spectators who signed up the day before on a first-come, first-served basis. All spectators must be in their seats 20 minutes before the start of trial in the morning.
- Registered spectators who did not sign up the day before will be given seats on a first-come, first-served basis if there are seats left after all the spectators who signed up the day before have been given seats.
- Spectators who attend court one day and wish to return the next will need to sign-up for that day during the 2-5pm window on the day they are in court.

### **January 18<sup>th</sup> 10 Jan - New writings by and article about Mumia Abu-Jamal - NATO 3 T-shirts Now Available Online**

Want to support the NATO 3 while impressing everyone you meet with your style and good looks? Our newly screen-printed t-shirts got everything you need! What's the story behind the design? When the defendants were harassed by the Chicago cops before they were pre-emptively arrested, one of the cops was taunting them by asking them about the 1968 Democratic National Convention in Chicago (famous because of the Yippies and the Chicago 8 conspiracy trial). That cop was recorded as saying, "What's they say in '68? Billy club to the fuckin' skull..."

Show your solidarity with the NATO 3 as they continue to feel the full force of the state as they go to trial!

Purchase a t-shirt now!

<https://www.wepay.com/stores/freethenato3>

### **10 Jan - New writings by and article about Mumia Abu-Jamal**

*We're including transcripts of Mumia's latest commentaries as well as a new article about him.*

**MORE:**

### **January 10<sup>th</sup> - Lynne Stewart: Free**

By the time you read this, Lynne Stewart, New York's People's Lawyer, will be home, sleeping in her own bed, in the company of her beloved husband, Ralph Poynter, and their children and grandchildren.

It has been a long and tortured haul; from judge to judge, from bias to hatred; (with no small amount of jealousy, we might add) to punish Stewart, not because of her words in the press, but because of her advocacy on behalf of the poor, the oppressed, the dispossessed, the targeted – and the powerless.

She was the lawyer you got if you were in trouble, broke – or both.

She and Ralph toiled in New York for years, to make sure people had at least a shot when they entered the icy courtrooms of New York, the anterooms of prisons and perdition.

Lynne is ill, yes; but her spirit is fine. She knows that her family – and the extended family of activists near and far, love her.

As she rests and recuperates with her family, we unite to hope that this season is but the first of many, many, many more.

### **January 11<sup>th</sup> - What Fox News and Hannity Blocked Me From Saying: Mumia as Fuel for Right-Wing Agenda**

by Johanna Fernandez (*Huffington Post*)

On Wednesday afternoon, I received an email from Fox News' show, Hannity, about the possibility of an interview with me on the case of Mumia Abu-Jamal. The heat was turned up at Fox in response to the Senate Judiciary Committee Hearing that day where Debo Adebile was being confirmed as President Barack Obama's nominee for assistant attorney general of civil rights at the U.S. Department of Justice.

Before long I was on the phone with one of the producers, who grilled me on my take on Adebile's appointment and his connection to Mumia Abu-Jamal.

I said that I am part of Mumia's legal team, that Adebile was never part of the small group of lawyers and staff working on the Mumia case at the NAACP Legal Defense Fund, that Adebile did not lobby for the Legal Defense Fund to take on the case, and that he simply happened to be working with the organization that had decided to take it on. I added that Fox should, however, explore why one of the most respected legal civil rights organizations in the nation, of *Brown vs. Board of Education* fame, would deem the case of Mumia Abu-Jamal important enough to take on. Moreover, I added, the issue around which Adebile is being attacked surrounds a federal appeal that challenged Mumia's death sentence, not his conviction, which was pursued rabidly and illegally by prosecutor Joe McGill in a manner that desecrated the Constitution of the United States. The federal judges agreed with the brief, and the death sentence of this world-renowned journalist was commuted to life without parole.

On this basis alone -- that for over 28 years Mumia was unconstitutionally subjected to inhumane and torturous conditions on death row -- Mumia should immediately be released. But in addition to being railroaded in a trial that, according to an Amnesty International Report on the case, "failed to meet minimum international standards safeguarding the fairness of legal proceedings," the evidence in Mumia's case suggests that an innocent man has now been imprisoned for 32 years. As the long history of black criminalization in the US demonstrates, just because a black person is convicted doesn't mean he/she is guilty. Ask The Innocence Project at the Benjamin N. Cardozo School of Law at Yeshiva University.

Back to FOX News. In classic FOX form, the interview with me would not be about the case or about the appointment of Adebile. Hannity gave ample time to Katie Pavlich who was representing the views of the prosecution, and who was clearly committed to simply echoing its conclusions.

In the end, the point of the segment was for Fox to call Mumia "a thrice-convicted cop killer" as many times as possible, and to associate that with Debo Adebile so as to strategically energize a right-wing agenda against the gains of the civil rights movement -- following the same pattern as in their successful campaign to decommission Van Jones.

At the end of the segment, I wanted out of the studio immediately, got up to walk off the set and was stopped by producers because I was about to walk through the camera as Hannity introduced the next segment. Then, while I was standing there, I decided to stay a while longer to let Hannity have it when the cameras went down. I told

him that his crafty staging of inflammatory propaganda parading as political debate was cheapening a desperately needed public discussion in the U.S. and destroying the project of democracy on which it depends. Hannity's is a false front for news, journalism, and debate, in which the opposing viewpoint is rudely cut off, and is then pummeled to the ground with a battery of lies.

True to its form, Fox News manipulated the facts of the case to depict Mumia as an unrepentant cop-killer. For example, Ms. Pavlich claimed that Mumia did not enter a not-guilty plea in court during the trial. In fact, Mumia's attorney entered a not-guilty plea and later in the trial Mumia himself twice upheld his innocence. But as the trial began, Mumia took a vow of silence in protest of prosecutorial misconduct -- the failure of the prosecution to honor its pre-trial agreement to release to the defendant important photographs and records before the start of the trial. Mumia also took a vow of silence because he wished to be his own attorney and to make an opening statement to the court -- all requirements of fair trial proceeding under the Constitution, but denied to Mumia Abu-Jamal.

After the Hannity interview, FOX's The Kelley Files interviewed Officer Daniel Faulkner's widow, Maureen Faulkner. Mrs. Faulkner said on air that Obama's appointment is tantamount to "spitting on all of our officers." As I watched, I was reminded of a heart-wrenching interview I conducted a few years ago with Mumia's sister, Lydia Barashango, who was dying of cancer. She told the film crew of Justice on Trial: The Case of Mumia Abu-Jamal that "justice for Maureen Faulkner is tied to finding out who killed Officer Daniel Faulkner. Mumia is not that person."

Justice for Daniel Faulkner and justice for Mumia Abu-Jamal depend on an uncompromising commitment to facts, due process and truth; to date, that commitment has not been realized. As with so many other defendants, the courts failed Mumia. He was not tried by a jury of his peers; police officers tampered with evidence; and the prosecution suppressed exculpatory evidence.

The most important and least known fact of the Abu-Jamal case is that a fourth person was present at the crime scene and the prosecutor and the presiding judge repressed his presence at trial. Former TV Guide reporter and independent crimes-investigation journalist Patrick O'Connor argues convincingly in his book about the case, that that fourth person, Kenneth Freeman, killed Officer Faulkner.

Also alarming is that 15 of the 35 officers involved in collecting evidence in the case went to jail for corruption and evidence tampering within weeks of the end of Mumia's trial. In fact, the photos taken by Pedro Polakoff, an independent photojournalist who took the first photographs of the crime scene, show evidence tampering on the part of the police and disprove the prosecution's entire theory of the case.

Sadly, despite the overwhelming evidence of innocence in this case, Mrs. Faulkner is denouncing Obama's appointment of Adegbile and trying Mumia before the court of public opinion on the basis of his political affiliation with the Black Panther Party, which he joined when he was a 14-year-old. Incidentally, this was the same illegal strategy used at trial by prosecutor Joe McGill to secure the death penalty in Mumia's case. Deploying the language that has historically been used to silence those who fight against injustice -- the language of McCarthyism -- Mrs. Faulkner denounces Mumia as "a radical and a Black Panther." But the First Amendment of the Constitution of the United States protects freedom of speech and association and also protects against the use of political affiliation as proof of a defendant's guilt if it is not germane to the case.

Mrs. Faulkner's life-long campaign against Mumia Abu-Jamal is fueled, yes, by pain, but also by a blind anger that has been nurtured, misdirected and manipulated by the Philadelphia Fraternal Order of Police (FOP). Her statements are, in part, a response to the new petition, launched by The Campaign to Bring Mumia Home that calls on the Department of Justice to support the release of Mumia Abu-Jamal. Our aim is to get a million signatures. Please help us reach that goal by forwarding the link to your networks.

Those whose careers would be destroyed if the truth surfaced in this case argue that the failure of the appellate process to grant Abu-Jamal relief on his conviction is proof of his guilt. However, as was recently demonstrated

in the case of Herman Wallace of the Angola 3, the appellate system in the United States very often fails the defendants. The problem with the appellate process is that following a series of regressive, states' rights laws passed in the 1990s, such as the Anti-Terrorism and Effective Death Penalty Act of 1996, appellate judges are forced to accept the "factual" rulings of lower courts, without regard for the tampered and falsified evidence often manufactured by the police and relied upon by the lower courts.

Because the appellate process is stacked against Mumia Abu-Jamal and hundreds of thousands of other defendants, the only available route to justice amidst the crisis of mass incarceration and political imprisonment in the US is open debate and discussion -- precisely what Hannity and his friends at FOX are intent on crushing.

Mumia is a present-day Scottsboro Boy, and we must demand that Pennsylvania reveal his innocence now, not 80 years later the way Alabama did with the Scottsboro Boys.

In the 1990s, the Movement to Free Mumia brought hundreds of thousands of people into the streets and deployed the political pressure that stopped Mumia's execution -- twice! After Mumia's death sentence was ruled unconstitutional, the Philadelphia DA, Seth Williams, decided not to pursue the death penalty once again. He feared that doing so might galvanize an international movement that would descend on his city and expose the manner in which the courts, politicians and the police conspired to silence and imprison this radical journalist who is arguable, the Nelson Mandela of our time. Victories like these are rare during downturns in struggle, but our victory in winning Mumia's release from death row coincided with a shift in consciousness in the US occasioned by the economic crisis that began in 2008, the execution of Troy Davis, the emergence of the Occupy Movement, the murder of Trayvon Martin, the struggle against Stop and Frisk and the emergence of a new, embryonic but growing movement against mass incarceration.

Given this shift, The Campaign to Bring Mumia Home believes that it makes more sense than ever to begin to imagine a world in which Mumia Abu-Jamal walks amongst us. For this reason we are hard at work building a strategic grassroots movement that takes the streets and shifts the current media representation of this case, nationally and especially in Philadelphia.

Like the struggle that freed Mandela, the fight to free Mumia is bound up in the struggle to build a better world.

For those who watched my interview with Fox News, this is what I would have said on Hannity if I hadn't been interrupted. These are the talking points that will bring Mumia home:

1. Mumia is innocent.
2. On the night that Officer Faulkner was shot there were four persons at the crime scene. But the prosecutor, Joe McGill, and the trial judge, Albert Sabo, concealed the presence at the crime scene of that fourth person at trial. In fact, the presence of that fourth person, the passenger in the Volkswagen which Officer Faulkner had stopped, was acknowledged by prosecutor Joe McGill in another trial that was happening concurrently, surrounding the same crime scene. This key, exculpatory evidence -- that there was another person at the crime scene who was the passenger -- was hidden from the defense and the jury. Why?
3. It is well documented, in declassified memos, that the Philadelphia police in consultation with COINTELPRO had for many years been trying to peg a crime on former Black Panther and muckraking radio journalist, Mumia Abu-Jamal, whose reporting on police brutality, corruption in City Hall and the MOVE organization had long been a thorn on the side of the establishment. Now the Philadelphia police had their man and they were going to do everything in their power to frame him.
4. The clearest sign that the Abu-Jamal trial was a miscarriage of justice came only two weeks after the end of the trial, when its lead investigator, police inspector Alfonso Giordano, was tried and eventually convicted of rank corruption, extortion and tampering with evidence.



5. Because almost all the jurors that heard Mumia's case were white, they believed the testimony of the police. A jury of Mumia's peers would have known better. Shortly after Mumia's trial, one third of the police officers involved in collecting evidence in his case were convicted of corruption and tampering with evidence to obtain a conviction. Happening concurrently was also an investigation of the Philadelphia Police Department by the US Department of Justice -- the largest ever conducted of a police department in the United States. That investigation concluded that the level of corruption and tampering with evidence on the part of the Philadelphia police and its homicidal behavior against black and brown detainees "shocks the conscience."

6. Upon arrival at the scene of the crime, the police who found Mumia on the ground with a bullet from Daniel Faulkner's gun in his gut proceeded to beat Mumia to a pulp and throw him into a paddy wagon where they beat him up some more. Approximately an hour later, they drove him to the hospital and threw him on the ground at the entrance of the Emergency Room.

7. The prosecution pegged the murder of Officer Daniel Faulkner on Mumia based on the perjured testimony of three witnesses who said, 60 days later, that Mumia confessed to the shooting while in the hospital. This was contradicted, however, by the testimony of Dr. Anthony Coletta, who was with him from the moment he entered the hospital. Dr. Coletta said that Mumia was barely conscious and in a state of shock, and that the trauma produced by Mumia's bullet wound and the beating he had endured at the hands of the cops meant that medically, Mumia was incapable of speaking. In addition, the police report written on the night of the incident by the officer assigned to Mumia at the hospital, Gary Wakshul, states that "The Negro male made no comment."

8. The first photographs taken of the crime scene were taken by a regularly published freelance photographer, Pedro Polakoff. He repeatedly called the police to give them those photographs, but the cops never responded. Polakoff assumed that Mumia was guilty and forgot about the issue. In 2006 these photographs were discovered and studied by Dr. Michael Schiffman of Heidelberg University in Germany. The photos disprove the prosecution's entire case theory. They also show that the police lied and tampered with evidence. Officer James Forbes, who testified in court that he had properly handled the guns allegedly retrieved at the crime scene, is photographed holding the guns with his bare hands, destroying all potentially significant fingerprints. Most importantly, the Polakoff photos also point to the presence of a fourth person at the crime scene: Officer Faulkner's hat is pictured resting on top of the Volkswagen on the side of the passenger-seat, suggesting that he may have had a conversation with the passenger.

9. Exonerating evidence abounds in the case of Mumia Abu-Jamal. Because Mumia is known the world-over for his commentaries and writings on inequality and because he has spent so much of his time in prison offering a radical critique and analysis of mass incarceration, a victory in Mumia's case would open up a much larger conversation in the mainstream about the crisis of mass and political imprisonment in the US.

### **January 15<sup>th</sup> - Dallas 5: Fighting for their lives**

On April 10, 2012, a raid began at the Pennsylvania prison at Dallas. The raid was the targeting of men who filed complaints with the Human Rights Coalition and in federal courts.

Several of the men, some of whom did file such complaints, anticipating violence against them, used their bed sheets to seal their cells, and refused to come out, unless they could meet with high-ranking DOC officials to report the violence and intimidation facing them.

Guards in riot gear and helmeted, tore through the sheets, sprayed tear gas or pepper spray, and beat the 5 men for their protests – and then shipped most of them across the state of Pennsylvania.

Thus was born the Dallas 5 (originally 6, but one man pled out and was released) – for after this non-violent protest, these men faced criminal charges of riot and incitement – despite being locked in their cells under solitary confinement – or, one man; one cell, for 24 hours a day.

The men: Andre Jacobs, Carrington Keys, Duane Peters, No Consent, and Derrick Stanley haven waiting for

nearly 4 years for trial.

Their family and supporters are demanding that the charges be dropped. Trial is set for January 21st, 2014.

Shandra Delaney, a mother of one of the men, is also a Human Rights Coalition Investigator, and has written articles on the Dallas 5, and also sent out petitions seeking dismissals.

Luzerne County, where Dallas state prison sits, is a site now infamous for the Kids-for-Cash scandal, when judges exploited hundreds of children, for years, to make money by locking them up.

That's where the trial (if there is a trial) will take place.

### **January 15<sup>th</sup> - "The Linear Ancestors of Edward Snowden"**

by Heidi Boghosian and Johanna Fernandez (*CounterPunch*)

Mumia Abu-Jamal was one of hundreds of journalists who received in the mail a packet of covertly-copied COINTELPRO documents. They were sent by eight activists who broke into FBI offices in Media, Pennsylvania in 1971—and whose identities just became known last week. On WBAI's "Law and Disorder," on January 13, Mumia told us that he wasn't sure if he received the papers because he was a radio reporter at the time, or whether the activists saw his name as a Black Panther Party member targeted for surveillance. The papers detailed names and activities of individuals he knew well for years, living and working closely together in communal spaces, who were FBI informants.

Mumia calls the Media activists the "linear ancestors of Edward Snowden." In our radio conversation, we marveled at the fearlessness of ordinary people, like the eight of the heist, who, moved by their consciences, knowingly broke the law in the 1960s and 1970s for the betterment of society.

We asked Mumia, "Who are your ordinary heroes?" He was quick to point out that when we talk about Martin Luther King and Huey P. Newton we must ask: would their names be known to us without the everyday activists who joined movements to push them forward? "For Martin's case it was church women for the most part. Think about the Baptist Church—probably 70% of its population are women, and black women, those nameless black mothers, and grandmothers, sisters, and daughters—they made that movement possible, so they're my heroes." He also mentioned women like Frankye Malika Adams from the Brooklyn Chapter and Sister Love from the Philadelphia Chapter of the Black Panther Party (BPP) who came out at great personal expense and built the BPP from the ground up. "We remember the names of the brothers, but how many of us remember the work and the sacrifice of the Sisters who got it done, who made it possible?" he asked.

A decade after receiving the papers, Mumia went on trial in Philadelphia for the killing of police officer Daniel Faulkner. The trial was politically charged because of his 1960s membership in the BPP and because the crime involved the alleged killing of a white police officer by a black man. At the time of his arrest, Mumia's muckraking radio journalism on police brutality and corruption in City Hall, and his sympathetic reporting on the radical MOVE organization made him an obvious target of the state. Declassified memos revealed that the Philadelphia police, in consultation with the FBI, had for many years tried to peg a crime on Abu-Jamal. During the sentencing phase of his trial, an article he wrote for the Party newspaper denouncing the COINTELPRO-orchestrated murder of his colleague Fred Hampton was read out of context and used by the prosecutor to argue premeditation. This, along with other prosecutorial misconduct, resulted in a sentence of death.

### **January 17<sup>th</sup> - Amiri Baraka: Poet on Fire (1934-2014)**

The name, Amiri Baraka, has been known to me since my teens, when I was a member of the Black Panther Party.

His name was often linked with that of Dr. Maulana Karenga (credited with founding Kwanzaa) of the LA based US Organization, which began as competition with the LA Black Panthers for influence in Black LA, and devolved into a deadly feud between enemies, aided and abetted by the maliciousness of the FBI.

But Baraka posed an intriguing figure, for he radiated both love and rage, funneled through his poems which pulsated with revolutionary fire.

He was born in 1934 in Newark, NJ, as Everett LeRoy Jones, and become a rising star of the Beat era in the East Village of New York.

When he joined the U.S. Air Force, he found a revelation in books, while traveling in Chicago. He saw a bookstore with a green door (called the Green Door) and within he had an epiphany. In his 1984 autobiography, he wrote:

Something dawned on me, like a big light bulb over my noggin. The comic strip idea lit up my mind at that moment as I stared at the books. I suddenly understood that I didn't know a hell of a lot about anything. What it was that seemed to me then was that learning was important. I'd never thought that before. {pp. 343-44}

That moment spurred him on to seriously read, study, and enlarge his understanding, not for a grade, but for the simple "joy" of learning.

He gorged himself on books. On all kinds of subjects, poetry, history, statistics – and beyond.

In July 1960, he would hit another "turning point". He went to Cuba. In his 1966 essay, "Cuba Libre", he recounts his reaction to harsh criticism of the U.S. Empire, saying, "I'm a poet...what can I do? I write, that's all. I'm not even interested in politics." A Mexican poet, Jaime Shelley, responded acidly, "You want to cultivate your soul? In the ugliness you live in, you want to cultivate your soul? Well, we've got millions of starving people to feed, and that moves me enough to make poems out of."

That trip radicalized him and his poetry, and spurred him on to Black cultural nationalism, revolutionary nationalism, Marxism and the building of Black community organizations.

The impacts of learning and Cuba kept him seeking the correct synthesis of revolutionary politics, to transform society.

Although lesser known, he was a music critic of considerable insight. His love of jazz was deep; even spiritual. But he also loved RnB (rhythm & blues), gospels and blues, as cultural expressions of various stages of Black life.

He also dug rap, it being, at bottom, poetry; but he condemned the corporate control over its production and distribution.

Of rap, he wrote:

That's why Rap delighted me so and still does (even though now it's been widely co-opted by Uncle Bubba and the Mind Bandits) because I could see that some of what came out of us had taken root. An open popular mass-based poetry. It arrived, that's why the corporations moved so swiftly to "cover" and coopt. Why the disappeared Grand Master Flash and Afrika Bambaata, accused Prof. Griff of the Big A-S and brought in fresh rap like Two Live Crew. Gangsta rap was also brought in to exchange political agitation with ignorant braggadocio and thuggish imbecility, justifying the state nigger-you annihilation program. [p.502]

Amiri Baraka and his wife, Amina, were good friends of MOVE's Pam Africa, and spent time together when she was in Newark.

But Baraka put his best self in his poems, which revealed his with and his anger. In his 1979 poem "In the Tradition", he has a line that said it all:

nigger music's about all  
you got, and you find it  
much too hot.

Amiri Baraka was 79.

## **12 Jan - Help Release Political Prisoner Robert Seth Hayes**

*As the campaign to get Seth Hayes free gains momentum, we've received three statements, one from his daughter, another from his granddaughter, and one from Seth himself.*

### **MORE:**

#### **Release My Father Political Prisoner Robert Seth Hayes**

by Crystal M. Hayes

My father, Robert Seth Hayes, has been an inmate of the New York State Correctional system since 1972. He was a member of the Black Panther Party and Black Liberation Army. I was only two years old at the time of his incarceration. From the moment he entered prison, he has never forgotten his family, friends, or community. From behind prison walls, he continues to work hard to selflessly give of himself in ways that restores and heals. At 66 years-old, he works as an advocate for prisoners with disabilities, and over the years he has mentored hundreds of incoming gang members preparing them for a life beyond incarceration. His accomplishments and service are too many to mention here, but he has never forgotten or abandoned his social justice principles or commitment to community and family. Prison did not steal or break his spirit. It renewed it.

I do not know where I would be today if not for his unwavering love and support over the years. Not only did he have to deal with all the normal father daughter growing pains—and trust me there were plenty—but he had to cope and do so from a prison cell. Not once, not even one time has he ever thought about giving up on me or cutting me off even when I probably deserved it most like when I was a selfish self-involved teenager too concerned about my own life and feelings to consider what he was going through. Fathering from behind prison walls comes with its own set of unique challenges, but he was never dissuaded. I've been suicidal, depressed, and so lost at times that the only thing that was ever able to bring me back was leaning on his strength. I'd tell myself, "if he can stay focused and determined to survive and come home, than I must too. Re-reading his letters when I felt so broken by this experience was like taking in air when I forgot to breathe on my own. His letters and words continue to save me.

My father has done his time and more. He has paid his debt to society. He has done so with dignity, grace, and more love than anything I've ever encountered. When I am bitter and full of rage, he is full of love, calm, and determination to come home. There is no reason to continue to keep him incarcerated or deny the law. In 1998, he became eligible for parole after completing 25 years—his original sentence.

It is time for him to be released and returned back to his family and community. He is 66 years-old and has diabetes and hepatitis C. He is remorseful and he has met every criteria set by the parole board, yet they continue to deny his petition for release. If President Ronald Reagan can pardon FBI agents W. Mark Felt and Edward S. Miller for COINTELPRO violations acknowledging the challenges of the time saying that "America was at war" in 1972, than my father is still a prisoner of that war and is long overdue his freedom too. When President Reagan reminded us that keeping those agents in prison would not serve justice, he was right. It is also true that keeping my father and all political prisoners locked up does not serve justice either. We do not get to pick and choose which prisoners of war are deserving of freedom. They all fought in that war believing that their actions were necessary. President Reagan acknowledges that for Felt and Miller. It is time we extend the same justice to my father and do what President Obama asked of us when he eulogized Nelson Mandela and told us that we must "make the future worthy of his sacrifice" — the same man the US once labeled a terrorist but has since come to love and honor as one of the greatest freedom fighters of all the ages worthy of the greatest praise of all.

#### **Release Political Prisoner Robert Seth Hayes: A Granddaughter's Heartfelt Appeal**

by Myaisha A. Hayes

Last Spring while in Cape Town, South Africa, I had the opportunity to thank Desmond Tutu personally for his letter of support for my grandfather, Robert Seth Hayes, a former Black Panther Party member and one of America's longest held political prisoners in the United States. The love and compassion I received in South Africa about my grandfather's incarceration was overwhelming. Steve Biko's widow came out to my program and thanked me and my family for my grandfather's brave sacrifice and courage for fighting for freedom and justice.

Being in South Africa, 20 years post apartheid, put my grandfather's incarceration into context, because it helped me realize the brutal truth about (in)justice in America. The Panther's relentless and uncompromising efforts to end oppression still gives our government chills to this day. The truth, as Martin Luther King Jr. once said, "white people would rather destroy democracy than achieve racial equality." It is why in recent history, the United States considered the African National Congress and Nelson Mandela himself, a political prisoner resisting a white supremacist state and racial apartheid, a terrorist. I am writing now to break the myth and our national silence about America's war on racial equality, justice, and freedom. There is an African proverb that says, "Until the Lion has a historian, the hunter will always be the hero." Our country continues to incarcerate my grandfather and the many others all under this camouflage of justice and then we consequently call those in power who threaten our god given natural rights to freedom our "heroes". Well, my grandfather is my hero and there is not a day that goes by that I am not proud to be his granddaughter. If we can celebrate the legacy of the great Martin Luther King Jr. and Nelson Mandela, then it is time we think critically about how to genuinely pursue and practice freedom and justice. It saddens me to see my mother, year after year for as long as I can remember, write letters of support, advocating for the release of her father from prison. However it reminds of the resiliency and the strength, which continues to inspire me to do better, to believe that justice is possible even under the worst of circumstances.

Please join our family as we fight for the freedom of my grandfather and all other prisoners of war and help our country heal from the wounds of an unjust history.

### **January 17<sup>th</sup> - Update from Seth Hayes on health and parole petition**

An open Letter to all of you.

To thank you for your engagement to render

Voice and Support and Your Love. In my hour of need.

First and Foremost, let me say, from my heart, I thank all of you. Through your efforts, today I can say, I am stronger, observing new results after waiting so long. I see changes being implemented and a more serious attitude from those who are held responsible for my health care. I am still waiting for an outside trip for the purpose of full diabetic work up towards stabilized control. This I am informed will occur, but I am not privileged to know when. Shortly after that acknowledgement, Dr. W. Sidorowicz suggested I agree to be admitted into the facility infirmary for diabetic assessment (?), treatment(?) of which I agreed. I did not want to appear to be refusing medical treatment made available to me. I am concerned though, "why now?" What stopped them 13 years ago to the present from accomplishing this same purpose? Anyway, I await any implementations of positive health care provision.

At the moment, I feel stronger, more focused and patient. Meanwhile, I continue to suggest that nutritious meal supplements (fresh fruits, vegetables, unsweetened and low sodium items) be made available in the commissary for purchase. Or at the very least allowed through the package room. DOCCS has repeatedly refused to provide these valuable assets to the inmate and inmate patients population. The DOCCS excuse, stating its standard position that they provide adequate food substances. In short, one diet fits all irrespective of medical needs and concerns. Irrespective of the fact that it deprives some from medical services.

Happily, Lately, I had a visit on Sat. 12/28 with my daughter Crystal. And that in itself, enhanced my recovery stamina. Her smiles, love, compassion and concern lifter higher than I'd been for some time, so I wanted to than

her herein as well.

To you Family, Comrades, Support Networks and Community Workers. Thank you for all your caring, sharing and continued interest in righting a wrong that corrections has allowed to fester for far to long. I also continue to have strong stamina in working towards parole release. We have strong points of law that demand compliance. We are circulating a public petition towards release after so long incarcerated.<http://www.change.org/petitions/tina-m-stanford-free-robert-seth-hayes-74a2280>

### **13 Jan - CeCe McDonald Released**

*It's not often we get to share good news about prisoners. This is one of those times. Take note: while CeCe being released a little early is good news, this is not a victory. She served her time and was released. That's the system functioning on its own terms. Too often we conflate anything positive with a victory, and that can keep us from organizing and fighting to win.*

#### **MORE:**

What a welcome! CeCe's supporters around the world have outdone themselves with the outpouring of love and warm "welcome home" messages they've sent to CeCe this week. From the bottom of our hearts as a support committee, and from CeCe, thank you.

CeCe is busy transitioning back into her community and her everyday life — not to mention filming a documentary with Laverne Cox! She is looking forward to speaking to her supporters, and potentially the media, when the time is right. In the meantime, we wanted to field a few significant questions that we've heard in the past few days:

CeCe was released from prison on January 13, 2014, which was her long-anticipated release date. She'll serve the remainder of her 41-month sentence on parole, consistent with Minnesota sentencing law.

Because of the support of her family, friends, and supporters around the world, CeCe has shelter, food, clothing, and other basic needs met right now. We know many of you are eager to support CeCe with donations, and your generosity means the world. We urge you to make donations to members of your community who are combating incarceration, racism, or transphobia; or to support current and former prisoners and prison abolition movements. The Rainbow Defense Fund is a great place to start.

CeCe's case, and her recent release, are sparking critical conversations about incarceration, racism, transphobia, and safety. As these continue to unfold, we urge individual and organizational supporters to read CeCe's writing, which is full of insight, vision, and ideas for beginning to address these systemic issues. We urge supporters to look to the root causes of imprisonment and seek solutions that keep our loved ones out of prison, and to support local organizations that are working to build the power and leadership of people like CeCe who are envisioning and practicing alternatives to violence and incarceration.

### **January 13<sup>th</sup> - Trans Woman Cece McDonald Released Early From Men's Prison**

by Dodai Stewart (*Jezebel*)

Cece McDonald, the trans woman who was imprisoned for stabbing a man who attacked her, is now free, after 19 months in a Minnesota corrections facility.

As Tony Merevick reports for BuzzFeed:

McDonald will continue to be under the supervision of the Minnesota Department of Corrections until the completion of her 41-month sentence, according to Michael Friedman, executive director of the Legal Rights Center, which represented McDonald in court last year.

She was released from the Minnesota Correctional Facility–St. Cloud around 8:30 a.m. CT, an official at the prison said.

McDonald's plight has been in the spotlight recently, thanks to Orange Is The New Black star Laverne Cox, who spoke out about mistreatment in prison on Melissa Harris-Perry's MSNBC show (trans people are often denied hormones while incarcerated) and is producing a documentary about McDonald.

In fact, a photo posted just a couple of hours ago on Facebook with the caption "we got our girl!" shows Cox in a car with the newly freed McDonald.

On Twitter, supporters are posting moving tributes with the hashtag #BecauseofCece. According to her official website, she'd like to create a scrapbook "documenting the worldwide support she's received."

A bit of background about McDonald's case: While she did plead guilty to second degree manslaughter charges in the death of a man named Dean Schmitz, she maintained that she acted in self-defense.

McDonald was walking past a local bar on June 5, 2011 when an altercation between her and Schmitz, in addition to other patrons, erupted on the sidewalk outside. According to various reports, McDonald — who was transitioning at the time — said she pulled out a pair of scissors in an attempt to defend herself after the group hurled a glass at her face, and taunted her and her friends with both anti-gay and racist epithets, including "faggots," "niggers" and "chicks with d\*cks."

Schmitz, who allegedly had a swastika tattoo and was between the ages of 41 and 47 according to varied reports, died at the scene from a stab wound to his chest.

As Melanie Williams, writing for the Minnesota Daily put it, "[Schmitz's] attack [...] was not just a random attack on one person's body, but an attack on an entire race and entire gender."

Apparently McDonald plans to release a public statement regarding her early release, but first she plans to spend some time "in privacy with people she feels close to." Well-deserved.

### **January 19<sup>th</sup> - CeCe McDonald on her time in prison: "I felt like they wanted me to hate myself as a trans woman"**

by Katie McDonough (*Salon*)

CeCe McDonald on Sunday gave her first televised interview after spending 19 months in a men's prison for defending herself during a racist and transphobic attack.

In conversation with Melissa Harris-Perry, McDonald spoke at length about the experience of being a trans woman incarcerated in a men's prison, as well as the institutional violence faced by all trans people who are incarcerated. "I felt like they wanted me to hate myself as a trans woman," she explained. "They wanted to force me to be someone that I wasn't. They wanted me to delegitimize myself as a trans woman — and I was not taking that. As a trans woman — as a proud black trans woman — I was not going to allow the system to delegitimize and hyper-sexualize and take my identity away from me."

McDonald spoke powerfully about the disproportionate rate of violence faced by trans people — both inside and outside of prison — but also aimed her critique at the dehumanization and violence experienced by all people who are incarcerated. "Prisons aren't safe for anyone, and that's the key issue," she continued.

The segment — which also featured the brilliant Laverne Cox and Trans Youth Support Network Executive Director Katie Burgess — also highlighted the work that was done to secure justice for McDonald and the work that remains in order to secure that justice for others.

"The only way that trans folks are going to be safe in prisons is for incarceration of people to end," Burgess explained. "The only way that trans folks are going to be safe in prisons is for us to fight against these laws that criminalize things like drugs, sex work, poverty. People of color and trans folks are finding clear pathways to

prison because of laws like that and that's where we need to put our focus here.”

“And the issue too is that we are really stigmatized and criminalized at every level of culture,” Cox added. “The very nature of the gender binary model suggests that we transgender people don't exist. ... There is constantly this denial of the existence of trans people, and because of that denial we don't get services and are discriminated against disproportionately everywhere. We have to have policies that acknowledge that we exist to even begin to dismantle some of the systemic discrimination that we experience.”

### **14 Jan - South Florida Smash HLS: In The Courts and In The Streets**

*There are a lot of legal action happening in the Animal Liberation community right now. In South Florida, an active group against the import and export of primates and other animals to labs is facing charges that were laid on nine of their activists recently.*

#### **MORE:**

The first of the South Florida Smash HLS defendants have started going through their first court dates, and we caught up with Kyle Krakow, one of nine, after his most recent court appearance to get an update on the situation with their group, as well as a bit of background information about what they do and how people can get involved, show support, or help them stand up to these accusations.

**Because We Must:** First, can you explain who you are, and what South Florida Smash HLS is about, and the kind of work you guys have done in the past.

**Kyle:** My name's Kyle, and I'm an activist living in Palm Beach County, FL. For close to three years now I've been involved with South Florida Smash HLS, a grassroots group that primarily works to shut down key suppliers of monkeys for the vivisection industry. Since its birth in 2010, the group has been all about effecting real, measurable change for animals imprisoned in labs. We share the view that nonhumans deserve to live free from oppression, free from torture in the name of fraudulent science. To that end, we fully exercise our First Amendment rights and protest often.

Employing a variety of tactics, we've been very effective thus far. Smash HLS was instrumental in convincing five airlines to stop transporting nonhuman primates for research purposes. We also successfully shut down a monkey quarantine facility operated by the notorious Primate Products in Miami. The building, which for decades had served as a prison for defenseless primates, was closed after a three-year campaign. In addition to pressuring the company's business partners to cut their ties, the campaign included protesting outside the facility itself and its executives' homes on a consistent basis. Visits to the president's country club. Early morning surprise protests. Even a '50s/'60s themed demo in front of the manager's house! It was a lively three years that ended with an unprecedented victory last summer. We then shifted our attention to another leading primate supplier in Miami, and during the less than four months preceding our arrest, that campaign too was full of excitement and concrete success.

**BWM:** Can you explain for people who might not be familiar what the charges are against yourself and the 8 other activists who have been charged in this case?

**Kyle:** On October 30th, 2013, eight fellow activists and I were arrested by a gang of undercover cops during a public protest outside a monkey breeding facility in Miami. Currently, the charges are disorderly conduct, criminal mischief, and assault. I was charged only with disorderly conduct, a misdemeanor, but three of my codefendants are facing felony charges and potentially serious prison time. The charges themselves are, on the surface, unremarkable. What's unsettling is that they fall within a broader context of state repression against animal rights and environmental activists. For a more detailed look at this heightened state of repression—as well as a firsthand account of the shoddy sting operation that endangered our lives and led to our arrest—check out [this article] written by one of my codefendants.

<http://smashhls.com/must-be-doing-something-right-smash-hls-ge-trees-burglary-tools-and-the-growing-threat-of-state-repression/>



**BWM:** You recently had a court appearance on January 6, 2014 and the state was granted a continuance. This has been happening with all the defendants that have seen the inside of a courtroom from South Florida Smash HLS, what does this mean for you and the other activists?

**Kyle:** It means a few things. The longer our cases are open, the longer the state has to devise and tack on more dubious charges. So there's that concern. But the most immediate trouble for us is financial, as making the trek to court isn't cheap and neither is compensating attorneys. Whether the prosecutor is dragging out the ordeal deliberately or out of incompetence is unclear. Either way, the entire process is very resource-draining, and we'd be out of luck if not for those who continue to support us.

**BWM:** Is there anything that people can do to help you or any of the other defendants right now?

**Kyle:** Absolutely! We are in desperate need of donations to help us fight off these charges and hopefully get back to work. (Donations can be sent via PayPal by clicking the link on the right at [www.smashhls.com](http://www.smashhls.com).) Even if you're not in a position to help out with funds, spreading the word about the battle we're facing can go a long way. Also, if you're interested in hosting a benefit of some kind in your area or have similar ideas, that would be rad and immensely appreciated!

**BWM:** Have you been deterred in your activism since these charges came down? Has anyone in your group decided to quit fighting for animals because of them?

**Kyle:** I think I speak for all of us when I say that we remain wholly committed in our passion and fight for animal liberation. Granted, there's no denying this turn of events is a game changer, but I doubt any of us will head for the hills to never return. That being said, when a group of activists is outnumbered and isolated, they are particularly vulnerable to harassment and repression from the government. It's unfortunate but true. With that knowledge we have a choice to make: Either we shun any model of activism that might attract the state's attention, or we opt to foster a more focused, coordinated network of activists that poses a greater challenge to the repressive forces that be. I'm rooting for the latter.

**BWM:** Is there anyone who particularly inspires you right now, or a campaign that you really relate to or support?

**Kyle:** It's difficult to single out campaigns. In terms of animal rights activism, I personally find the Gateway to Hell campaign very inspiring. I'm partial to campaigns against animal transporters because transport is such a weak link in the vivisection industry, so it makes a lot of strategic sense to target that aspect. Generally speaking, I'm heartened by any act of resistance in defense of the earth and its oppressed inhabitants. I'm especially heartened when that resistance transcends symbolic gesture and/or takes the form of a hard-hitting campaign.

**BWM:** Do you have any final words that you'd like to leave with people about your case or South Florida Smash HLS?

**Kyle:** Endless thanks to all those who've supported us thus far! Whether you've donated, shared our story online, or offered your talents and time, it means everything to us. Thank you. Stay tuned, and keep up the fight!

## **16 Jan - The Roots Of Compassion**

*We're including the latest writing by Animal Liberation Front prisoner Walter Bond.*

### **MORE:**

According to the Merriam-Webster's Collegiate Dictionary 11th edition the definition of the word "compassion" is: "Sympathetic consciousness of others' distress together with a desire to alleviate it". Very well, by the definition thus given we see right off the bat that compassion is more than just a feeling, or a pretentious connection with others' pain. It is far more than a buzzword to be bandied about in the name of a cause.

Compassion is the precursor to acting on behalf of another's well being. Without this "desire to alleviate another's distress" we don't have compassion, we have sympathy. And sympathy is really more about our own feelings towards another than any serious desire to help. It's not my intention to split hairs or play games with words. However, far too much of what we hear today when it comes to the rights, welfare and liberation of Animals and the Earth is just that, wordplay.

In reality when you go to a Vegan restaurant or wear a t-shirt with an Animal Rights message (even the 'radical' ones) the Animals aren't thanking you. The Animals are in cages, behind walls, on their way to slaughter or suffering from the nefarious designs of human exploitation. The male chicks thrown into the grinders because they can't lay eggs aren't thanking you or me for anything. They are dying and wishing that they were living, just as we all wish to live.

Therefore, if we have compassion for Animals then it means we have a desire to stop their abuses, not just a desire to have people that front for organizations of activists validate our sympathy. The Animal Right's and Vegan community worldwide has come a long way in the last two decades. As far as Vegan outreach, education and legal battles are concerned we are doing better and are more organized on these fronts than ever before. And still Animals die in larger numbers than any year before in world history. The Earth as well is being raped for every "natural resource" more efficiently and quickly than any year before in world history.

This leads me to believe that the problem of Animal exploitation and murder isn't a political problem, it's not a problem of lack of information, lack of press coverage, lack of Vegan options, lack of funds or lack of networking. Because no matter what the body politic, no matter how much information is disseminated online, no matter what level of press coverage occurs, no matter how successful the Vegan product market is, no matter how many millions of dollars certain Animal and Earth welfare organizations receive and no matter how many conferences and workshops are held annually the barbarity of Animal use and abuse does not remain the same, it's growing exponentially. The root problem is one of apathy, uncaring, desensitization and in general ignoring the suffering of all those outside our sphere of concern. It's an existential human fallibility, not an ethical marketing problem.

Back in the late 90's as a young man I built slaughterhouses. It's a story that I have told many times, specifically about the horrors I had witnessed and was at the time a cohort to. But my story is not at all typical because most people that work in the same industry never have a Vegan/Animal Liberation epiphany. Most people when they come in contact with violence either, ignore it, rationalize it or become desensitized to it. This makes good sense for the sake of safeguarding ourselves from mental stress, acute anxiety and personal responsibility but outside of that it is the death knell for all innocent life. A question I have asked myself many times over the years is "why me"? Why do I care? Why do I feel the need to intervene? Why did I have to act up until the point of living my life in a cage? Why, indeed.....

But I am not alone. More and more people are waking up to the wrongness of these ghastly spectacles of Animal cruelty and wanting it to stop. And they are doing so at younger and younger ages. I think this is a hopeful sign. Of course, we are still outnumbered by the avarice of flesh addicts. But who knows, perhaps the sinners will always outnumber the saints. In any event this is not the immediate concern. The immediate concern is for all of us that do care and that do have compassion not waste it on worthless pressure valves like internet chatter, self-righteousness, pretentious and public displays of concern (more for the cameras and each other than for the Animals). Instead take this compassion and combine it with a sense of urgency and actually save the Animals!

You pick whatever avenue of activity works best for you so long as it results in life for an Animal that would not have had it otherwise, or the DIRECT improvement of the quality of an Animals life as a result of your work. The goal to all our work, activism and compassion needs to be the shortest distance to Animal Liberation. If every one of us saved an Animal or helped an Animal in need it would mean total liberation for each and every one of those lives! This is a far greater victory than objectifying Animals albeit "compassionately" to get the attention of the media, public or peers so that YOU can feel like YOU are making a difference as an ambassador of a righteous cause.

Selflessness, compassion, and liberation for the Animals and for the Earth starts in our hearts. Let your heart guide your mind and then use your heart, mind and body to save the Animals. Wean yourself off of needing approval or pats on the back from others and let your actions do the talking. Because if you don't help them, if you don't find a way, then no one will.

And the billions upon billions of critters that face life in a cage, forced impregnations, slaughter, vivisection, the carriage cart or the trainers whip deserve a far more real, effective and concerned advocate from the human race than what most of us currently are. It's not right to make Animals lives and deaths our activist hobby or scene. It is our responsibility to care when others don't and to intervene where others won't. It's our responsibility because for whatever reason we have been given compassion where others have not and we were given that compassion as a motivation to try and make this world a better place. Not to socially network with one another about our concern until it's alleviated and exorcised.

Meanwhile, those in the cages and corrals, those that face the slaughterhouse and the laboratory, continue to hope for an intervention that never comes.

### **16 Jan - Maroon Action Alert: Torture increases - call for immediate release!**

*70-year-old Russell Maroon Shoatz, held in solitary confinement for a total of 30 years, has - for the third time in less than six months - been moved to a new prison amidst promises of eventual release into general population but actual emergency-level, dungeon-like conditions.*

#### **MORE:**

Nobel Peace prize recipients Jody Williams (USA) and Adolfo Perez Esquivel (Argentina) have now joined the call for immediate release made by South African Archbishop Desmond Tutu and two additional Nobel laureates; Maroon supporters remain vigilant and concerned about the political game-playing behind these delays.

"Maroon's new cell at SCI Graterford is under the ground, with human waste on the wall and no blanket in a freezing cell as his greeting upon arrival," reported Ayanna Ra'uf, Maroon's fiancé and spokesperson, who was able to talk briefly with him on the phone. Even the most conservative prison guards and officials at SCI Frackville, where Maroon was housed over the past months, were shocked by the sudden move; they had been won over to the justice of his cause by his cooperation and full adherence to prison regulations during a sixty-day step-down program which Maroon completed in late November. Despite consistent promises that the step-down program, if properly completed, would lead to a formal recommendation for release from solitary, once again the actions of the Pennsylvania Department of Corrections (DOC) reveal more continued isolation and roadblocks.

"While we are glad that the lawyers for PA DOCS seem amenable to Maroon's transfer to general population," noted Ra'uf, "we cannot take anything they say for granted. Yesterday they told members of Maroon's legal team that all prison officials involved in the decision-making process support Shoatz' release into general population, and that he could be out of solitary in approximately one month's time. Given the fact that we have been told this recently at least twice before, it is hard to keep hoping that they will do the right thing." Litigation against PA DOC challenging Maroon's continued restricted housing is set to move forward later this month.

The time is now to FLOOD SCI Graterford with letters, postcards and notes SENT TO Maroon HIMSELF, with the simple message - to him and to the authorities - that he is in our thoughts, and that we are watching and closely monitoring this unacceptable turn of events. We must let Maroon and SCI Graterford Superintendent Michael Wenerowicz know that a continuation of business as usual WILL NOT STAND. As we count down thirty days to the latest promise of when Maroon should be moved into general population, we must prepare to let all the authorities in Pennsylvania and the DOC know that no one's career can be built on the back of Maroon's continued torture.

SEND LETTERS, POSTCARDS, AND SHORT, SIMPLE MESSAGES OF SUPPORT and LOVE to: Russell Maroon Shoatz #AF-3855

Post Office Box 244

Graterford, Pennsylvania 19426-0246

CALL SCI Graterford Superintendent Michael Wenerowicz, 610.489.4151, to let him know:

We are concerned members of the community who are monitoring the situations involving inmate Russell Shoatz and the conditions he is being held under, AND

We are respectfully expecting that SCI Graterford will be accepting the information regarding Shoatz' successful completion of the step-down program at SCI Frackville, and their recommendation that he be released from Restricted Housing into General Population

CALL & SEND LETTERS OF CONCERN, RETURN RECEIPT REQUESTED:  
PA DOC SUPERINTENDENT JOHN WETZEL  
1920 Technology Parkway  
Mechanicsburg, Pennsylvania 17050  
phone: 717.728.4109  
to let him know:

We are frustrated and angry at the continued delays, and unfulfilled promises, regarding inmate Russell Maroon Shoatz.

His consistent good faith efforts to abide by all State Correctional procedures for transfer to general population have successfully earned him the support of prison officials and administrators.

In light of recent US Department of Justice findings that Pennsylvania State Prisons have used solitary confinement in direct violation of inmates' constitutional rights, and United Nations guidelines regarding the illegality of using restrictive housing for punitive, long-term purposes, we write with concern that Shoatz' continued placement in restricted housing constitutes an act of torture: cruel and unusual punishment.

As voters and community members, we demand Shoatz' immediate release into general population, and will continue to closely monitor this situation until Shoatz' conditions are safe and legal.

Political support for Maroon is broadening and intensifying, as a recent Holiday Call - signed by the five Nobel laureates and assorted local clergy and lay people - demanded his immediate release from solitary, stating "the time has long since passed" since such a transfer should have taken place. Signatories to the Call include Rev. Dr. Herbert Daughtry of House of the Lord Church (New York), founder of the African People's Christian Organization and founding chair of the National Black United Front; Dustin Washington, Director of the Community Justice Program of the American Friends Service Committee (PA); Rev. David Billings, life-long civil rights activist and co-founder of the People's Institute for Survival and Beyond (Mississippi); Rev. Graeme Brown, former President of the Federal Theology Seminary of Southern Africa; Stacia Murphy, former President of the National Council on Alcoholism and Drug Dependence; Rev. Daniel Jantos, United Church of Christ (Vermont); Rev. Dr. Clyde Kuemmerle, Ecclesia Ministries of New York; Safiya Bande, former Director of the CUNY/Medgar Evers Center for Women's Development; Linda Arinna Weisman, Buddhist minister and author (California); Sister Sheba Haven (California), and many others.

EVERYONE READING THIS SHOULD LET EVERYONE THEY KNOW KNOW THAT LETTER-WRITING MUST BEGIN AGAIN!  
THE FALSE PROMISES AND LIES MUST END NOW!  
MAROON'S TORTURE MUST END NOW!  
SOLITARY CONFINEMENT MUST END NOW!

**17 Jan - New phone policies will allow prisoners and their families more frequent contact**

*The New York Department of Corrections and Community Supervision has changed cell phone use policy so that the current policy will now enable incarcerated individuals to call cell phones from all New York State correctional facilities.*

**MORE:**

The change is in response to how many people use cell phones as their primary, or only method of telephonic communication. In fact, according to a Pew Institute study from earlier last summer, 91 percent of American adults use a cell phone and almost 40 percent of American homes have become cell only.

This policy change better allows incarcerated individuals and their families the frequent contact that is so necessary for maintaining healthy relationships and for more successful reentry upon release.

Friends and family members of incarcerated individuals need to open a pre-paid account with the Department's Phone System Provider: Unisys-VAC. The account can be opened and set up by contacting the customer service center at the toll-free number 800-777-2522, or by visiting the website at [www.Offenderconnect.com](http://www.Offenderconnect.com)

**19 Jan - New Poetry by Marie Mason**

*As her birthday approaches and the campaign to move her builds steam, we're including two new poems by Marie Mason.*

**MORE:**

**Prison Visit**

Prison is  
Hushed and heavy  
Like water near the Ocean's floor,  
Then loud and bitter,  
Like fractious storms lashing the sky  
Everything cement and nerves  
And too many years gone by...  
The heart requires a place to rest  
From all its maddened wanderings  
The raft of the Medusa tossed  
And trembling in the sea.  
Or just this table here  
And you across from me,  
A sunlit sail  
And I this aching castaway.  
I cannot touch you – it is not allowed.  
Our eyes hold  
Hanging onto words  
Until a hand falls upon the back  
The narrow hall, the clanking keys  
The door, the cell  
And under.

**The Griffith Flaw**

When I lived in the world  
Of laboratories, glass, machines and noise,  
A white-coated novice in  
The delicate chemistry of mixing things,  
We were warned of the Griffith Flaw in glassware  
The crystal lattice structure bruise  
From bouncing, banging, bumping  
A thousand times on unforgiving surfaces,  
Heating and re-heating beakers  
In repetition just to prove a point,  
Until one unexpected day

The slightest touch of cup to countertop,  
It pops.  
The shattered pieces propelled out  
At last revealing an atomical dysfunctionality,  
The reality  
Of things rushing towards entropy  
As just this morning, likewise  
Brushing teeth and peering in the mirror  
For the billionth time this life,  
I couldn't see me anymore,  
The damage of reflection done  
And pieces flown away,  
What was left, was changed  
In ways I could not say.

### **7 Feb - Punk Rock Karaoke for NYC ABC!**

**WHAT:** Punk Rock Karaoke

**WHEN:** 8:00pm, Friday, February 7th

**WHERE:** Pine Box Rock Shop – 12 Grattan Street Brooklyn, New York 11206 (Directions below)

**COST:** \$8 donation at the door

#### **MORE:**

Join Punk Rock Karaoke NORTHEAST as they once again storm Brooklyn for a night of punk rock singalongs at the Pine Box. As with all their events, in addition to being a great time, this is also a benefit! This time all money raised at the event will benefit NYC Anarchist Black Cross and our ongoing efforts, supporting political prisoners and opposing the prison industrial complex.

Tell your friends and come ready to have an awesome time. See you there.

Punk Rock Karaoke is a DIY, fund-raising event that benefits a different community group each time.

Featuring songs from:

Against Me!, Bikini Kill, Black Flag, Bratmobile, Buzzcocks, Choking Victim, The Clash, Circle Jerks, Crass, Dead Kennedys, Descendents, Devo, Flogging Molly, Fugazi, Gogol Bordello, Gorilla Biscuits, Jawbreaker, Joy Division, Minor Threat, The Misfits, NOFX, Operation Ivy, Pixies, The Pogues, Ramones, Rancid, Screeching Weasel, Sex Pistols, Sham 69, Sleater-Kinney, The Smiths, The Specials, Stiff Little Fingers, Wire, X, X-Ray Spex + More!!!

P.S. Like us on Facebook to stay up to date on future events:

[facebook.com/PunkRockKaraokeNortheast](https://www.facebook.com/PunkRockKaraokeNortheast)

#### **Directions:**

Getting to Pine Box is simple:

From the L Train:

Morgan Avenue Stop: Walk south on Morgan Avenue (away from Harrison Place, toward Grattan Street). Turn right on Grattan Street. We're about half a block down on the left.