

Updates for January 7<sup>th</sup>

**24 Dec - "Not Nothing," A New statement from Grand Jury Resister Jerry Koch**

*We've included a new statement by our comrade Jerry Koch and a new piece about him by New York Year Zero.*

**MORE:**

Very soon, Judge Keenan will decide whether to order my release or to continue my incarceration. He will make this decision based in large part on my claim that what began as coercive confinement has clearly become punitive – meaning that there never was any chance that incarceration would intimidate me into cooperating with this Grand Jury, and that after serving 7 months in this place, my resolve has only grown stronger.

This is not to say that I haven't suffered – I've lost more during my incarceration than I ever thought possible. I grieve for every goodbye, and I doubt that some of these scars will ever heal. It is during truly difficult times that reveal what lives in the core of people, and that knowledge can sometimes be incredibly painful. But so too can that knowledge make us stronger; I take comfort from those of my fellows who have also refused to be made into subjects of this place. My own resistance is far from unique. It is found in those who have always said NO to those in power. My refusal to cooperate is my contribution to this tradition of defiance to arbitrary and repressive power. I will not cooperate. I will not be institutionalized. No compromise in this. I will not sacrifice my dignity in order to leave this place, and that's not nothing.

I offer my belated but heartfelt condolences to the family and partner of Herman Wallace. Please take a moment to write to Albert Woodfox, the last member of the Angola 3 still in prison. Please also take a moment to participate in the Move Marie campaign, at [SupportMarieMason.org](http://SupportMarieMason.org).

With love, with dignity, in solidarity, for anarchy

**December 31<sup>st</sup> - Free Jerry, Spread Anarchy**

To be present together, in this miserable city, to gather, out in the cold, to demonstrate, outside of this horrific building, against this attempt, to correct all those who reject the laws of the metropole; to be a nuisance, to cause a scene, to disrupt, or prevent, or block this non-life which flows all around us.

A normality of millions inside locked cages  
A network of public and private enterprises to manage these bodies  
An entire infrastructure, constructed and maintained, of bare life behind bars.

"Come, not to appeal to authority, speak truth to power, or any other contrivance, but rather to stand arm in arm with comrades and show direct solidarity to those on the other side of the wall." (NYC ABC)

Jerry Koch, who has been inside the Metropolitan Correctional Center since May, is not just our comrade, he is our friend. He is someone we care about, we miss, and someone we trust. In a recent statement he wrote, "It is during truly difficult times that reveal what lives in the core of people, and that knowledge can sometimes be incredibly painful. But so too can that knowledge make us stronger; I take comfort from those of my fellows who have also refused to be made into subjects of this place. My own resistance is far from unique. It is found in those who have always said NO to those in power. My refusal to cooperate is my contribution to this tradition of defiance to arbitrary and repressive power. I will not cooperate. I will not be institutionalized. No compromise in this."

It is not just the prisoners who hate this world, it is those that feel the cold steel of all that places them there. The

authority which maintains these present conditions cannot be reformed or negotiated with, only destroyed, superseded, and overcome.

In June we wrote, “Jerry has accepted his incarceration for us. And not just the us he knows, or the us that live in New York City, or the us that live in the United States, or even the us that are still alive today. But the us, NOSOTROS, LOS LOBOS, that take revolution seriously, that recognize our federal government and its logic to be the leading cause of suffering in the world, and therefore deserving of no one’s cooperation, participation, or assistance as they perpetuate misery... Resistance is not a matter of critique or opposition to this or that, but rather the construction of a force, of a life, against this world. For Jerry to accept his incarceration is to take seriously this force, this life, and for us, we who are in solidarity, is not just to be in solidarity with Jerry, but in solidarity with the us that will build this life together.”

## **26 Dec - New Writings by Mumia Abu-Jamal**

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

### **MORE:**

#### **December 26<sup>th</sup> - The Outrageous American Norm**

An Indian diplomat, Dr. Devyani Khobragade, charged with filing false employment records for her housekeeper, is arrested, hauled into a U.S. Marshal’s office, strip-searched and subsequently released.

In India, the event raises quite a ruckus, and Indian nationalists express outrage, amid calls for diplomatic retaliation against the Americans.

In reminds us of the imprisonment and perp walk of French politician (and former International Monetary Fund bigwig) Dominique Strauss-Kahn, after he was named a suspect in a rape of a Senegalese hotel maid some years ago.

Both cases rest upon what has been normal, standard operating procedure in American police practices, the humiliation of the accused.

In modern-day America, the ground forces of police practice is largely aimed at Black and Brown people; those who have long been the subject of public humiliation. So much so, that such treatment has become normalized, just the way things are done here-in ‘the land of the free’/

When foreigners experience the treatment that Americans go through every day, they are shocked.

The question is why aren’t we?

The reason seems simple. America’s repressive, punitive, and humiliating system is supported by media, and the political classes, for such treatment is usually reserved for those already deprived of full social status; Blacks, the poor and immigrants.

For them, every day is humiliation, especially as the rich and the super-rich accrue more and more power, and more and more impunity is granted to the State.

Several months ago, the U.S. Supreme Court ruled that strip searches were proper-even for something as minor as a traffic stop.

When a System becomes so drunk with power, it can only expand outward, touching more and more people.

Why should any of us be surprised?

#### **December 29<sup>th</sup> - The Wages of Life**

Recently, workers in national restaurant chains held minimum wage protests across the country in something like 100 cities. They were immediately set upon by the corporate media, their attack dogs snarling for their masters, and nipping at their heels for daring to demand a living wage.

For many people, it was a revelation, for workers in most restaurants are un-unionized, at-will workers, meaning they can be fired on a whim; for any reason at all. Many such workers can barely keep a home, pay rent and eat on the meager pay they receive.

Hence the demand for a higher, livable minimum wage.

In 1996, the national minimum wage was set at \$7.25 an hour (or \$290.00 a week). At that rate with a family of four, a person would be living below the nation's poverty line.

That's why workers across the country have now demanded a minimum wage of \$15.00 an hour.

Predictably, the media attack dogs of capital were unleashed to bark two basic messages: That food service and restaurant businesses provide jobs for teenagers just entering the working world; and that restaurants barely break even, and cannot afford to pay such a wage.

Interesting.

But next time you're in a franchise restaurant, take a good look behind the counter, for there, more often than not; you'll see a man or woman, in the autumn of their years, with gray hair, a bald head, a few wrinkles and bifocals.

Secondly, the nation's franchise restaurants, like McDonald's, Hardees, Subway, and Kentucky Fried Chicken, are among the biggest franchises in the nation. McDonald's, for example, has over 32 thousand locations; Subway has over 34 thousand.

McDonald's pulled in over \$24 billion in 2011, and is the 111th biggest business in the United States.

In other words, business is good.

There's another reason why a minimum wage hike of 15 bucks an hour makes sense: it stimulates the economy, from the bottom up.

The big bailouts following the Great Recession of 2008-09 failed, miserably, to really stimulate the economy. For, it protected the assets of the wealthy, who had no incentive to share the wealth. They just sat on it, building their pile(s). It bailed out banks –not people.

If poor and working people get a raise, they don't put it in a bank; they buy things. And let's face it; this is a consumer driven economy.

It's past time for a raise in the minimum wage.

And fifteen bucks an hour should be the very least to be found acceptable.

### **January 6<sup>th</sup> - For the Love of Winnie**

For weeks, since the transition of Dr. Nelson R. Mandela, I have wanted to craft some words about Winnie Madilizela-Mandela (b. Nomzamo Winifred Madikizela), the second wife of Nelson.

Although her role has been downplayed in the present corporate press, this is an abuse of history, for, were it not for her long and stalwart struggle to keep Nelson's name out there – against the vicious repression of the

apartheid state, which banned and banished her, we would not know his name, and the anti-apartheid movement would not have grown as it did.

A stunning Black beauty, a courageous figure of both her husband and the African National Congress (ANC), she endured, for years – for decades – and fought hardest of all to bring about the freedom of Mandela.

I first read her words in her book, *Part of My Soul Went with Him*, the tale of her imprisonments and banning's –when she was sent to live alone in the whitest areas of South Africa by government order – and I wept.

Throughout it all, she never, ever stopped fighting for her husband, and never stopped resisting against the fascists of the regime.

Without such a beautiful and dynamic woman fighting on the outside, it is possible that Nelson Mandela would not have survived his long and brutal imprisonment.

She gave him hope – and something to fight for. Her fire kept him warm in the cold nights he spent on Robben Island, with sea winds blowing off the Atlantic Ocean.

Because they could not stop her voice, nor break her fiery spirit, the police state ordered her into internal exile, to leave her home in Soweto, to live in Bloemfontein, the heart of the Afrikaner republic; the whitest city in the land.

Winnie, being Winnie, continued to stage a lonely resistance for her husband, and his freedom.

Because she would not sign off on a deal that wouldn't empower Africans, because she wouldn't agree to a new political dispensation that left most Africans exploited, she became the bane of the corporate press.

They spat on her name.

Yet, for millions and millions of people, her brilliance, her beauty and her courage are like a torch in the mountains.

Indeed, she is adored.

## **26 Dec - New Allegations Against Kevin Olliff: Report from court**

*On December 24th, Kevin appeared in court for another pre-trial hearing, which offered new insights into the prosecution's case.*

### **MORE:**

#### **Illinois mink release to be used in trial**

It has been learned the prosecution intends to use an animal liberation action (which he is not being charged with) against him in his current case: a mink release that happened in Morris, Illinois on August 14<sup>th</sup>.

While the details are not clear, the indication is they will use this raid to circumstantially support a case Kevin intended to commit “burglary” against another fur farm. And that he was to do so using the “burglary tools” that are the basis of his current charges. The Morris incident was alleged to have occurred the night before Kevin's arrest.

Again, Kevin is not being charged with the mink release, and whether the prosecution will be successful at somehow using it against him for the “burglary tools” charge is of course undetermined.

#### **Prosecution alleging a fur farm as the “burglary” target**

On a similar note, the prosecution is now alleging Kevin intended to “burglarize” a specific target the night of his arrest: An as yet unnamed fur farm. Previously, the prosecution was pursuing “burglary tools” charges without alleging any specific target.

Its important to note Kevin and Tyler were not arrested on or near any fur farm. The basis for this allegation is as of yet unclear, but appears to be circumstantial and at least partially motivated by the Morris, Illinois mink release that happened the night before.

Kevin’s trial date has been rescheduled for January 20<sup>th</sup>.

### **26 Dec - Court Schedule and Decorum Order for NATO 3 Trial**

*Below is an update on the case against the NATO 3, including a “decorum order” handed down by Judge Thaddeus L. Wilson. There’s just something about that name that leaves us unsurprised that he would make a shitty decision.*

#### **MORE:**

If you are planning to attend trial hearings in solidarity with the NATO 3, please be aware that Judge Thaddeus L. Wilson has issued a decorum order which will be strictly enforced. The full decorum order can be found here, but the two sections which are most relevant are as follows:

- All persons in the courtroom must remain silent during all proceedings. There will be no talking, noise making, standing, kneeling, waving, hand raising or other conduct of solidarity, camaraderie, protest, approval or disapproval in the courtroom or in the hallway outside the courtroom.
- There are no warnings. This Order is not exhaustive of all conduct not allowed in the courtroom. Anyone who is unclear as to whether their conduct would be a violation of this Order should exercise all caution and leave the courtroom.

Be advised that any disruption will be charged and prosecuted as contempt of court and you will face up to 6 months in Cook County Jail as well as a fine of up to \$500. Please keep this information in mind as you make decisions about conduct in court and tactics for showing solidarity with the defendants.

#### **Court Schedule for NATO 3 Trial**

Trial will be open to the public and held at the Leighton Criminal Court Building located at 2650 South California Avenue in Chicago. The courtroom number is still TBA.

*January 13:* Jury selection begins – Due to the size of the courtroom, it is recommended that the public not try to attend jury selection. All seats will be filled by potential jurors.

*January 20:* Opening statements – The trial itself will take place in a much larger courtroom than jury selection. We encourage all to attend.

Trial will likely last 1 to 3 weeks.

Hearings are expected to begin by 11am each day, break for an hour at 1 or 1:30pm, and end by 6pm. Seating may be limited, so please arrive early. The general public is not allowed to have cell phones, cameras, or laptops inside the courthouse. Click here for a full list of items not permitted in court.

For those unable to attend the hearings or who do not wish to enter the courthouse, there will be supporters gathered outside with signs and banners to show solidarity. Feel free to stop by throughout the day send the message that the defendants are supported by their community and should be freed at once.

## **28 Dec - Good Faith, Bad Faith – Urgent Holiday Update on Russell Maroon Shoatz**

*Maroon's process out of solitary confinement has been thwarted by the Pennsylvania Department of Corrections.*

### **MORE:**

It is with some surprise and sadness that we must report that once again the progress of wrongfully incarcerated Russell Maroon Shoatz has been delayed by the Pennsylvania Department of Corrections (DOC), thereby continuing his over twenty years of torturous uninterrupted solitary confinement. On Thursday, December 19, 2013, prison officials at State Correctional Institution (SCI) Frackville informed Maroon that the prison would not release him into its general population, claiming that there is another prisoner at SCI Frackville who Maroon has a "separation" from (the two cannot have contact with one another). For this reason, SCI Frackville stated that the prison would not be sending the required documentation for review of his solitary confinement to PA DOC Secretary Wetzel. Instead, Maroon was told that SCI Frackville intended to transfer him to another prison that could then consider him for release into the general population.

After Maroon's successful completion of a prison-initiated "step down program" designed for the very purpose of ending his long-endured torture, his family, friends, and legal team were cautiously optimistic that the consistently positive reports coming directly from prison authorities would result in his humanitarian release, at least into prison general population. Every twenty days during the sixty-day "step down" initiative, Maroon's case came under administrative review, and he passed all areas of concern – including the evaluations of some of the most conservative of guards – with flying colors. SCI Frackville's position is contrary to what Maroon had previously been told: complete the 60-day step-down program successfully, and the formal review of his solitary confinement will occur. Now, prison officials are declaring that it is necessary to transfer Maroon for the third time in less than a year despite his perfect record of compliance.

Maroon has carefully observed, and supporters have followed, the strictest of adherence to Pennsylvania Department of Corrections policies, in a clear decision to abide by the DOC efforts to correct an inhumane injustice which has begun to gain world-wide attention. Maroon continues to act in good faith. This callous, bad-faith reversal on the part of the Program Review Committee puts the case back into the court system and the political sphere – where we must once again raise the stakes in spotlighting this unprecedented and cruel behavior. As we are well aware, the continued solitary confinement of Maroon violates every United Nations and international legal guideline against the treatment of the incarcerated, especially long-held prisoners who are now senior citizens.

As the world mourns the passing of unrepentant former political prisoner Nelson Mandela, and prepares for the season celebrating peace on earth, good will towards others, this news raises the question of who is truly behind Maroon's continued torture? Free Maroon Campaign chair Matt Meyer noted, "As someone fortunate enough to have met with President Mandela personally, and in direct contact with South African Archbishop Tutu who remains extremely concerned with the ongoing condition of Russell Maroon Shoatz, it is clear that those in Pennsylvania in positions of power have not taken to heart the most basic human rights issues involved. Mandela always reminded us that the truest test of the legitimacy of a government is how it treats its prisoners. Archbishop Tutu, so well known for his commitment to reconciliation, understands that this set-back, however temporary, reveals that the current government of Pennsylvania has utter disregard for basic decency and the lives of its less well-to-do citizens."

The Campaign is currently developing strategies in response to this new situation, and reminds supporters that this holiday season is an especially important moment to collect names of clergy, lay people, and community leaders – to add to the Call by the three Nobel Peace laureates who are demanding Maroon's immediate release (see attached). Names and titles of new signers of this Call should be forwarded to the Campaign ([freemaroonshoatz@gmail.com](mailto:freemaroonshoatz@gmail.com)) by the end of business day, Friday, January 10, 2014.

Maroon asks that all supporters and friends be sure to "stay vigilant." As we work to protect our incarcerated elder, let us re-commit ourselves to creative and powerful work in Maroon's tradition and upholding his legacy –

keeping our focus “straight ahead” towards freedom.

### **29 Dec - FREE CeCe! Documentary Being Filmed and Update**

*CeCe McDonald is scheduled to get out later this month, just as filming for a documentary about her case gets underway.*

#### **MORE:**

The upcoming documentary is being co-produced by Laverne Cox and Jacqueline 'Jac' Gares.

In addition to an interview with McDonald by Cox, it tells the story of the events of that June 2011 night, the role that race, class and gender played in this case, the issues of housing trans feminine people in male prisons and anti-trans violence.

Gares and Cox also talked about the documentary project in a recent [Persephonemagazine.com](http://Persephonemagazine.com) interview.

The documentary's original genesis came from research Gares was doing when she was a Series Producer on the now cancelled show *In The Life*. Gares and Cox both thought the story needed to be told, and looked into doing this as an independent documentary.

### **January 4<sup>th</sup> - The Rumors are True**

Dear CeCe McDonald supporters,

The rumors are true: CeCe is scheduled to be released from prison in January. She will wait and write a public statement about her release after she gets out of prison, because she wants to tell you all in her own words and own time. She would like to spend her first days out in privacy, with people she feels close to. Again, information about her release will be shared when CeCe feels it is the right time to do so. In the meantime, she and her support committee ask everyone to be patient.

We are excited to throw her a party, the weekend after her release. As soon as the venue and date are confirmed, we will announce! This party is a chance for everyone who has been supporting CeCe to come out and celebrate her release with her.

Many of you are eager to send contributions of money or materials, to aid in her transition home. Keep an eye on the [FreeCeCe McDonald Facebook page](https://www.facebook.com/FreeCeCeMcDonald/) for specific ‘asks’ in the future. Right now, because of the incredible support of her community here in Minneapolis and around the world, she will be safe, comfortable, and cared for when she rejoins us. Please consider sending a donation to other incarcerated people or abolition movements. (Check out the Rainbow Defense Fund <http://rainbowdefensefund.wordpress.com/>).

Thanks everyone for supporting CeCe, and for supporting her now in the way she most needs: with your patience.

### **30 Dec - An Update From Walter**

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

#### **MORE:**

On November 29<sup>th</sup> of 2013 I was placed in the SHU (Special Housing Unit AKA solitary confinement) for a fist fight I was involved in that was caught on the CMU cameras. Honestly, it wasn't much of a fight. In short, someone tried to bully and intimidate me so I punched him in the face. I am unharmed except for a broken knuckle that is still on the mend.

While I was in the hole I had ample time to think about the role that violence plays not only in my own situation as a prisoner but in the world at large. I will start by saying that I have seen far too much violence in my own life. I was a slaughterhouse builder as a young man. I was raised in a poor Puerto Rican family, much of my

immediate family had horrible drug and alcohol problems. My form of rebellion as a teenager was to become Straight Edge. In this drug free subculture I was in numerous confrontations with Nazi skinheads and drug dealers culminating in my arrest in 97' for burning down a Midwestern meth kingpins drug operation. This resulted in my first prison sentence and I was not sent to anywhere nice. I did half my sentence in the Anamosa State Penitentiary of Iowa, a prison built in the 1890's that houses much of Iowa's lifers, murderers and incorrigible.

As an activist for Animal Liberation for 10 years before my run as an ALF arsonist I saw so much footage of Animal cruelty and also worked with many Animals that were the victims of human indignity. As I sat in the hole through the month of December I began thinking that having walked the path I have, it becomes all too easy to justify violence in the name or defense of what's right or good. Many times, in my earlier writings I have purposely flirted with this rhetoric of existential force. But I want it to be known that violence is ugly and that I do not support it. Use violence for any cause, goal or reason long enough and it will turn those that wield it ugly, and eventually monstrous! This is the problem of violence, it corrupts.

I purposely took most of 2013 off from writing and instead ran a series of my articles from 2011 that were mostly Vegan in topic. I needed a stretch of time away from public writing to reflect and solidify some deep personal and philosophical questions. I feel that some of my writings and interviews have played too much into the militant rhetoric or were just simply off topic with so-called anarchism. My goals in life are not the destruction of civilization (which in reality would amount down to the worst genocide ever in human history). My goal is not a lawless world where everyone gets to do whatever they want. My goal is to find the best path for all. Humans, Earth and Animals. It's all too easy to focus on what needs to be destroyed and tore down or eradicated. It's much more difficult to build something beneficial and lasting.

That said, I have been following the media about the spectacular year that the frontlines and the underground for Animal Liberation have had and it is definitely impressive! I am proud to have served on those same frontlines and even with my current tribulations of incarceration I am not regretful at all for my part in the clandestine fight for Animals and Earth Liberation. And I am proud that in over 35 years of activity worldwide the ALF has SAVED thousands and thousands and thousands of lives without ever resorting to physical violence.

Until next time, take care and I'll do the same. Animal Liberation, Whatever It May Take!

### **31 Dec - Lynne Stewart Update**

*Well, the big news is that Lynne Stewart was released on New Year's Eve and returned home to New York City the following day. We're including a couple of articles and a statement from Lynne below. WELCOME HOME, LYNNE!*

#### **MORE:**

#### **December 31<sup>st</sup> - Federal Gov't Asks Judge to Grant Lynne Stewart Compassionate Release from Prison**

*Democracy Now!*

The Bureau of Prisons has submitted a request to the judge in Lynne Stewart's case, asking him to grant "compassionate release" to 74-year-old jailed civil rights attorney who is dying from stage IV breast cancer. Scroll down to read the order.

"This morning, the government, meaning the United States Attorney's Office for the Southern District of New York, on behalf of the Bureau of Prisons, filed a motion before Federal Judge John Koeltl, requesting that Lynne Stewart be re-sentenced to time served," said Bob Boyle, one of Stewart's lawyers. "This means she would be eligible — if he signs the order — for immediate release. There is every indication that will sign the order, since he said so on the record, when we made the motion back in July to have her be released."

Boyle says he fully expects Stewart to be released in the next few days, and return to New York City where she will live with her son. He says she and her family have been told the news and are extremely relieved and grateful.

## **December 31<sup>st</sup> - Judge Orders Release of Dying Lawyer**

by Benjamin Weiser (*New York Times*)

A federal judge in Manhattan ordered a “compassionate release” on Tuesday for Lynne F. Stewart, the former defense lawyer convicted of assisting terrorism who is dying from cancer in a federal prison in Texas.

Ms. Stewart, 74, who was convicted in 2005, sought release in 2013 under a Bureau of Prisons program for terminally ill inmates, but did so without the bureau’s support. The judge, John G. Koeltl of United States District Court, rejected the request in August, but indicated that he would look favorably upon such action if the Bureau of Prisons itself made such a motion.

The request to Judge Koeltl on Tuesday came from the director of the Bureau of Prisons through the office of Preet Bharara, the United States attorney for the Southern District of New York. The filing said Ms. Stewart qualified for compassionate release because she had a diagnosis of a terminal, incurable illness with a life expectancy of less than 18 months and because of the relatively limited risk of recidivism and danger to the community if she were released.

“The defendant’s terminal medical condition and very limited life expectancy constitute extraordinary and compelling reasons that warrant the requested reduction” in sentence to time served, the judge’s order said.

Ms. Stewart is to live with her son, a lawyer, in Brooklyn.

Ms. Stewart is best known for her defense of Sheikh Omar Abdel Rahman, the blind Egyptian cleric who was convicted in 1995 of conspiring to blow up landmarks in New York City. She was later tried and convicted of smuggling messages from Mr. Abdel Rahman in prison to his violent followers in Egypt, and was sentenced to 10 years in prison. She has been serving her sentence at the Federal Medical Center Carswell, in Fort Worth.

Ms. Stewart was found in 2005 to have breast cancer; in 2012, doctors determined that her cancer had spread to her lungs, lymph system and bones, a court filing shows.

Her lawyer, Jill R. Shellow, said earlier on Tuesday, before the judge’s ruling, that she had informed her client of the government’s request, and that Ms. Stewart was looking forward to being with her family.

“It restores my faith in the Justice Department to do the right thing,” Ms. Shellow said. Later, after Judge Koeltl issued his order, Ms. Shellow added, “The judge’s exercise of mercy on New Year’s Eve shows his compassion for Lynne and the depth of his commitment to seeing that justice is done.”

Ms. Stewart, in a 12-page handwritten letter to the judge during the summer, said she did not want to die in prison, “a strange and loveless place,” as she put it. “I want to be where all is familiar — in a word, home.”

Judge Koeltl’s order says that Ms. Stewart shall be released “as soon as her medical condition permits, the release plan is implemented, and travel arrangements can be made.”

Ms. Shellow said Ms. Stewart could be released as early Tuesday night, and would be met by her husband.

## **December 31<sup>st</sup> - Message From Lynne**

My Dears:

Well, the impossible takes a little longer !!!!!!!!!!!!!!!!!!!!!!! We learned this morning that the US Attorney’s office has made the motion for my compassionate release and that the Order was on Judge Koeltl’s desk. Since on the last go-round he stated in Court that he would treat it “favorably”, we are now just waiting expectantly.

The wonderful thing is that Ralph is here in Ft Worth for a visit and will bring me back to NYC with him. We

don't know when but the rules state that the warden has 2 days to let me go after he receives the order so it could be as early as Friday or a few days more. Whatever it is, I can't stop crying tears of Joy !! I can't stop thinking of all the marvelous people worldwide who made this happen ..you know because each of you played an integral role. My daughter Z is already lining up Sloan Kettering and we will have to see if there is a probation qualification attached to the Order and how it will affect me. After that Ralph will start making arrangements to rent Yankee Stadium for the Welcome Home...Smile

So If this reaches you before midnight tonight raise a glass of bubbly to the joy of all of us that the old girl is OUT!!

### **31 Dec - Move 9 Media Month January 2014**

*The Justice And Accountability campaign aimed at exposing The illegal parole denials of The Move 9 at the hands of The Pennsylvania Parole Board is in full effect. They have now entered The third phase of our campaign in which we have now moved forward in pushing the issue in the media.*

#### **MORE:**

The police have always used the media to manipulate and use public opinion to help in the parole denials of our political prisoners.

We have seen it in New York City around the parole hearings with political prisoners like Herman Bell and Jalil Muntaqim. You can look to the example of how the police in New Jersey uses the media to manipulate the minds of the public into thinking that Sundiata Acoli is a cop killer and should not be granted parole. The public is only getting one version of the facts now it's our turn to counter their lies with the truth.

This Thursday January 2<sup>nd</sup> 2014 at 8pm eastern we will be kicking off Move 9 media month on The Where We Live Show on WBAI 99.5 fm in New York City .We will be talking about the issue of parole and our political prisoners and the role of law enforcement officials in these parole denials. The show will also feature Move Political Prisoner Janine Africa now in prison for 36 years five years past her parole eligibility.

After this we are starting our month long radio and cable tour on shows across the country.

We are going from New York City to Baltimore ,Delaware ,Philadelphia, Washington, D.C. ,Atlanta ,Chicago, Portland ,and back to New York City. These shows will also feature our sister Janine Africa so that this issue will be further pushed about The Pennsylvania Parole Board and their connection to Law Enforcement officials.

If any one is interested in booking us on their respected radio shows or is interested in doing a piece for a newspaper please contact us at [onomovellja@gmail.com](mailto:onomovellja@gmail.com) or [rebelchild170@aol.com](mailto:rebelchild170@aol.com)

### **31 Dec - How Tarek Mehanna Went to Prison for a Thought Crime**

*As the government embraces a "counter-radicalization" approach to counterterrorism, prosecutors are turning radical beliefs into criminal acts.*

#### **MORE:**

by Amna Akbar (*The Nation*)

African-Americans in the heart of Michigan's auto industry built the mosque I attended as a child. In the tide and tumult of the civil rights movement, Malcolm X and Elijah Muhammad inspired them first to join the Nation of Islam, and later Sunni Islam. In the late 1970s, in the impoverished black city of Saginaw, they converted an abandoned church into a mosque. My Pakistani immigrant parents joined the mosque when they moved to the wealthier white Saginaw township in the 1980s. Over time the regulars at the mosque became a hodgepodge of believers: South Asian and Arab immigrants who needed a house of worship and were unafraid of traversing the city-township boundary; and African-Americans whose embrace of Islam set them apart from their families.

Our African-American imam took turns with others to deliver the Friday khutba (sermon). We witnessed oral

traditions accented from around the globe and across the road: the khateeb (deliverers of sermons) were lyrical and inspired, awkward and soft-spoken; the congregants received the khutba differently too, from active talk back to a silent receptive posture. While varied in style, the khutba routinely offered global context and critical content. The khateeb would remind us of the poverty in Detroit's neighborhoods and the death in Baghdad's streets. They would preach about the importance of the Muslim ummah (global community) and the duty to speak out against injustices small and large. The khateeb would regularly call for civic engagement as he also reached for religious inspiration.

These days, when I stop in a mosque, I am struck by the new normal: no politics, no world, no nimble movement between religious ethics and social context. Today's khutbas present the congregation religious teachings in a void. Khateeb speak of the importance of honesty, forgiveness, humility and remembrance. They ignore Iraq and Afghanistan, Guantánamo and drones, informants and surveillance. They tell stories about Muhammad, Abraham, Moses, Mary and Jesus but leave out the universal themes of poverty, inequality and injustice.

From mosques to Muslim Student Association offices, American Muslim community spaces have been emptied of their politics, leeched of their dynamism as centers for religious and political debate. This new normal is the result of ten years of post-9/11 scrutiny combined with our government's more recent embrace of "counter-radicalization" and "countering violent extremism" programs, which subject Muslim communities' religious and political practices to aggressive surveillance, regulation and criminalization.

These programs both have their origins in what is popularly hailed as the "radicalization theory" of terrorism. This theory emerged around 2004 on both sides of the Atlantic as Western governments worked to frame the terrorist threat as a specifically Muslim phenomenon, and to develop a preventive approach to counterterrorism. Radicalization theory posits a predictable correlation between increased religiosity and politicization among Muslims and the potential for terrorism. That is, as Muslims become more "radical"—by observing religious tradition, for instance, or expressing any open affinity and concern for the welfare of other Muslims—they also become more likely to commit terrorist crimes, according to the theory.

In the United States, the Federal Bureau of Investigation and the New York Police Department helped seed radicalization theory, giving rise to an elaborate lattice of counterterrorism practices that touch on all aspects of Muslim life. From the NYPD's infamous Demographics Unit, which created maps of Muslim communities in New York and New Jersey, to the FBI's aggressive use of informants in mosques and community institutions, to the White House's push for community engagement with Muslims, and the Department of Justice's increasing emphasis on prosecuting speech activity, counter-radicalization and countering violent extremism, these policies have warped the basic currents of Muslim experience, turning them into threat indicators for the nation's security.

Governments, including our own, laud these programs as soft counterterrorism measures. But this framing misses the shadowy side of these all-encompassing programs: the way counter-radicalization distends the government's reach into the sacred and vulnerable turf of difference, debate, and democracy.

### **The rise of counter-radicalization and fall of the First Amendment**

In recent years, journalists, advocates and Muslim community activists have helped expose part of the raw underbelly of the government's counter-radicalization and countering violent extremism programs. But one area that has gone largely unexplored is the Justice Department's growing embrace of a counter-radicalization ethos to prosecute national security cases. In framing expressions of political and religious belief as precursors to, and even evidence of, terrorism, these cases represent some of the most dramatic and alarming challenges in decades to the First Amendment's core protections of free speech and freedom of religion.

The government's prosecution of Egyptian-American Tarek Mehanna represents a blunt-force example of this assault on free speech and religion. Mehanna, 31, was born in the United States to Egyptian immigrant parents and grew up outside of Boston. He became a devout Muslim who was fiercely critical of US foreign policy,

especially in Muslim countries. He believed deeply in the right of Muslims living in Muslim-majority countries to defend against foreign occupation. And he talked about it. He subtitled “jihadi” videos; he translated an archaic oft-translated Arabic text *39 Ways to Serve and Participate in Jihad*; and he engaged in religious and political debate online through instant messages, e-mails and web postings. He also traveled to Yemen for a brief trip in 2004—the government alleged he sought to join a terrorist training camp, while Mehanna claimed he sought religious and language instruction—but whatever he was looking for, he did not find it, and he quickly returned home.

For these acts, Mehanna was monitored by the FBI beginning in 2005, and eventually, in 2008, charged with providing false information to the FBI, and then in 2009, with providing material support to terrorism. (Mehanna claimed the charges came in retaliation to his resistance to the FBI’s bid to make him an informant.) No evidence linked him to actual acts of terrorism or suggested that he had conspired with a real-world terrorist organization or provided any terrorist group with property, advice assistance or the like. However, he was found guilty in the trial court and sentenced to seventeen-and-a-half years in prison, and an appellate court recently affirmed the conviction.

To understand how a man like Mehanna wound up prison, it’s necessary to burrow into the mechanics of the government’s prosecution of terrorism cases. As in Mehanna’s case, most national security prosecutions the government has trotted out involve no act of terrorism, or even a plan to carry such a plan out. In the preventive paradigm of post-9/11 law enforcement, this is facilitated by the government’s liberal use of the criminal ban on material support to terrorist organizations—more commonly known as the material support statute—which is charged now in virtually all national security prosecutions. The ban includes such a sweeping list of banned activities that it has been described as “a prosecutor’s dream.” Indeed, the government needn’t show a plot, an intent to help terrorists, or even that the support actually advanced the terrorist group’s cause in any way. And now, counter-radicalization efforts are fashioning the elastic statute to cover more and more speech activity.

There are, however, limits to the wide scope of the material support statute. In the 2010 decision *Holder v. Humanitarian Law Project*, the Supreme Court sanctioned Congress’s power to ban support of activities of designated terrorist organizations, including peaceful activities. But as I argued in an amicus brief I filed with the Center for Constitutional Rights in support of Mehanna’s appeal, the Supreme Court’s First Amendment ruling in *Holder v. Humanitarian Law Project* was arguably quite narrow, finding only that Congress may criminalize speech that conveys something of value (such as training and expert advice), when the speaker is directly engaged with, or under the direction and control of, a foreign terrorist organization. Even in a slightly broader reading, speech turns into material support only when it is engaged at the behest, under the control or through direct engagement with a terrorist group. In either instance, the statute cannot punish “independent advocacy.”

And yet, that is precisely what the prosecution attempted to do in charging Mehanna with conspiring to provide material support for a terrorist organization. These charges drew on Mehanna’s trip to Yemen as well as his speech activity; at trial, the government relied on two similar (and similarly tangled) theories of liability.

First, the speech theory: The government’s indictment charged that Mehanna “created and/or translated, accepted credit for authoring, and distributed text, videos, and other media, to inspire others to engage in violent jihad.” The government continued to press this argument in court even as it conceded that Mehanna did not translate or speak under Al Qaeda’s direction and presented no evidence that he acted at the group’s request, or even that he ever met or communicated with anyone from Al Qaeda.

Indeed, the government offered no evidence that Mehanna provided material support “to” any designated terrorist organization, as the plain text of the material support ban requires. Nor did it show that Mehanna’s translations caused harm, or that he intended the translation to incite imminent criminal conduct. Instead, the speech-as-material-support theory appears to have turned largely on his attempts to convince and “inspire” others to support opinions the United States government finds objectionable.

In countering the prosecution’s claims, the defense insisted Mehanna was not a puppet of Al Qaeda or terrorist

propagandist but a devout Muslim and strident critic of US policies engaged in independent and protected speech activity. As Mehanna made clear at his sentencing hearing, he supported the idea that Muslims should be able to defend themselves from foreign occupation—meaning, for example, that Muslims in Iraq should be able to defend themselves against US soldiers—and he came to these views by drawing on his religious and political commitments, as well his understanding of US and world histories. While his opinions were unquestionably sharp—no doubt repellent to many American ears—his is precisely the sort of unpopular speech that should be most protected under the First Amendment.

As for the travel theory, the evidence is harder to parse, but the government’s argument was no less diffuse: a case built on innuendo and association. The government argued that Mehanna traveled to Yemen in search of a terrorist training camp so that he could prepare for battle against US troops in Iraq. It pushed this theory even as it conceded that there were no terrorist training camps in Yemen in 2004 and never introduced evidence that Mehanna had found one. (The defense offered expert testimony that Al Qaeda did not operate in Yemen at the time of Mehanna’s 2004 trip, and argued Mehanna was after classical Arabic and religious schooling.)

Instead, in building its case, the government drew on the compound fears of Muslim countries, Muslim travelers and Mehanna’s religious and political views. Throughout the trial, the government introduced as evidence a barrage of “terrorist media” Mehanna consumed—including “more than thirty propaganda video clips” and “statements of Osama bin Laden and Ayman al-Zawahiri in book and interview form”—arguing that since Mehanna’s crimes were “ideological” the media was “integral” to the crimes with which he was charged. It was a classic case of guilt by association. The government merged its concerns over Mehanna’s speech with its attribution of criminal purpose to his travel—with obvious success.

On December 20, 2011, after a six-week trial in Boston, Mehanna was found guilty on all charges, though the jury’s guilty verdict offered no window into whether the jury relied on the government’s speech and/or travel theory of material support. Mehanna appealed, but on November 13, 2013, the US Court of Appeals for the First Circuit affirmed the verdict and Mehanna’s seventeen-and-a-half-year sentence.

In affirming the original verdict, the appeals court found sufficient evidence to allow the jury to convict Mehanna for his travel to Yemen. However, it sidestepped the First Amendment questions embedded in the government’s speech theory: Did the government introduce sufficient evidence of coordination between Mehanna and Al Qaeda to turn his otherwise protected speech into criminal material support?

In effect, the appeals court gave the government license to prosecute speech that is critical of the United States and supportive of ideas a terrorist group might embrace. Yet there is an important distinction between opposing US presence in Pakistan and Somalia—even in believing that Muslims in those countries have a right to armed resistance—and supporting the views of Al Qaeda. At trial, Mehanna’s defense put forth evidence that he disagreed with many of Al Qaeda’s views. But even if Mehanna did support the views of Al Qaeda, and even if he spent time trying to convince others of the righteousness of its positions, that should not be enough to invite criminal prosecution. Nor is it sufficient under Humanitarian Law Project, where the Supreme Court went to pains to protect independent advocacy. Even strident critical speech cannot and should not be considered material support.

The government’s prosecution of Tarek Mehanna is not the only case where prosecutors focused on speech the government finds unsavory. Zachary Chesser and Jesse Morton were two Muslim converts—Chesser in his early 20s from Virginia, and Morton in his early 30s from Brooklyn—charged in 2010 and 2012 with material support, conspiracy, and Internet-use-related charges, for posts to RevolutionMuslim.com and other Muslim-run websites; the government was centrally concerned with web ranting against South Park’s depiction of Muhammad. In 2011, Jubair Ahmad, a 24-year-old Pakistani-born US legal permanent resident living in Virginia, was charged with material support for preparing a video containing a prayer in support of jihad on behalf of Lashkar-i-Taiba, a South Asia-based designated terrorist organization.

In each of these recent prosecutions, the men pleaded guilty to some subset of the charges, making it impossible

to know what the evidence would show. Yet these cases plainly demonstrate a pattern of targeting the dissemination of ideas for fear of what their circulation might produce—ideas that are critical of the United States, with no direct or immediate connections to terrorism or violence threatening the United States. This turns the First Amendment on its head: the historical development of our First Amendment doctrine reveals a deliberate rejection of prohibitions on advocacy of unpopular, objectionable, even unlawful activity—in favor of maximum protection of dissent, up to the point of intentional advocacy of imminent lawlessness.

### **A community silenced**

The appellate court's affirmation of Mehanna's conviction was a sobering disappointment to critics who have railed against the prosecution as a dangerous precedent and a direct assault on essential First Amendment protections. Yet, viewed in a wider counterterrorism law enforcement context, there is little unprecedented about it. The government's prosecution of Mehanna inhabits a larger world of counter-radicalization and countering violent extremism priorities, including others prosecutions, surveillance, informants and community engagement programs.

Radicalization theory has dramatically expanded the scope of counterterrorism police work. As revealed by the work of investigative journalists at the Associated Press, Mother Jones and The Nation, FBI and NYPD informants and undercovers troll Friday khtutbas, YouTube channels and chat rooms, listening for comments critical of the United States, and trawling for reactions praising Osama bin Laden. FBI agents pressure Muslim community members to agree to "voluntary" interviews, to inform on the goings on at the local mosque or community opinions of events in Syria or Somalia. Agent provocateurs poke, prod, and bait young Muslim men on their opinions of suicide bombing and jihad. Muslims are stopped for questioning when they cross borders for any reason.

The government's attempts at community engagement form part of this patchwork effort. These programs aim to cultivate allies in Muslim communities, to shape religious and political cultures in Muslim communities to be wary of radicalization (that is, certain religious practice and political views), and even to acculturate American Muslims in acceptable religious practice and pro-law enforcement attitudes. While these programs work to build bridges with Muslim communities, they suggest the responsibility for terrorism rests in Muslim communities, their religious-cultural practices and political habits.

Viewed in this context, it comes as no surprise that Muslims are no longer talking about politics. The doctrine of collective guilt, charging all Muslims with responsibility for all terrorist violence, which reached fever pitch after 9/11 has a new name: counter-radicalization. From covert informants to trumpeted community engagement programs, law enforcement has put its weight behind surveillance and regulation of the religious and political ideas circulating in Muslim communities. Muslims know they are being watched. Muslims feel pressure to signal loyalty to American identity over their Muslim identity or else risk signaling terrorist propensity. Muslims are afraid of being too Muslim and therefore labeled anti-American, extremist, radical. Instead of speaking up, many Muslims have shut up.

No doubt, for many in our public who fear Muslims and Islam—or who separate the world into acceptable Muslims and dangerous Muslims, a dehumanizing distinction that carves up the world into enemies and supporters of the United States—this is a preferred state of affairs. For those of us who believe in a truly democratic and more egalitarian politics, one that holds our government accountable for its actions at home and abroad, nothing could be scarier.

### **31 Dec - Skelly's Court Costs**

*Joshua "Skelly" Stafford is having his commissary garnished until his court fees are paid. Please donate what you can.*

#### **MORE:**

We need to raise 300\$ to pay of Josh's court costs. Since his trial was later then Brandon, Doug and Connor's,

his fines have yet to be paid. They are now taking money out of the little bit of commissary he gets! Please help by donating to pay off his court fines and spreading the word!  
<https://www.wepay.com/donations/cleveland4legalfees>

### **1 Jan - New Year's Message From Jaan Laaman**

*We've received a new message from Jaan Laaman and are pleased to be able to pass it on.*

#### **MORE:**

Hello everyone -- hope you had a good New Year's Eve last night and that it will be a good year for you -- for us all. I have heard from a number of people that Lynne is home, in nyc and at real medical facilities and will be home - with people who love her and care for her. This really is outstanding and great news -- so '13 went out with a very good move -- the bop-justice dept. move to ask for her release and then this new year came in with such good developments -- Lynne actually flying home today. It is of course an outrage and a 'real' crime, that all these months of captivity and denial of real medical care happened for Lynne, but it is also a reminder that people uniting for an effort, the tens of thousands who signed the petition for Lynne, the calls made, the rallies outside the white house by Ralph and others and the other efforts made, can and do and did come to fruition. So we have to keep on struggling for things like this and a lot more!!! -- and of course I know everyone is aware of this and doing just this -- so as another old slogan goes - 'struggle brings victory.'

### **1 Jan - New Campaign: Welcome Home John Tucker (Tinley Park Five)**

*John Tucker of the Tinley Park 5 is due to be released from prison at the end of this month or by early February. So , Bloomington ABC , NYC ABC , and Sacramento Prisoner Support have launched a campaign to start a release fund for John.*

#### **MORE:**

From j.mp/JohnTucker:

“John Tucker, the second of the Tinley Park 5 to be released, will be free in JANUARY! The Tinley Park 5 are 5 men from Indiana charged with multiple felonies for an altercation with active white supremacists at a restaurant in Tinley Park, Illinois.

John's health has been neglected while imprisoned, so he is facing medical expenses, including dentistry and dermatology, when he gets out. John will also be responsible for court costs and court-mandated “anger management” classes.

John has enjoyed many letters, book & commissary donations, and correspondences from his supporters during his time in captivity (y'all have helped to make his time much more tolerable!), but prisoner support doesn't end when they're released; transitioning out of prison can be a difficult time for former prisoners. Having felonies on their records creates barriers to housing and employment. Many things about their lives and communities may have changed during their time inside, so extra effort is required to provide support and build solidarity to avoid isolation and undue financial hardship. Please help us create a gracious homecoming and a smooth re-entry for John.

If you cannot provide financial support at this time, we recommend writing the 3 still inside and writing, visiting, and building relationships with other incarcerated folks to continue struggles like those for which the TP5 are imprisoned. Support your local prison rebels!”

Please remember that prisoner support doesn't end when a comrade is released. Through halfway houses, supervised release, parole, or probation, there is usually state supervision beyond the initial sentence. Also, prison is traumatic. And of course there is the stigma of being a former prisoner that effects nearly every aspect of one's life. All of this adds up to the less obvious, but equally necessary, support needed when our loved ones come home. Donate to your ability and show an anti-fascist comrade how we welcome folks home.

If for whatever reason you'd rather donate to John offline, please make the check payable to John Tucker and

mail it to:

**Sacramento Prisoner Support  
Post Office Box 163126  
Sacramento, California 95816**

If you'd like to write to John to let him know you're thinking of him and that you're glad he's getting out soon, he'd love to hear from you. His current address is:

**John Tucker M34024  
Lincoln Correctional Center  
Post Office Box 549  
Lincoln, Illinois 62656**

More information is available at [tinleyparkfive.wordpress.com](http://tinleyparkfive.wordpress.com) and [j.mp/JohnTucker](http://j.mp/JohnTucker)

### **1 Jan - Nearly 100 in the streets for NYC ABC NYE Noise Demo**

*There is a superstition that says we should leave money outside and bring it in on New Year's Day to insure financial prosperity for the year. We in NYC ABC are hoping this idea can be extended. On January 1st, NYC had Lynne Stewart brought home and we hope this is an omen that many more of our imprisoned comrades come home to us this year.*

#### **MORE:**

On the night before Lynne Stewart's flight from Texas, we heeded the international call for a night of New Year's Eve noise demos. We held ours outside of MCC New York—the federal Metropolitan Correctional Center that currently holds local anarchist grand jury resister Jerry Koch and until the time of his recent sentencing imprisoned anarchist hacker Jeremy Hammond.

The night was raucous, with over 70 folks coming to show solidarity with prison rebels on the other side of the wall. Warehoused in a brick and mortar tower, we could see the silhouetted outlines of prisoners in their cells.

Occasionally lights would flicker, letting us know that we were connecting. As a ~~makeshift marching band~~ members of Rude Mechanical Orchestra— augmented by air horns, pots & pans, and an assortment of drums, forced lower Manhattan awake, some folks from Stop the Anarchist Witch-hunt (SAW) served up hot cocoa.

Amidst anti-police and anti-prison chants, folks were making their solidarity known— with raised voices and the clamor of assorted noise-makers.

By about 11:00pm, with the crowd energetic, but on the verge of hypothermia, the following statement was read as a call and response, insuring that our comrades inside could hear it:

“To many it feels like we live in a time like no other with surveillance and repression at every turn, but also resistance, rebellion, and open revolt. This is neither the new golden nor dark age, it is simply another moment in time where we can collectively force conflict with a fucked up system.

Every day there are revolts of varying scale, most of which you never hear about. For those captured in revolt, we come together in protest and celebration. Through the din of revelry and rage, we tie ourselves to those who suffer systematized white supremacy and war against the working class, behind steel bars and safety glass.

Prison is a means of social control to be absolutely destroyed.

Here's to the total destruction of a prison-based society!

Tonight we bring with us the courage of Sundiata Acoli, the ferocity of Joe-Joe Bowen, the wisdom of Russell Maroon Shoatz.

We remember in every act of rebellion against the state, our deceased comrade Herman Wallace— your legacy will never be forgotten.

We hold in our hearts comrades soon to be or recently imprisoned: Jerry Koch, Kevin Olliff, Rebecca Rubin, and Brian Vaillancourt.

YOU. ARE NOT. ALONE.”

The refrain of those last four words was screamed out, time and again. Not long after, folks left in small groups, making sure not to be snatched up by any of the myriad cops who would happily see us on the other side of the wall.

## **2 Jan - Dear New York Times Editors: If Snowden Is a Whistleblower, What Is Chelsea Manning?**

*The New York Times Editorial Board is to be highly praised for finally publishing a strong defense of former NSA contractor Edward Snowden, one which not only urges clemency but also labels him a whistleblower. But, it invites debate on another individual, one who is currently serving thirty-five years in a military prison for releasing classified government documents to WikiLeaks: Chelsea Manning.*

### **MORE:**

by Kevin Gosztola (*The Dissenter*)

If it is reasonable to argue that Snowden deserves clemency, doesn't Manning deserve clemency as well? And isn't she a whistleblower too?

I praised the New York Times editors for their editorial. Nonetheless, I find it worthwhile to challenge the Times.

Manning released the “Collateral Murder” video and over a half million documents to WikiLeaks. The documents included military incident reports from Iraq and Afghanistan, which were released as the Iraq War Logs and the Afghanistan War Logs. Over 250,000 US State Embassy cables were provided to WikiLeaks. Over 700 detainee assessment briefs on Guantanamo Bay prisoners were given to WikiLeaks as well.

WikiLeaks partnered with The Guardian, Der Spiegel and The New York Times on the the release of the Iraq and Afghanistan War Logs in 2010. The Times was not an official WikiLeaks partner for the release of diplomatic cables but obtained a copy of the set from The Guardian.

Many of the arguments the Times editors make in defense of Snowden could actually be made for Manning.

According to the Times, Snowden revealed “how NSA has exceeded its mandate and abused its authority.” A similar argument could be made about what was revealed in the war logs and diplomatic cables.

The Times editors suggest Snowden “deserves better than a life of permanent exile, fear and flight. He may have committed a crime to do so, but he has done his country a great service.” Does Manning deserve better than to spend more than thirty years of her life in a military prison at Fort Leavenworth?

Additionally, the editors contend Snowden should “have a hope of a life advocating for greater privacy and far stronger oversight of the runaway intelligence community.” Manning could be an effective advocate too, if she were not imprisoned. She could call attention to how the United States loses its humanity when fighting wars and the need to accept responsibility for conduct when innocent civilians are killed, rather than hiding behind “the veil of national security and classified information.”

Just as the Times makes clear that Snowden could not have gone through “proper channels,” it would have been impossible for Manning as well. The scale of information that she uncovered and found to be in the public

interest would never have seen the light of day. Had she sent specific documents in the sets to get the attention of members of Congress or had she gone to superiors within the military and said this should not be secret, she most certainly would have lost her security clearance. The material would have remained concealed.

If one accepts that Snowden tried to go to his superiors and they took no action after he expressed his misgivings because they did not “consider the collection programs to be an abuse,” shouldn’t it also be accepted that Manning had a similar experience?

*“In 2010, while stationed at Forward Operating Base Hammer in Baghdad, Pfc. Bradley Manning decided to approach a superior officer in his chain of command to voice his concern about something he had stumbled upon in his capacity as an intelligence analyst. His unit had been helping Iraqi federal police identify suspects for detention and discovered that fifteen men had been arrested for producing “anti-Iraqi literature.” After having a high-resolution photo of the “literature” translated into English, Manning discovered that the writing was hardly criminal; it was a “scholarly critique” of Iraqi Prime Minister Nouri al-Maliki. But his superior officer did not want to hear about it. Manning knew if he continued to assist the police in identifying political opponents, innocent people would be jailed, likely tortured, and “not seen again for a very long time, if ever,” as he told a military courtroom in Fort Meade, MD on February 28. Hoping to expose what was happening ahead of the Iraq parliamentary election, on March 7, 2010, Manning shared the information with WikiLeaks.”*

Six bullet points on violations Snowden revealed and legal actions he provoked are offered by the Times editors to further advance the argument that he is a whistleblower. Certainly, the same could be done for Manning:

- Manning revealed a video of a 2007 Apache helicopter attack, which shows two Reuters journalists being gunned down in Baghdad. The video, which featured soldiers begging superior officers for orders to fire on individuals, was withheld from Reuters, even though the media organization filed a Freedom of Information Act lawsuit.
- Frago 242, which the US and the UK appeared to have adopted as a way of excusing them from having to take responsibility for torture or ill-treatment of Iraqis by Iraqi military or security forces, was revealed in the Iraq War Logs.
- Yemen president Ali Abdullah Saleh agreed to secretly allow US cruise missile or drone attacks that he would say were launched by his government
- Both the administrations of President George W. Bush and President Barack Obama pressured Spain and Germany not to investigate torture authorized by Bush administration officials
- US government was well aware of rampant corruption in the Tunisian ruling family of President Ben Ali and the FBI trained torturers in Egypt’s state security service. The information released by Manning was one of the “small things“ that helped to inspire the Arab Spring
- Al Jazeera journalist Sami al-Hajj was sent to Guantanamo Bay prison “to provide information” on the “al Jazeera news network’s training program, telecommunications equipment and newsgathering operations in Chechnya, Kosovo and Afghanistan, including the network’s acquisition of a video of [Osama bin Laden] and a subsequent interview” of bin Laden, a clear attack on press freedom
- Partly basing its ruling on diplomatic cables Manning released, the European Court of Human Rights (ECHR), the court condemned the CIA for its extraordinary rendition program and found Macedonia had been responsible for the torture and violation of German car salesman Khaled el-Masri’s rights when he was abducted. Macedonia was ordered to pay \$78,500 in damages to Masri.

The above bullet points only begin to demonstrate the scale of abuse, corruption, misconduct, war crimes and violations of international law that were shown in documents. (Much more on what she revealed and why she is a classic whistleblower can be found here and here.)

In both cases, Snowden and Manning revealed significant abuses of the classification system in the United States. Much of the information should probably not have been secret (and certainly not for the next 20-25 years).

Snowden himself said, when he revealed he was the source for stories on the NSA, that "Manning was a classic whistleblower." She "was inspired by the public good."

At this point, the main historical difference between Manning and Snowden is that Snowden—and the journalists involved in publishing his disclosures—managed to get the political class to respond and acknowledge that the debate he wanted was worth having. Yet, it should not make a person less of a whistleblower if their disclosures do not manage to shake the foundations of government in such a way that parts of the power structure start to accept things will have to change. It cannot be the fault of the whistleblower that government has made itself immune to revelations of corruption.

Manning has formally requested a presidential pardon from Obama. Her lawyer, David Coombs, declared that her sentence was "disproportionate to both the offense and the offender. It will undoubtedly have a chilling effect on future whistleblowers and damage the public's perception of military justice."

Finally, this is not only an issue for the Times editors to confront but one all of American society should consider. It gets to the problem of how we fail whistleblowers as a country by ignoring them and allowing government to punish and silence them for trying to reveal to us the truth.

### **3 Jan - Hugo Pinell's Parole Hearing Postponed to March 11<sup>th</sup>, 2014**

*Attorney Keith Wattley appeared before the Parole Board in October 2013 and provided new information regarding Hugo Pinell. After hearing what attorney Keith Wattley had to say about Hugo, the Parole Board was then confused about Hugo's case and postponed their decision on Hugo's parole to March 11th.*

#### **MORE:**

This is very good news! We can widely promote Hugo Yogi Bear Pinell's case, and that it is way past time he goes home. We can also raise much needed funds for attorney Keith Wattley of Uncommon Law.

Yogi has been incarcerated since 1964 and has been in solitary confinement continuously since 1969.

Hugo Pinell, affectionately known as Yogi Bear by his friends, has been in Pelican Bay Security Housing Unit (SHU) since 1990 -- no windows or natural light, very restricted possessions, no phone calls, 24/7 lockup unless permitted to exercise alone for an hour in a small concrete pen, also known as a dog-run; no-contact visits which are limited to an hour and a half, if you are lucky, only on weekends or holidays and only one visit per day.

Yogi lives in a small 6' x 8' cell. In his cell he sleeps on a concrete bed, if you can call a concrete board a bed, has a metal toilet, a sink and a TV, and has extremely limited contact with the other prisoners in his section of the SHU; there are eight pods of cells in his unit. Armed guards stand non-stop watch over him and the other men. Basically Yogi spends every hour of every day by himself, day in and day out, unless family or a friend comes to visit him on a Saturday, or a Sunday or a holiday.

Yogi has been in solitary confinement for at least 42 years at San Quentin, Folsom, and Corcoran State Prisons, and the last 22 in Pelican Bay SHU. He was 19-years-old when incarcerated in 1964 and has spent a total of 48 years in prison altogether. Despite 32 years of clean time (no write-ups) he remains in solitary. Solitary confinement is considered to be torture, which is illegal under international law and our own Constitution.

Pelican Bay is isolated in the Northwest corner of California, just 10 miles south of the Oregon border, a very long trip by car (the only means). His mother, in her 80s with health problems has continued to make that long trip to visit her son, now 67 years old. Can you even imagine not being able to hug your own son for over four decades?

Yogi earned the enmity of the prison officials back in the 1960s when he was part of the "Black Movement" behind California prison walls led by George L. Jackson, W. L. Nolen, and many other conscious, standup

brothers who made it safe for Blacks to walk the yards of California's extremely racist gulags.

On August 21, 1971, in what has been deemed a setup, Soledad Brother George Jackson was murdered on the yard of San Quentin by prison guards. During this orchestrated escape attempt, however, three guards were also killed, along with two inmate "trustees." This set the prison officials on fire and they have been exacting revenge ever since on Hugo Pinell (Yogi), the only defendant in the "San Quentin Six" case still in prison; convicted of assault on a prison guard. The only defendant convicted of murder in the case, Johnny Spain, was released in 1988.

Clearly Yogi is a political prisoner, although the U.S. rarely if ever admits to holding any political prisoners. Our revolutionary hero is still strong of mind and body, has maintained his health with a strictly vegetarian diet and a grueling exercise program.

It would be a good thing for those with resources to contact the office of Attorney Keith Wattlely of The UnCommon Law at (510) 271-0310 or contact his secretary Ritika via email RAggarwal @ uncommonlaw.org to help Yogi with financial assistance in covering his legal fees. The law office is a 501(3)c and you can get tax deductions.

Attorney Wattlely works for a nonprofit organization, and he needs funds to travel to Hugo up in Crescent City, California, amongst other things.

### **6 Jan - Amnesty International statement on the eve of Albert Woodfox's Fifth Circuit Court oral arguments: We Demand Albert's release!**

*Featured below are statements released by both Amnesty USA and Amnesty International's Media Centre, on the eve of Albert Woodfox's oral arguments before the Fifth Circuit Court in New Orleans on Tuesday, January 7.*

#### **MORE:**

#### **Amnesty International USA Calls on Louisiana to Release Albert Woodfox**

On the eve of a federal court of appeals hearing on the case of Albert Woodfox, Amnesty International USA is calling on authorities in Louisiana to immediately release Woodfox from prison where he has spent over four decades in solitary confinement.

"Louisiana cannot extend the abuses and injustice against Albert Woodfox another day," said Steven W. Hawkins, executive director, Amnesty International USA. "Louisiana authorities are leading a campaign of vengeance instead of upholding justice. Keeping Woodfox in solitary confinement for over four decades is a dark stain on human rights in the United States and globally. Louisiana must withdraw its legal appeal and allow the federal court ruling to stand. Should this not occur, the Court of Appeal should rule in the interests of justice and pave the way for Albert Woodfox's release."

On January 7, the 5th Circuit Court of Appeals (the federal court that oversees appeals in Louisiana and other states) will rule whether to uphold a federal district judge's ruling issued last February that overturned Woodfox's conviction. The state of Louisiana has appealed asking for the federal court to reinstate the sentence.

"The state of Louisiana's action is not in the interests of justice," said Tessa Murphy, USA campaigner at Amnesty International. "Its insistence on keeping Albert Woodfox behind bars after decades in solitary confinement amounts to a campaign of vengeance, paid with taxpayers' money. The conviction has been overturned three times in what is a deeply flawed case, yet Louisiana has opposed every remedy ordered by the courts."

Albert Woodfox was placed in solitary confinement over 41 years ago in Louisiana State Penitentiary, known to many as "Angola." During this time, he has been confined to a small cell for 23 hours a day, denied access to

meaningful social interaction and rehabilitation programs.

Prison records show that Woodfox has not committed any serious disciplinary infractions for decades and that he doesn't pose a threat to himself or others.

He and Herman Wallace were both convicted of the 1972 murder of prison guard Brent Miller. There was no physical evidence to link them to the crime and their convictions relied primarily on the dubious testimony of a sole eyewitness who received favorable treatment, and was eventually pardoned, for his testimony. The case against them was based on flawed evidence and riddled with procedural errors that have been extensively documented over the years.

Both men robustly denied any involvement in the crime. They believe they were falsely implicated in the murder because of their political activism in prison as members of the Black Panther Party.

Herman Wallace was released in October 2013 just days before he died of liver cancer. A federal judge overturned his conviction on the basis of the systematic exclusion of women from the grand jury during his 1974 trial.

"A remedy to the injustice inflicted on Albert Woodfox by the state is long overdue," said Murphy. "Herman Wallace gained his freedom only to die within days. Justice must not again be so cruelly delayed."

After the death of Herman Wallace, Albert Woodfox's co-defendant in the "Angola 3" case, Amnesty International launched a campaign calling on the state of Louisiana to release Albert Woodfox from prison by means of withdrawing its appeal against the U.S. District Court's ruling.

### **USA: End four-decade campaign of vengeance and release Albert Woodfox**

Authorities in the US state of Louisiana must end their campaign of vengeance against Albert Woodfox and release him after nearly four decades of cruel solitary confinement, Amnesty International said on the eve of a Federal Court of Appeals hearing on his case.

"The state of Louisiana's action is not in the interests of justice. Its insistence in keeping Albert Woodfox behind bars after decades in solitary confinement amounts to a campaign of vengeance, paid with taxpayers' money," said Tessa Murphy, USA campaigner at Amnesty International.

"It is incomprehensible that the state continues to keep him behind bars. This conviction has been overturned three times in what is a deeply flawed case, yet Louisiana has opposed every remedy ordered by the courts."

On 7 January, the 5th Circuit Court of Appeals (the Federal Court that oversees appeals in Louisiana and other states) will rule whether to uphold a federal district judge's ruling issued last February that overturned Woodfox's conviction. The state of Louisiana has appealed asking for the Federal court to reinstate the sentence.

"Louisiana should withdraw its legal appeal and allow the federal court ruling to stand. Should this not occur, the Court of Appeal should rule in the interests of justice and pave the way for Albert Woodfox's release," said Tessa Murphy.

Albert Woodfox was placed in solitary confinement over 41 years ago in Louisiana State Penitentiary, known to many as "Angola". During this time, he has been confined to a small cell for 23 hours a day, denied access to meaningful social interaction and rehabilitation programmes.

Prison records show that Woodfox has not committed any serious disciplinary infractions for decades and that he doesn't pose a threat to himself or others.

He and Herman Wallace were both convicted of the 1972 murder of prison guard Brent Miller. There was no physical evidence to link them to the crime and their convictions relied primarily on the dubious testimony of a sole eyewitness who received favourable treatment in return for his testimony. The case against them was based on flawed evidence and riddled with procedural errors that have been extensively documented over the years.

Both men robustly denied any involvement in the crime. They believe they were falsely implicated in the murder because of their political activism in prison as members of the Black Panther Party.

Herman Wallace was released in October 2013 just days before he died of liver cancer. A federal judge overturned his conviction on the basis of the systematic exclusion of women from the grand jury during his 1974 trial.

“A remedy to the injustice inflicted on Albert Woodfox by the state is long overdue,” said Tessa Murphy.

“Herman Wallace gained his freedom only to die within days. Justice must not again be so cruelly delayed.”

### **10 Jan - No More Deaths Talk at The Base**

**WHAT:** Campaign talk presented by No More Deaths Tucson

**WHEN:** 7:00pm, Friday, January 10th

**WHERE:** The Base – 1302 Myrtle Avenue Brooklyn, New York 11221 (Directions below)

**COST:** Free, but donations are appreciated.

#### **MORE:**

A discussion of No More Deaths (NMD) and US/Mexico border militarization:

Lydia Elena, a member of No More Deaths Tucson, will lead a discussion on humanitarian support in the Southern Arizona desert and human rights abuse documentation in the region. There will be space for questions and resources provided about the history of militarization of the border, the NMD organization and how to get involved. For her stop in Brooklyn, NYC ABC is co-hosting a workshop for folks to familiarize themselves with the campaign. It's happening at The Base.

For more information on No More Deaths their campaign, visit [nomoredeaths.org](http://nomoredeaths.org)

#### **Directions:**

Getting to The Base is simple:

From the M Train:

Central Avenue Stop: Walk east on Myrtle Avenue (away from Hart Street, toward Cedar Street). We're about two blocks down on the south side of the street.

Knickerbocker Avenue Stop: Walk west on Myrtle Avenue (away from Harman Street, toward Himrod Street). We're about three blocks down on the south side of the street.

From the L Train:

DeKalb Avenue Stop: Walk south on Stockholm Street (away from Wyckoff Avenue, toward Irving Avenue). We're about four blocks down, at the intersection of Stockholm Street and Myrtle Avenue.

### **17 Jan - Guillermo Morales-Assata Shakur Center & Peoplez Survival Program Presentz...**

**WHAT:** FREE THE ANGOLA 3 – FREE ALL U.S. CAPTURED POLITICAL PRISONERS!

**WHEN:** 6:00-10:00pm, Friday, January 17th

**WHERE:** Harlem's National Black Theater - 3rd Floor - 2033 Fifth Avenue (between 125th and 126th Streets)

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

**MORE:**

Featuring Film Screening Of “*The Angola 3: Black Panthers & The Last Slave Plantation*”, a Book Signing/Q&A Discussion With Freed Angola 3 Political Prisoner Robert King Wilkerson, and A Special Tribute To Fallen Angola 3 Member Herman Wallace!

Sponsored by The Safiya Bukhari-Albert Nuh Washington Foundation

**18 Jan - MXCC 18<sup>th</sup> Annual Dinner Tribute to the Families of our Political Prisoners & Prisoners of War**

**WHAT:** Malcolm X Commemoration Committee Tribute Dinner

**WHEN:** 3:00pm-7:00pm, Saturday, January 18<sup>th</sup>

**WHERE:** Martin Luther King, Jr. Labor Center - 310 West 43<sup>rd</sup> Street (between 8<sup>th</sup> & 9<sup>th</sup> Avenues) in Manhattan

**COST:** \$40 in advance and \$45 at the door.

**MORE:**

The Malcolm X Commemoration Committee will host a very special 18<sup>th</sup> Annual Dinner Tribute to the Families of our Political Prisoners & Prisoners of War in honor of our Beloved and esteemed elders, chairman emeritus and “Dynamic Duo”, Herman and Iyaluua Ferguson. This event - co-sponsored by the 1199 SEIU Activists - will take place on Saturday, January 18th 2014 at the Martin Luther King, Jr. Labor Center from 3pm-7pm - dinner served at 4pm.

We who know and Love the Ferguson’s have long recognized them as a Dynamic Duo who exemplify what long distance commitment, revolutionary Love, courage and resistance looks like. Herman Ferguson, a revolutionary Black Nationalist, former exile/political prisoner due to the united states targeting and Cointelpro crimes against Black/New Afrikan freedom fighters and the Black Liberation Movement and Iyaluua Ferguson, educator, revolutionary, wife and comrade who left the u.s. to join her life partner in exile. After 19 years in the Caribbean nation of Guyana, the Ferguson’s returned to the states where Herman was immediately captured and unjustly imprisoned by the NYSDOC for a period of seven years. Thankfully, the late great honorable Judge Bruce Wright granted and demanded his parole back to his family/community. Upon his release from prison, Herman got right back to his life’s work of serving and defending Black people’s right to self-determination, self-defense co-convening the Jericho Movement for Amnesty & Recognition of u.s. held PP/POWs, fighting for the freedom of our unjustly imprisoned Black/New Afrikan freedom fighters, visiting them, co-founding MXCC, co-authoring his autobiography, “An Unlikely Warrior, Herman Ferguson: Evolution of a Black Nationalist Revolutionary” with Iyaluua and a long list of revolutionary struggles.

It is these reasons and more why we pay tribute to this Dynamic Duo; their contributions and many sacrifices to the Black Freedom struggle are the examples many across the Afrikan diaspora aspire. It is because Iyaluua said it was her personal experience of living with the ‘sheer terror’ of having a Loved one captured behind the wall as a PP/POW that led to the first Dinner tribute. That was 18 years ago, and today, we remain firm in our solidarity and support of the sons and daughters, mothers and fathers, husbands and wives and other family members of our PP/POWs. This Dinner Tribute has become our collective response to Iyaluua’s call that we NEVER forget the decades-long sacrifices and commitment our unjustly imprisoned freedom fighters and their families have made to the Black Freedom struggle.

So on Saturday, January 18th, 2014, we invite and look forward to your support and participation in this timely and well-deserved tribute not only to the families of our PP/POWS, but to our very own “Dynamic Duo,” two of the greatest and most exemplary examples of revolutionary Love and Struggle.

We ask that if you cannot attend that you please make a donation as all proceeds go to the commissary accounts of our PP/POWs represented by family. The larger your community support, the larger our donation to our captured freedom fighters.