

Updates for March 18th

4 Mar - Wife of Murdered Prison Guard Urges Justice for Man Placed in Solitary 42 Years Ago

The wife of the murdered cop at the center of the Angola 3 case doesn't think Albert Woodfox was involved.

MORE:

The morning of 17 April 1972 will be forever etched on Leontine Rogers' memory.

The 17-year-old trainee beautician, known as Teenie, woke up early, had breakfast and drove her 23-year-old husband Brent Miller to work. He was a guard at the notorious Angola prison in the state of Louisiana.

A few hours later, she was sitting in class at the beauty school, when her sister turned up out of the blue.

"There's been an accident. Brent is dead," she said.

Teenie's world collapsed. The couple had been married for just three months. Brent had been found dead in a cell with multiple stab wounds.

"Brent was my whole life. He was witty, handsome and talented. He sang and played the drums. He was an all-round good soul. I couldn't imagine going on without him. It was so hard," she told Amnesty International.

But what neither Teenie nor Brent's family knew was that from that point on, their lives would become embroiled in a legal case that has spanned nearly half a century.

The trials of Albert Woodfox and Herman Wallace were deeply flawed. Their convictions reflected the rife discrimination and corruption in Louisiana's justice system.

A third man, Robert King, was accused of planning the murder from another jail.

All three were placed in solitary confinement following the murder. Together they are known as the "Angola 3".

In a bizarre turn of events Teenie found herself fighting for justice - not just for her husband - but also for the men convicted of his murder.

Pointing the finger of blame

Brent and Teenie met in the early 70s in a tight-knit community next to the Angola Prison, where most of the prison staff and their families lived. Her father was also a guard.

The prison, built on what used to be a slave plantation called Angola, was known for its brutal treatment of detainees.

Racism was rife behind the tall concrete prison walls. Inmates were racially segregated and guarded exclusively by white officers. Murder and rape were endemic.

Amongst the hundreds held in Angola were Albert Woodfox and Herman Wallace, two African American men who had been convicted on unrelated cases of armed robbery.

In a bid to improve prison conditions, they founded a chapter of the Black Panther Party - a popular revolutionary movement at the time.

But their activism didn't sit well in the prison.

Almost immediately after the discovery of Brent's body, covered with stab wounds, Herman and Albert were placed in small airless isolation cells.

The small correctional community of Angola was in turmoil. Many wanted answers and fast.

"We all grew up there and to have one of us taken out like that. Everything changed in Angola after that. No one trusted one another," Teenie explained.

It was too much for Teenie and her family - they left to watch the trial from afar.

"Show" trial

While Albert and Herman claimed they were innocent, their trial was shockingly flawed.

Prosecutors failed to produce any physical evidence linking the men to Brent's murder. A bloody print found at the murder scene was used as evidence, even though it did not match those of the men accused of the murder.

Since the original trial, evidence has emerged that the main eyewitness was bribed by prison officials to give statements against the men; and that the state withheld evidence about the perjured testimony of another inmate. Other witnesses retracted their testimony.

Robert King was finally released in 2001, after 29 years in jail.

Meanwhile, Albert Woodfox and Herman Wallace continued to languish in solitary confinement.

Lawyers, private investigators and human rights advocates have continued a tireless campaign for their release.

A fateful knock at the door

In 2006, Billie Mizell, an investigator working for the campaign to free the men, knocked on Teenie's door. It was only then she realized that there might have been a terrible miscarriage of justice.

"Billie said she wanted to talk to me about Angola. I was fascinated someone would want to talk to me about what happened. She started showing me evidence ... the bloody fingerprint, the fact was that they did not belong to any of the three they had in prison so it just got me thinking ... and after seeing all the evidence, I believe them to be innocent," said Teenie.

From that moment and despite opposition from members of her community back in Angola, Teenie joined the campaign against the convictions.

Justice must be done

Progress has been painfully slow.

Last year, after nearly 40 years in solitary confinement, Herman Wallace was diagnosed with terminal cancer.

When Teenie found out she applied to visit him in prison, but all requests were denied.

"The moment I found out that Herman was dying it just broke my heart. I wanted to see him, I wanted to talk to

him. I wanted ... forgiveness. I wanted to let him know that I believed he was innocent, and I wasn't able to do that," said Teenie.

Finally a US federal court ruled that his trial had been unfair. Sadly it came too late for lasting benefit. Herman passed away on 4 October 2013, just three days after being released.

Albert Woodfox - last chance for freedom

Albert Woodfox is the last remaining member of the "Angola 3" still in prison. He has now spent over half of his life in isolation for a crime, Teenie believes, he did not commit.

Despite having his conviction overturned three times, he waits behind bars while the State continues to appeal.

The 67-year-old is confined to a 2x3 metre cell, 23 hours a day. He is only allowed out to exercise alone in a small outdoor cage or to walk along the cell unit corridor and shower.

Albert's lawyer has said he now suffers from claustrophobia, hypertension, heart disease, chronic renal insufficiency, diabetes, anxiety and insomnia - the shouting and screaming from adjacent cells makes sleeping very difficult.

After nearly four decades in isolation, he is still waiting to see if the Appeal Court will uphold the decision of a Federal Judge, a year ago, to overturn his conviction.

If it finds against him, he is most likely to die in prison.

In the meantime, Teenie will continue to fight for justice, not just for Albert Woodfox, but for the memory of her husband, as she firmly believes that his killer or killers remain at large.

"I feel like the state is pursuing them because they need to blame someone and they think they are doing justice. But what they have been doing is an injustice ... This needs to stop, for me and my family to get closure."

"I am speaking out now because I don't want another innocent man to die in prison."

4 Mar - Michigan Oil Spill Protest May Land These 3 Women In Prison

Three women each face up to two years in prison for protesting the replacement of an oil pipeline in western Michigan responsible for the biggest inland oil spill in U.S. history. UPDATE: The three were sentenced to time served plus supervised release.

MORE:

by Ashley Woods (*Huffington Post*)

The activists have a cute nickname: The MI-CATS 3 (they are affiliated with the Michigan Coalition Against Tar Sands -- MI-CATS). But the possible prison sentences awaiting Vicci Hamlin, Lisa Leggio, and Barb Carter are no laughing matter. They will be sentenced Wednesday in Ingham County, Mich., for obstructing police and trespassing.

The protesters locked themselves to excavating machines at a pipeline construction site of Calgary-based Enbridge Inc. near Stockbridge, Mich., in July. State police cut the protesters from the machinery and arrested them, along with seven others affiliated with MI-CATS, Jake McGraw, a member of the group, told The Huffington Post.

The women said they wanted to stop work on Enbridge's Line 6B, which ruptured in 2010, spilling more than 800,000 gallons of tar sands oil into a Kalamazoo River tributary. It was the largest inland oil spill in U.S. history.

Enbridge has been working to replace the 285-mile pipeline, which runs from Sarnia, Ontario, through Michigan to Griffith, Ind. The leak polluted 30 miles of the Kalamazoo River in western Michigan and has cost the energy company more than \$1 billion to clean up. Enbridge missed its Environmental Protection Agency deadline for removing spilled oil in December.

The protesters put their own safety and the safety of pipeline workers and emergency responders at risk by trespassing and “illegally gaining access to the equipment,” according to an Enbridge statement in July to MLive. Enbridge did not respond to The Huffington Post's request for comment.

In January, Hamlin, Leggio and Carter were convicted of misdemeanor trespassing, along with a felony charge of restricting and obstructing police officers, which carries a maximum sentence of two years in prison. The judge wouldn't allow the women to use environmental necessity as a defense, McGraw said. The jury deliberated for nine hours before returning the verdict.

A fourth protestor, William Michael Lawrence, 22, of East Lansing, Mich., pleaded guilty to the obstruction charge and was sentenced to probation. Other protestors who were arrested were never charged.

Ingham County Circuit Judge William Collette revoked bond for the women following their convictions and sent them to jail to await sentencing.

Hamlin, 60, is a veteran social activist who worked as a domestic abuse counselor in Indiana until she was taken into custody. Her great-grandchild was born while she was in jail. Leggio, 35, who logged almost 200 hours of service in the two weeks after Hurricane Sandy, became a grandmother while she's been behind bars. Carter, 22, of Detroit, is an Occupy Detroit member who lives near a Marathon oil refinery that she said makes it hard for her to breathe when she goes outside. Leggio has a prior felony conviction, according to MLive.

Tar sands oil has become a hotbed issue in the Midwest. The Marathon refinery in Southwest Detroit was recently retrofitted to process more crude oil from Canada. Last summer, large mounds of refinery waste called petcoke were dumped on the banks of the Detroit River. The petcoke is a byproduct from that refinery, sold as fuel overseas. The three-story pile of petcoke was supposedly "contained," but reports said some blew into the path of freighters and onto homes.

McGraw said he found the felony charge for restricting and obstructing police officers troubling. The women were charged with the offense because they did not detach themselves from the machinery, although their defense attorney argued during trial that police never issued a direct order.

"All the officers testified that they were well behaved, that they were friendly, that they were courteous," McGraw said. "They could have assaulted the officer and received the exact same charge."

The case has attracted national attention. A petition delivered to the judge asking for sentencing leniency has garnered more than 60,000 signatures. McGraw said the MI-CATS are receiving 500 letters a week each in jail. He said they are doing well.

"They are really remarkable in that they are staying positive and standing in their belief in this," McGraw said. "They haven't shown any regrets for what they've done. They believe they are in the right about this."

"Even if we're found guilty, we consider it a victory, because that was the whole goal of what we did, was to bring to light the expansion of the pipeline and the spill and Enbridge and all of that," Leggio told reporters after being convicted. "Even if you don't see a direct link -- we didn't stop this pipeline, obviously. It's still being expanded ... But don't doubt for one second the ripple effect of what you do. You throw one little stone, and it creates a ripple. Do not forget that."

4 Mar - Marshall “Eddie” Conway Freed

A small hearing March 4, 2014, in an obscure courtroom at the Circuit Court for Baltimore City ended with the

release of former Black Panther Marshall Edward Conway, who has spent nearly 44 of his 67 years in maximum security prisons.

MORE:

by Susie Day (*TruthOut*)

Eddie, as he is known to his thousands of supporters, entered the courtroom wearing a Department of Corrections sweatshirt, in handcuffs and leg chains, and walked out of the courthouse about an hour later in civilian clothes to greet a host of family, supporters and old friends:

"I am filled with a lot of different emotions after nearly 44 years in prison. I want to thank my family, my friends, my lawyers and my supporters; many have suffered along with me."

Despite Eddie Conway's insistence on his innocence, it took years for Conway and his attorneys to find a way to overturn his conviction. Finally, in May 2012, the Maryland Court of Appeals ruled in the case of *Unger v. State* that a Maryland jury, to comply with due process as stated in the US Constitution, must be convinced beyond a reasonable doubt that someone charged with a crime is guilty before that jury can convict the defendant. What made this decision momentous for many people in prison, including Conway, is that it applied retroactively.

Robert Boyle and Phillip G. Dantes, attorneys for Conway, filed a motion on his behalf based on this ruling, arguing that the judge in Conway's trial had not properly instructed the jury that this "beyond a reasonable doubt" proviso was mandatory for conviction. Based on this motion, they negotiated an agreement whereby Conway would be resentenced to time served and be released from prison. In exchange, Conway and his lawyers agreed not to litigate his case based on the *Unger* ruling.

As he walked away from the courthouse, Boyle said: "It's a big day for black political prisoners that one of them has finally gotten out. I feel that [the late mayor of Jackson, Mississippi] Chokwe Lumumba was speaking into the judge's ear, to urge him to let this happen."

Scores of former Black Panthers are serving virtual life sentences in prison, largely the result of the 1977 Church Committee Senate hearings and the efforts of J. Edgar Hoover, who ordered his FBI in the 1960s and '70s to target the Black Panther Party. The first Panther chapter was started in 1966 in Oakland, California, but by the time a chapter was formed in Baltimore in 1968, the FBI had had ample time to insert more than its usual share of informants into the fledgling organization. The FBI, moreover, often worked in league with various municipal police departments. As Conway wrote in his political memoir, "The alleged murder of police officers would soon take the place of the mythological rape of white women as the basis for the legal lynching of black men."

On the night of April 21, 1970, two Baltimore police officers, Donald Sager and Stanley Sierakowski, were shot as they responded to a domestic disturbance call. Sierakowski was wounded seriously, and Sager died of his wounds. Two members of the Black Panther Party, Jack Ivory Johnson and Jackie Powell, were apprehended close to the scene soon after the shooting. Other police officers spotted a third African-American man and chased him for several blocks as the man fired back at them, finally escaping. A police officer later testified that the man he chased and who shot at him as he fled was Marshall Eddie Conway, a prominent Panther activist in the community.

"There was a de facto war being waged between the police and the black community," Robert Boyle explained. "Eddie Conway was a well-known person in the Baltimore Black Panthers. If it wasn't Eddie, it was going to be someone else from the Party."

The day after the shooting, Conway was arrested at work in the Baltimore post office.

Mr. Conway's trial, complex and tumultuous, lasted several months. Jack Johnson had, at one point during police interrogations, named Powell and Conway as the shooters but later refused to testify to this in court, saying that police had beaten him until he told this story. Conway chose not to attend much of his trial, protesting the fact that he had been given a court-appointed attorney in lieu of his choice, William Kunstler, who needed more time

before he could join this case.

Adding to the mix was a jailhouse informant, Charles Reynolds, who was not charged in the case but testified that the Baltimore Panther Party required aspiring members to shoot a police officer and that Paul Coates - now head of the Black Classics Press - had ordered Conway to carry out the shooting. However, Coates refuted this in court, testifying that Eddie was, in fact, already a party member, higher in party rank than himself. Despite, or possibly because of these and many more complications, a jury finally convicted all three men of the murder of Sager. Conway was sentenced to life without parole.

Powell died in prison in the 1980s. Johnson was released in 2009, having served his full term after he was resentenced. But Conway served until Tuesday in various Maryland prisons, an "exemplary prisoner."

While continuing to maintain his innocence, Conway identified himself as a political prisoner. During his decades of incarceration, he earned three college degrees and organized a literacy program. He has also started other human rights groups, such as Friend of a Friend, which is affiliated with the American Friends Service Committee and helps young men, often gang members, resolve conflicts. Because 78 percent of the Maryland prison population is African-American, Friend of a Friend also teaches these young men about their heritage and culture.

So it was no accident that, in the courtroom and outside the courthouse, several young men whose lives had been changed were waiting to welcome Conway to the outside world. "He helped me when I was incarcerated at 15 years old," said DJ, one of the kids who met Eddie in prison. The Friend of a Friend program helped him a lot; DJ said he owes who he is now to Conway. "Eddie took a chance on me, and changed my life."

Also there to hug Conway for the first time in some 43 years was his old friend Coates.

Ronald Conway, Eddie's son, blinking back tears, talked about how his father had held back from getting to know Ronald's two sons because he didn't want them to see him in prison; and now, they all had a chance to really be together.

Boyle said: "I am absolutely thrilled for Eddie. Finally, what we wanted has happened: to see this innocent man out of jail."

4 Mar - New writings by Mumia Abu-Jamal

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

MORE:

March 4th - Black History 4

The recent trial of 47-year old computer tech, Michael Dunn, for the killing of teenager, Jordan Davis, and attempted murder of 3 other Black youth, is a fitting reminder of the real state of Black people in America during Black History Month.

While he had a hung jury in the Davis murder, the convictions for attempted murder essentially delivers a life sentence, some said.

Right.

People are hoping, and reporters are all but predicting, but be not surprised if the 3 attempted murder convictions are reversed by a state appeals court – for failure to prove specific intent against the boys – and Dunn is free as a proverbial bird.

This is, after all, Florida.

Moreover, it's America.

Be not surprised.

The courts of the nation aren't your courts. The judges of these courts see you as aliens – aliens in the land your ancestors have dwelled in for some 500 years.

It was ever thus.

This may be Black History Month – but that ain't changed.

March 5th - Bringers of Discord

The lands we arrogantly named the Middle East (one must wonder, Middle East of what? Europe?) are in disarray and disaster today, largely because of the greed, hubris and yes, white supremacy of Europe and America.

Iran today suffers from painful sanctions, while those who ripped Iraq apart, who drove the forces of ethnic, sectarian and religious rivalry into furies almost approaching civil war, and face nothing.

Iraq is today a charnel house that has sent ripples of disorder, destruction and destabilization throughout the region.

This is the foul fruit of that old lie: 'weapons of mass destruction.'

It is interesting that I am addressing a group composed of Iranian students, for many decades ago, as a young journalist; I covered several demonstrations featuring members of the Iranian Students Association, who marched through downtown Philadelphia shouting, "Down Vis da Shah!"

When I interviewed them, they told of the ill-gotten wealth of the Peacock Throne, and the brutal terror of the dreaded SAVAK, the Shah's secret police. The SAVAK, trained in their deadly arts by the CIA and Israeli intelligence, made life for Iranians both at home and abroad, a living hell of fear.

Of course, who could foresee the future of life in Iran after the Shah's overthrow?

None of us truly knew the future.

But, we know enough of the past to teach us valuable lessons. (If we want to learn.)

Like, when foreign invaders intervene, they bring chaos, destruction and discord.

They make problems worse – not better.

That's a lesson from the CIA and M15 removal of Iran's President Mohammed Mossedegh in August 1953, which set the stage for decades of rule by the Shah Reza Pahlavi, the savagery of SAVAK, and ultimately, the Shah's fall and the rise of the role of the clerics.

Iranians must decide Iran's future, not foreign intelligence agencies, or foreign armies.

It's been over 50 years.

Perhaps that lesson has finally been learned.

March 12th - Chokwe Lumumba: Présente!

His name was Chokwe: Chokwe Lumumba.

And for over 40 years, he was a people's lawyer, dedicated to the needs of the Black Nation.

As a young lawyer in Detroit, he worked too defend members of the nationalist group, the Republic of New Afrika, after their members were attacked by police, and many were arrested back in 1981.

When he signed on to defend RNA members Bilal Sunni Ali and Fulani Sunni Ali, the judge went out of his way to remove him from the case. But Lumumba fought to reverse this order, and sure enough, it was reversed.

That fierce determination fueled him through and exemplary career in law, and he developed a nationalist practice that attracted radicals and revolutionaries as clients.

When famed rapper, Tupac Shakur was charged with aggravated assault on several cops, Lumumba represented him – and beat the case.

When the Scott sisters (Jamie and Gladys) were fighting and unjust conviction for robbery, Chokwe Lumumba convinced a Mississippi Governor, Haley Barbour, to free them in 2011, after over 16 years in prison.

When he entered electoral politics, Jackson, Mississippi would become his city after election as Mayor.

He was able, imaginative and determined.

Chokwe Lumumba, after 66 years of life, recently joined his ancestors.

He never stopped fighting for the freedom of Black people.

March 14th - Closed Schools

It is a national crisis.

Worse, it is a crime.

Schools, all across Black America and in El Barrio, are closed –shuttered.

What does this mean? It means that the one source of social advancement –education – is being narrowed, so that few can access it.

The political class has been bought off and made so inconsequential that it either supports this tragic process, or is silent.

They are preparing the way for the corporatization of education. Tossed into the trash can of history is the very notion of public schools. Why? Simple. Tax dollars.

Diane Ravitch was once a loud and opinionated advocate for these corporate schools, seemingly driven by the problems of American education. She has had a profound change of heart, and in a series of articles, she has written condemnatory lines about that process. Ravitch writes:

No nation in the world has eliminated poverty by firing teachers or by handing its public schools over to private managers; nor does research support either strategy. But these inconvenient facts do not reduce the reformers' zeal. The new breed of school reformers consists mainly of Wall Street hedge-fund managers, foundation officials, corporate executives, entrepreneurs, and policy-makers, but few experienced educators. The reformers' detachment from the realities of schooling and their indifference to research allow them to ignore the important influences of family and poverty....*

Despite this biting criticism, published in a major national magazine, the process goes on, and as cities scuttle to pay for the machinery of repression, they close the institutions of reason and learning.

Charter schools are the new thing. Corporate schools.

Schools for those who can theoretically afford them.

For the poor –nothing.

We don't even pretend anymore, for we need no longer do so. This is the age of business.

Those in power don't have to worry about this.

But we do.

The closure of schools is the expansion of prisons.

It's as simple – and as ugly – as that.

March 14th - Bullies of Babylon

The U.S. Senate rejection of U.S. Department of Justice nominee, Debo Adegbile for the post of head of that agency's Civil Rights Division is, more than anything, the triumph of fear and lies over reason and fact.

Adegbile, by all accounts, is an able, skilled litigator, who had been an exemplary candidate for the post.

But the Broad Street Bullies (a/k/a the FOP [Fraternal Order of Police]), had other ideas, and they didn't let truth get in their way. In a mad attempt to hurt me, they slimed a man whom they neither knew, nor cared to know – moreover, they soiled their own constitution –y'know, that document they swore to obey, honor and protect.

For it is bitter irony that the man nominated for the nation's highest civil rights post, was himself denied the civil right of due process, and the human right of self-defense. And this is so simply because he dared to do what defense lawyers are legally and constitutionally required to do- defend their clients.

For this, he was spat upon by vile men. For this, he was denied, by a raft of lies.

What do you call a country where cops decide who will be judges, prosecutors and government officials?

We call it a police state.

And the greasy politicians who are paid to support this path, who, too, swore on the constitution, only to shred it, will usher in an era that will, inevitably, turn on them.

The late Albert F. Sabo (my trial judge, BTW), a judge who was so biased that he became an embarrassment on the bench, was a Life Member of the FOP.

The judges of the PA Supreme Court, announced proudly that they accepted support and money from the FOP (they called it campaign contributions, of course.)

And whether bought or bullied, this millionaire Congress, who now have 10% support for defending the 1% of wealth, have sold what remains of their souls to the highest bidder.

We need to cut out the middle-man and just paste a giant \$ dollar sign to the podium and background of Congress –for they are for sale.

What they have shown is – you get what you pay for.

5 Mar - Lawyers for Journalist Barrett Brown Challenge Government's Criminalization

of Link-Sharing

Lawyers for Barrett Brown, an activist, author and journalist, have filed motions to dismiss several of the offenses, which he faces. **UPDATE:** The government has moved to dismiss all of the counts related to his sharing of a link to a file from the private intelligence firm, Stratfor, that was already publicly available to others.

MORE:

by Kevin Gosztola (*The Dissenter*)

Lawyers for Barrett Brown, an activist, author and journalist, have filed motions to dismiss several of the offenses, which he faces. Dismissal motions related to the charges stemming from sharing a link and allegedly obstructing justice by placing laptops in a residence prior to the execution of a search warrant.

Brown was raided by the FBI for a second time on September 12, 2012, and arrested. He was first indicted on three counts related to alleged Internet threats he made against an FBI agent in October 2012. Subsequently, a federal grand jury indicted him on twelve additional counts related to the sharing of a link that had already been made public and shared when files from the private intelligence firm, Stratfor, were leaked. He was then charged with obstruction of justice offenses on January 23, 2013.

He has been in jail since his arrest. If convicted of all the offenses, he could potentially be sentenced to 105 years in prison.

The prosecution of Brown for sharing a link involves key issues of freedom of the press. His defense argues in their motion, “Mr. Brown’s conduct is protected speech because it is expressive in nature” and was “conducted as part of Mr. Brown’s press activities.”

The motion further alleges that the government is “punishing” Brown for “transferring a (publicly available) hyperlink from one chat room to another,” which is an “act of pure communication and expression” that should be protected by the First Amendment and not criminalized. It suggests the “punishment” stems from the fact that the link came from a batch of files that included details of “improprieties within the private intelligence contracting industry,” and that the “gathering, disseminating and publishing information about the Stratfor hack and, more generally, private intelligence contractors” was a part of Brown’s “routine press activity.”

On December 25, 2011, according to the motion, an Internet Relay Chat (IRC) user posted a link to a Stratfor file (the link is now defunct).

Brown republished it to an IRC channel for his collaborative web publication, Project PM, which regularly investigated material that appeared online from hackers and leakers.

Almost one year later, the government charged Brown with trafficking in “stolen authentication features” and ten counts of “aggravated identity theft” for transferring and possessing without lawful authority the means of identification for multiple individuals; particularly, the Card Verification Values (CVVs) of their credit cards, the card holders’ names, their user names for online account access and address, phone numbers and email address information.

Brown’s defense argues these offenses should be dismissed since the hyperlink contained no CVVs.

“At no point does the Indictment allege the movement, conveyance or copying of the Stratfor file,” the motion reads. “Nor does it allege Mr. Brown’s republication of an already public hyperlink caused the movement, conveyance or copying of the Stratfor file at any time.”

“Mr. Brown’s act in republishing a hyperlink did not result in the ‘selection’ of the Stratfor file containing CVVs. Nor did it result in the ‘placement’ of the Stratfor file anywhere. Rather, the government alleges only that Mr. Brown “transferred” a hyperlink containing directions to where the Stratfor file was already placed by another person when the Stratfor files were uploaded to public web servers.”

They argue that Brown shared a link that had already been shared by others. It did not contain any Stratfor file data, just the location of the data. There also is no evidence that anyone accessed any CVVs because Brown copied and pasted the link. “The culpable conduct alleged is incomplete, and the counts must be dismissed,” his defense concludes.

But, more importantly, the defense disputes the government’s argument that the republishing of a link was “speech integral to criminal conduct” and not protected by the First Amendment.

What Brown did came after Stratfor was accessed by individuals without proper authorization. His conduct came after files were taken from Stratfor’s servers. His conduct came after the files were posted to a public server. His conduct came after the hyperlink he shared was created. So, what is the crime?

The illegal conduct of others should not deprive Brown of his First Amendment rights. Moreover, as his defense highlights, the Stratfor hack was covered by multiple news organizations and the subject of public discussion. It had “public significance” because it related to the issue of cybersecurity and private intelligence contracting, which Brown’s journalism at Project PM dealt with on a regular basis.

As for the obstruction of justice offenses, this relates to when authorities say Brown asked his mother to hide laptops in a kitchen cabinet at her house so they could not be found when the FBI executed a search warrant.

The FBI found the laptops when they searched her house, but Brown’s mother was sentenced to six months of probation for a misdemeanor stemming from her attempt to hide the laptops.

What his defense asserts is that there was no “probable consequence of obstructing justice” because the laptops were placed in an area that was in the “scope” of the search warrant. No “duty to preserve or produce records” can be said to have been violated.

Brown is set to go on trial in Dallas on April 28 and May 19. His defense remains under a gag order that a judge issued prohibiting any discussion of the case with media.

The gag order has been a prior restraint on speech, impeding the ability of members of the press to do their jobs and report on what is happening with the case. However, for the government, it has restored a level of secrecy to the prosecution of Brown, which the government desires.

Brown’s trials will be significant, especially on the offense stemming from the sharing of a link. Josh Stearns of Free Press has argued, “Links are the connective tissue of the Internet. They enable us to share news, discover new information, dig deeper into issues and give credit to sources. The government’s effort to criminalize linking is akin to rewiring how the Internet works.” If successful, “it will have a chilling effect on how journalists report on sensitive government matters.”

For that reason alone, I plan on being in Dallas to report on Brown’s trials.

Addendum: Brown still faces a count of “access device fraud,” which does relate to the sharing of the link. He still faces three counts stemming from alleged Internet threats made against an FBI agent. He also will still face obstruction of justice charges. When added together, that means he faces a maximum sentence, if convicted of all offenses, of 70 years in prison.

8 Mar - Lynne Stewart update and birthday party for her supporters

Retroactively, starting February 1st 2014, Lynne Stewart has been approved for Medicaid. That means she has been able to set appointments at Sloan Kettering Hospital and can begin receiving the treatment she needs.

MORE:

Off to Sloan on Tuesday for first consultation on my lymphedema (swollen left arm) Am also taking full array of

oils, vitamins, powders and potions as recommended and gifted by my Dr. daughter. Will keep everyone up to date (without becoming tedious...I hope)

Off to International Women's Day celebration and glad to be here to do so!

WHAT: Birthday party for Betty Davis and Ralph Poynter

WHEN: 7:00pm, Wednesday March 26th

WHERE: 80 Saint Marks Place (near 2nd Avenue) Manhattan

COST: \$10 (no one turned away)

Please save Wednesday evening March 26 for a birthday party thrown by me, Lynne Stewart for Ralph and Betty. Ralph will be 80 on March 21; Betty will be 70 on March 30! That's a LOT of years dedicated to our movement.

We are still making final arrangements but promised is Norman Thomas Marshall performing as John Brown and Seraphina Brown (our granddaughter) on guitar. Ralph promises an 80th birthday Fiery Speech! More Stars will join them and us.

We will have cake (Birthday of Course) and coffee etc.

We are asking \$10 admission at the door (no-one turned away) to benefit Political Prisoners Commissary.

10 Mar - Reunions And Cupcakes by Walter Bond

We've included the latest writing by Animal Liberation Front prisoner Walter Bond.

MORE:

When I was a child things were a fucking mess. I won't dishonor my family by exposing all the gory details but believe me when I say that I have seen every kind of debauchery brought on by addiction. I have cried every kind of tear and lived through every kind of poverty and cycle of abuse because of the insane effects of drugs and drink on the people I once loved. Today other than my relationship with my adopted father my biological family is non-existent, broken, gone, over....

I went to prison at the age of 21 for burning down a multi-million dollar meth operation. I have never told the entire story, or even half of the story publicly. Mainly because even when I recall it today I am hard pressed to believe that I lived through those events. Besides, the timing is not right, one day it will be, but that's not today. In any case that action was the domino that brought down a four state drug ring and sent me to prison for arson, to a maximum security penitentiary for 4 years. A place where I witnessed stabbings, horrible beatings, gang violence and more filth and insanity brought on by drugs and alcohol. I got the X's tattooed on my hands in that hell hole. I came out with a 1000 yard stare and a slight case of PTSD.

To me Straight Edge is not a joke. It's not something you do until your 21 and then throw a kegger and have a party to celebrate breaking. It's not a fad, school of thought, philosophy or sociology experiment. It's who I was back then, who I am today and it's who I will be until the day that I die.

Through the years I have seen so many Straight Edge bands that once had so much love and influence in the lives of so many kids. And I have seen so many of these bands break Edge and shit all over everything that they once held so true. I've seen them sell out, start drinking, drugging and smoking and make a mockery of everything I, we, have fought so hard against.

Bands like BOLD, STRIFE and JUDGE to name just a few of the larger examples. Now in the 2000's these pieces of shit have come back decades later to do reunion tours and cash in on the past. Playing anthems that were once real and true to groups of kids that are hungry for the history of Straight Edge, or those that are just there for the scene points. But you can't go back. These sellouts are just a shell, not the real thing. They are a caricature of themselves. They are the same ilk as all the others that blabber and shoot off at the mouth about the glory days when they used to be Straight Edge. As far as I am concerned they can all go sell their bullshit stories

and band merchandise down the road. They didn't understand it then and they sure as fuck don't get it now!

Now I'm an adult, I've spent many years promoting Veganism and Animal Liberation. With every bit of extra cash, time or labor I could muster, I did the ground work. All of my true friends still do this work and are unsung heroes of this movement. I burned down three businesses of Animal exploitation across two states. I refused to apologize or equivocate to two federal courts of law. I now spend years locked away in a counter-terrorism prison unit, monitored by homeland security and surrounded by religious fanatics.

My only regret is seeing the ethics and purity of the Vegan ideal and way of life stripped of its concern for Animals and replaced with a bunch of rich white people eating cupcakes, pandering to product manufacturers, pulpit pounding at conventions in swanky hotels, and self congratulating each other. While huge welfarist organizations siphon money off of those that are concerned, into their fat, deep pockets. Just like every parasitic scam charity of the past. They are getting rich off of the pain and suffering of their host and the expense of a lazy and apathetic populace.

Doesn't anybody care about the Animals? Where did those Vegans go? Of course I have met the use-to-be's in this crowd as well. 'I used to be Vegan but'..... 'I wasn't getting enough protein', 'I felt dizzy', 'I don't have the right body (or blood) type for it, 'I missed cheese', 'It got in the way of my relationships', etc. etc. etc. Meanwhile, as a 6' 2" man that weighs 230 pounds I exist on a Vegan prison diet of rice, beans, peanut butter and apples. Miraculously, I have not perished from malnutrition. In fact I take no medication or supplements and am in excellent health.

Most people break Vegan because of apathy, gluttony, and the selfishness of their palate. They were weaned into a taste for flesh and blood and are now creatures of habit. But here's a novel idea, maybe Veganism isn't about you and your awakenings or hankerings. Veganism is about billions of Animals that die torturous deaths because of you! Because of the industries of exploitation and murder that you choose to support with your money, and it's about boycotting all those products in your everyday life as a first and positive step towards Animal and Earth Liberation. It's about giving a fuck about all innocent life more than our consumer privileges!

I know, I know I'm the big bad wolf because I insist on defining problems and solutions. Because I am more concerned with being effective than making everyone feel included. And because I call out the fakes, phonies and frauds, instead of letting everyone play make-believe-militant or cookie-cutter-'activist'. So be it, I am what I am, and it is what it is.

"Fuck the two faced losers, fuck all who go untried, fuck the evil bastards that still stand by their sides. Fuck all who cheapen what I truly am in others' eyes. Fuck all who bent the [Vegan] Straight Edge, with their fucking lies!"

10 Mar - Bureau of Prisons to Reopen Comment Period on Communication Management Units

In order to try to comply with a prisoner's lawsuit, the Bureau of Prisons (BOP) has reopened the public comment period for the Communication Management Units (CMU).

MORE:

You may remember that the original comment period of 2010 netted 700+ letters and emails against the restrictions outlined in the proposal. The Department of Justice ended the comment period and have sat on their hands since then in terms of getting actual legal approval to operate and maintain the CMUs. As a prisoner at Marion CMU during that time, our comrade Daniel McGowan tells us, "knowing that people outside of prison cared enough to put their concerns in writing on our behalf was heartening and re-energized my effort to close the CMUs."

The BOP has opened public comment for just two weeks. Please check out the links below and send a clear message to them about these units and how they should be immediately closed.

http://www.regulations.gov/#!documentDetail;D=BOP_FRDOC_0001-0037

Communication Management Units

This Proposed Rule document was issued by the **Federal Prisons Bureau (BOP)**

For related information, Open Docket Folder

Action

Proposed rule; Notice to Reopen Comment Period.

Summary

In this document, the Bureau of Prisons (Bureau) reopens the comment period of the proposed rule published on April 6, 2010 (75 FR 17324) which proposed to establish and describe Communication Management Units (CMUs) by regulation. We now reopen the comment period for fifteen (15) additional days in order to allow inmates and interested parties additional opportunity to comment.

Dates

Written comments must be postmarked and electronic comments must be submitted on or before March 25, 2014. Comments received by mail will be considered timely if they are postmarked on or before that date. The electronic Federal Docket Management System (FDMS) will accept comments until Midnight Eastern Time at the end of that day.

Addresses

Written comments should be submitted to the Rules Unit, Office of General Counsel, Bureau of Prisons, 320 First Street NW., Washington, DC 20534. You may view an electronic version of this regulation at www.regulations.gov. You may also comment by using the www.regulations.gov comment form for this regulation. When submitting comments electronically you must include the BOP Docket Number in the subject box.

For Further Information Contact

Sarah Qureshi, Office of General Counsel, Bureau of Prisons, phone 202.307.2105.

Supplementary Information

Posting of Public Comments

Please note that all comments received are considered part of the public record and made available for public inspection online at www.regulations.gov. Such information includes personal identifying information (such as your name, address, etc.) voluntarily submitted by the commenter.

If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be posted online, you must include the phrase "PERSONAL IDENTIFYING INFORMATION" in the first paragraph of your comment. You must also locate all the personal identifying information you do not want posted online in the first paragraph of your comment and identify what information you want redacted.

If you want to submit confidential business information as part of your comment but do not want it to be posted online, you must include the phrase "CONFIDENTIAL BUSINESS INFORMATION" in the first paragraph of your comment. You must also prominently identify confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, all

or part of that comment may not be posted on www.regulations.gov.

Personal identifying information identified and located as set forth above will be placed in the agency's public docket file, but not posted online. Confidential business information identified and located as set forth above will not be placed in the public docket file. If you wish to inspect the agency's public docket file in person by appointment, please see the FOR FURTHER INFORMATION CONTACT paragraph.

Discussion

In this document, the Bureau of Prisons (Bureau) reopens the comment period of the proposed rule published on April 6, 2010 (75 FR 17324) (2010 proposed rule) which proposed to establish and describe Communication Management Units (CMUs) by regulation. We now reopen the comment period for fifteen (15) additional days in order to allow inmates and interested parties additional opportunity to comment. We do so in response to current ongoing litigation with which the Bureau has been involved. We reopen the comment period for 15 days instead of the typical 60-day length of a proposed rule comment period because the rule was previously open for a 60-day public comment period in 2010 and we received over 700 comments during that time. We now reopen the comment period for a limited time to allow further comments from interested parties while striving to expedite the regulation development process.

The 2010 proposed rule codifies and describes the Bureau's procedures for designating inmates to, and limiting communication within, its Communication Management Units (CMU). Currently, the Bureau operates two CMUs, separately located at the Federal Correctional Complex (FCC), Terre Haute, Indiana (established in December 2006), and the United States Penitentiary (USP), Marion, Illinois (established in March 2008). For further information, please see the proposed rule published on April 6, 2010 (75 FR 17324).

11 Mar - US confiscating a quarter of "Holy Land Five" wife's wages

Majida Salem, wife of Holy Land 5 prisoner Ghassan Elashi, has been ordered to relinquish part of every paycheck to the U.S. government.

MORE:

by Aviva Stahl (*The Electronic Intifada*)

Majida Salem is no stranger to the heavy hand of the US criminal justice system. Her husband, former Holy Land Foundation chairman Ghassan Elashi, is currently serving 65 years after what supporters believe was a politically motivated prosecution.

In their 2008 retrial, Elashi and four other men were found guilty of providing "material support to a terrorist organization" — despite the fact that the Palestinian zakat (charity) committees through which the charity distributed its aid never appeared on the US list of prohibited groups.

Furthermore, US governmental agencies also provided funding to the same organizations in Palestine without investigation.

Practically a single mom with three kids at home, Salem has felt the reach of the government's heavy hand from the start of her husband's incarceration.

But when an administrator interrupted the Islamic studies class she taught one day this past November and told her she was needed downstairs, even she was surprised by what was waiting for her in the lobby: a police officer sent to hand deliver a document known as a writ of garnishment.

The note from the US Attorney's office specified that 25 percent of her wages were to be withheld in order to pay her husband's mandatory "special assessment" fees (amounting to just over \$2,900).

In an exclusive interview with *The Electronic Intifada*, Salem described how she felt the moment she found out about the court order.

“I was very upset, very outraged,” she said. “A great government, a great country like the United States, in my mind — a superpower — is supposed to be responsible for the wellbeing of its citizens,” she explained.

According to the family’s legal team (who have lodged an appeal to quash the writ) by garnishing Salem’s wages, federal prosecutors are functionally punishing her and children for the alleged criminal actions of their father.

If confirmed, the court order may heighten the climate of fear already faced by Muslims and Palestine activists across the country.

Shocking

Since 1984, special assessment fees have been levied against every individual convicted of federal offenses. The amounts have changed over time but remain relatively nominal; today defendants are mandated to pay \$100 for each felony conviction and \$25 or less for each misdemeanor infraction.

But these sums can add up; after Elashi’s 2008 conviction on 35 federal counts, he immediately incurred a \$3,500 fine.

The obligation to pay a special assessment fee ceases five years after the date of conviction, which helps explain why Salem’s wages are being garnished now.

In documents submitted to the court, federal prosecutors noted that while about \$580 had been removed from Elashi’s prison account since his conviction, he would never be able to pay the full sum on time.

So, in November, the US Attorney’s office notified Salem’s school that they were required to withhold a quarter of her salary. A week later a police officer arrived at Salem’s school and handed her the court order.

Attorney John Cline, who represented Ghassan Elashi during his second trial, agreed to challenge the garnishment order. In a recent interview with The Electronic Intifada, he described his reaction when he learned of the government’s efforts to seize some of Salem’s wages.

“I was shocked that our government would use its power to force an innocent wife to pay her husband’s criminal penalty — especially a wife, like Mrs. Salem, who barely makes enough to support herself and her children, one of whom has special needs,” Cline said.

Salem had high hopes for her life in the United States when she first immigrated here with her husband. She said, “On the plane to America, my husband told me, ‘We’re going to the land of the free.’”

Cruel and inhumane

Things have not been easy since her husband’s conviction. Mrs. Salem currently teaches Islamic and Quranic studies at Brighter Horizons Academy, an Islamic school in Garland, near Dallas, Texas.

Her December and January paychecks were garnished, and she expects the sums to continue being withheld through February and March. (The school is currently holding the funds that have been withheld, until the courts determine whether they should be released to Salem or to the government).

“When I am paid my full wage, I don’t even know how I make it,” Mrs. Salem said. “I liken it to a car that has a little gas or none, and you’re trying to push it to the max. So taking away part of my wage makes things very difficult for me.”

Salem’s three boys — an 18-year-old, a 17-year-old and a 13-year-old with Down’s Syndrome — are still at

home. Of her three daughters, two are currently completing their graduate degrees and occasionally phone home to ask for a little financial support.

Salem's difficulty in supporting her family is significantly heightened by the expense of visiting her husband, who is currently incarcerated inside a Communications Management Unit (CMU) in Marion, Illinois, about 650 miles away from Dallas.

A CMU is a separate bloc within some prisons that the Center for Constitutional Rights has called an "experiment in social isolation" as prisoners are denied physical contact with family members and phone calls are severely limited.

CMUs have also been dubbed "little Guantánamos" due to the overwhelming majority of Muslim prisoners of Arab and Middle Eastern descent.

Salem estimates that each trip costs the family a bare minimum of \$1,500 to \$2,000. They try to go twice a year. Furthermore, the amount currently being garnished from her salary is almost equal to what she pays in rent.

Salem told The Electronic Intifada: "It hurts me when my kids say sometimes, 'If baba [dad] was out, we wouldn't have to go through this.' And I say, 'Well, baba is not out. I'm the only one who's out.' It upsets me, because it puts me under more pressure. I hear these things and they stress me out, and then the government comes and does this to me? It's cruel and inhumane, completely inhumane."

"I'm not sure how I am going to make it"

Salem said that while she had approached family and community members for personal loans, she refuses to accept donations raised for families affected by terrorism prosecutions.

"I want my children to see that mom worked so hard, and that Mom never accepted a penny from anybody," she said. "I want them to have that dignity, and I want them to be among those who give, not take, because my faith teaches me that the upper hand, that gives, is better than the lower hand, that takes."

When asked how she felt about the prospect of facing several more months living on 75 percent of her wages, Salem sighed deeply and said, "I'm not sure how I am going to make it."

What is particularly striking is the apparent lack of precedent for garnishing wages in this context.

The Electronic Intifada was able to review the motion to quash the writ of garnishment, the government response, and the reply memorandum from Salem's legal team.

Prosecutors name several cases that they allege justify the garnishment, but do not specify a single instance in which family members of convicted individuals have been held liable for special assessment fees.

The sheer number of individuals convicted of federal offenses since 1984 (about 85,000 in 2012 alone) underlines the apparent anomaly of the state's efforts with regards to Salem and Elashi.

The Electronic Intifada contacted the US Attorney's office handling Salem's case to inquire about whether they knew of any past cases, in any year, in which partners of convicted individuals have had their wages garnished in order to pay special assessment fees.

Kathy Colvin, a public information officer in the Northern District of Texas, said in an email: "We routinely garnish spousal property to enforce criminal debts of whatever nature. We don't usually garnish to enforce Mandatory Special Assessments (MSA) because most MSAs are substantially lower and, if not paid at sentencing, are routinely paid in full through the Inmate Financial Responsibility Program while the defendant is incarcerated."

She added, “Mr. Elashi was required to pay the debt at sentencing but didn’t.”

Innocent individuals liable

According to Cline, however, the relevant federal statute indicates that co-owned property can be garnished only to the extent permitted by state law.

“Because Texas law does not permit the garnishment,” Cline explained, “the government cannot garnish Ms. Salem’s salary under the federal garnishment statute.”

The costs at stake in this case may be much greater than the \$2,900 the government aims to withhold from Salem. Cline worries that if the courts confirm the garnishment order, other innocent individuals may also be held liable for their loved ones’ alleged actions.

“If the writ of garnishment is not quashed, the federal government will have been handed one more tool by which it can force innocent husbands and wives and their innocent children to bear the burden of their spouses’ alleged crimes,” said Cline.

“This form of punishment — visiting the alleged sins of the husband on the innocent wife and children — is abhorrent to any civilized system of justice.”

There are also questions about why the government is pursuing the garnishment with such fervor, an intensity previously mirrored in the investigation into and subsequent prosecution of the Holy Land Five.

Before it was shuttered in 2001, the Holy Land Foundation provided assistance to needy people in countries around the world, including Bosnia, Chechnya, Turkey, Palestine and the United States.

According to Salem, problems began in the 1990s, when Israel lobby groups launched a defamation campaign that attempted to tie the Holy Land Foundation to Hamas.

Almost immediately, the charity’s directors approached the State Department and the Department of Justice for advice and assistance on how to legally distribute their aid.

The government then directed them towards the list of designated terrorist groups — and the zakat committees through which the Holy Land Foundation distributed its aid never appeared on that list.

Several other large aid organizations, including the Red Cross and USAID, also allocated assistance through many of the same zakat committees but never faced charges.

Elashi’s first trial ended with a hung jury, but the government decided to try him again.

The chilling effect

During Elashi’s second trial, the prosecution incorporated the testimony of an anonymous Israeli intelligence officer, who claimed that he could “smell” a connection between the Holy Land Foundation and Hamas.

It was the first time in US history that the courts had allowed an expert witness to testify under a pseudonym.

The American Civil Liberties Union has strongly condemned the prosecution of Salem’s husband and his colleagues, stating in a 2009 report that the prosecution’s actions against the Holy Land Foundation “violated the fundamental rights of American Muslims’ charitable giving in accordance with their faith, seriously undermining American values of due process and commitment to First Amendment freedoms.”

For supporters of the Holy Land Five and of Salem herself, the garnishment is just the latest example of how far the government is willing to go to silence and scare those involved in Palestinian activism.

The next step in the case is a hearing on the motion to quash the writ of garnishment, scheduled to occur on 20 March in Dallas.

“My wages are being garnished to punish me, to punish my husband, to punish the community or whoever hears about it,” Salem said.

“It’s like they’re saying, ‘If you become active, if you speak up, if you partake in any kind of charity with the Middle East, then you may face the same outcome.’”

11 Mar - URGENT Medical Campaign for Abdullah Majid

Political Prisoner Abdullah (Abdul) Majid is in need of our help. Months ago we reported that he was experiencing excruciating pain from an attack of sciatica.

MORE:

He was scheduled to have back surgery in October of 2013, and was instructed to stop taking the ibuprofen he was using to alleviate some of the pain. During this time, the only remedy provided has been a cane that was too short given to him by the prison doctor, making it difficult for him to walk or lean on.

When the surgery was first postponed, Majid was told it was because he needed to have some pre-op medical tests. Those tests were performed, and he has seen a cardiologist and the doctor who is to perform the surgery. As the days and months go by, his 90 year old mother, Mrs. LaBorde, becomes more and more anxious and frustrated by the Department of Correction's (DOCCS) lack of response to her concerns.

We ask you to contact DOCCS and Governor Andrew Cuomo to express your concerns about the continued negligence and disregard for Abdul Majid's health and medical well-being and to demand that the surgery take place. Please be sure to give his name and DIN #: Abdullah Majid, DIN # 83-A-0483 when you call or write.

Dr. Carl J. Koenigsmann, Deputy Commissioner/Chief Medical Officer

DOCCS Division of Health Services
Harriman State Campus--Building #2
1220 Washington Avenue
Albany, New York 12226-2050
518.457.7073

The Honorable Andrew M. Cuomo

Governor of New York State
New York State Capitol Building
Albany, New York 12224
518.474.8390

Please let us know the response you get.

11 Mar - Yellowstone Announces End to 2014 Bison Slaughter Following One-Man Blockade

Comfrey Jacobs appeared in U.S. federal court today for his first arraignment after being arrested for blocking the road to Yellowstone National Park’s bison trap on March 6.

MORE:

Jacobs was charged with three offenses: disorderly conduct, breaking a closure and interfering with a government operation. He was offered a plea bargain: if he plead guilty he would be charged \$1,000 in restitution, be placed on unsupervised probation for five year and be banned from Yellowstone National Park for

five years.

Jacobs did not accept the plea bargain, as he is awaiting further legal counsel. There will be a continuation of his arraignment on April 2. If Jacobs chooses to go to trial, he will be tried by a judge and not a jury of his peers.

The goal of Comfrey's decision to block access to Yellowstone's bison trap was to prevent more of America's last wild, migratory bison from being shipped to slaughter. Jacobs stalled slaughter operations for more than two hours.

Comfrey's action demonstrated strong public opposition to the buffalo slaughter and has drawn an incredible amount of media and public attention to the issue. The day following Jacob's blockade, Yellowstone National Park issued their only press release for this year's controversial bison operations, announcing that the Stephens Creek bison trap was empty and Yellowstone had no further plans to capture this season.

"My action raised enough public awareness that Yellowstone announced a cease to their operations the following day," Jacobs said.

This was the first time a citizen exercised civil disobedience at Yellowstone's Stephens Creek bison trap. Yellowstone National Park initiates a seven-mile public access closure surrounding their Stephens Creek bison trap while highly controversial bison management activities are underway. Members of Buffalo Field Campaign (BFC) were present to document and lend support.

Comfrey told Buffalo Field Campaign, "I have no regrets. I accept all the consequences of my actions and hope it raises awareness on this issue."

Since Feb. 7, approximately 450 wild buffalo have been captured in Yellowstone National Park's Stephens Creek bison trap, located in the Gardiner Basin. 318 were shipped to slaughter or research facilities and some were released. Additionally, more than 270 wild bison have been killed by state and treaty hunters just outside Yellowstone's boundary in Montana.

Through hunting, slaughter and consignment to research, more than 600 of America's last wild, migratory bison have been eliminated this year, marking a decimation of the world's most significant bison herds.

"Comfrey Jacobs is a hero," said BFC's Executive Director Dan Brister. "His actions speak for thousands of people who are upset by the slaughter of America's last wild buffalo."

Yellowstone and its partners in the Interagency Bison Management Plan (IBMP) have set an arbitrary population target of 3,000-3,500 bison, yet a Yellowstone bison carrying capacity study has determined that the Park can sustain upwards of 6,200 wild bison. Additionally, there are tens of thousands of acres of public lands surrounding Yellowstone that could sustain thousands more.

"The IBMP's population target is totally driven by politics with no basis in science," said Stephany Seay, a BFC spokesperson. "Wild American bison are ecologically extinct throughout their native range, and while they have no federal protections they certainly warrant Endangered Species Act protections."

The zero-tolerance bison politics of Montana's livestock industry are driving the policies that are pushing these significant herds back to the brink of extinction.

12 Mar - Mondo we Langa seeks post-conviction appeal for new trial in COINTELPRO case

Mondo we Langa (formerly David Rice) filed an appeal with the Nebraska Appellate Court over his petition for post-conviction relief under a ruling by the U. S. Supreme Court, Martinez v. Ryan, permitting the procedure over four decades after trial.

MORE:

by Michael Richardson (*The Examiner*)

Mondo has been imprisoned since August 1970 when he was charged with the bombing murder of Patrolman Larry Minard, Sr. Officer Minard died August 17, 1970, responding to a 911 call about a woman screaming in a vacant house.

Mondo we Langa and Edward Poindexter were the leaders of Omaha's Black Panther affiliate chapter and the targets of J. Edgar Hoover and the agents of the Omaha FBI office lead by Special Agent-in-Charge Paul Young. Young, under orders from Hoover, long-time director of the Federal Bureau of Investigation, manipulated the prosecution of the two Panther leaders and withheld a laboratory report from the FBI Crime Laboratory on the identity of the 911 caller. Mondo states that the recording of the 911 call should not have been withheld from him and the jury should have listened to the voice of the anonymous caller luring the police into a deadly trap. Mondo's petition for a new trial is filled with a litany of errors and problems with the prosecution of the two men known as the Omaha Two.

Mondo's petition, which the appeal concerns, cites a long-standing problem of ineffective counsel during the cross-examination of Duane Peak, the confessed teenaged bomber over inconsistent statements. Peak gave two conflicting accounts, both under oath, over the triggering of the bomb and the involvement of Mondo in the crime. Peak gave two different versions of removing fingerprint evidence, gloves or cleaning. Peak had two stories about the 911 call, one of which conflicts with the recording itself.

The petition states that trial counsel, David Herzog, failed to examine conflicting trial testimony, between detective Jack Swanson and detective Robert Pfeffer, over the location of the dynamite allegedly seized from Mondo's basement. Swanson said the dynamite was in plain sight in a coal bin while Pfeffer claimed the explosive was hidden under a wooden door. Further, Swanson testified that he found the dynamite and that Robert Pfeffer was there with him. Pfeffer, however testified he was never in the basement.

Duane Peak's contradictory testimony about the involvement of Mondo in the crime during the preliminary hearing is cited along with Peak's inconsistent statements to police.

The failure of trial counsel to effectively challenge Alcohol, Tobacco and Firearms Division chemists Kenneth Snow and Roland Wilder despite their speculative testimony not supported by reliable scientific basis. Concurrently, Snow was not rebutted over his findings about copper wire found on Mondo's pliers which had a wide variety of sources. Nor was the ATF neutron activation testing method of the dynamite challenged despite the test being a poor testing method to compare samples.

Mondo cited five individuals named in police reports that the trial lawyer failed to call to testify at trial; George McCline, Patrick Jones, Anthony Sanders, and Richard Gibson. All five men are listed in police reports as having information about the dynamite used in the bombing.

A sleeping juror that defense attorney Herzog did not object to was raised by Mondo in the petition. Ed Poindexter says the sleeping juror is actually illustrated in a relaxed posture in an Omaha World-Herald sketch of the jury that was published in the newspaper.

Mondo complained that trial counsel did not identify Johnnie L. Bussby or raise the issue of Bussby's social security card found at the crime scene.

Mondo points out that Robert Cecil tested positive for dynamite particles on his clothing yet was released, a matter never raised by Mondo's lawyer. The ATF search July 20, 1970 search warrant for National Committee to Combat Fascism headquarters should have been explored by defense counsel for possible relevance to the crime.

Jack Swanson's bust on July 28, 1970, of Luther Payne, Lamont Mitchell, and Conroy Gray for dynamite possession should have been raised before the jury. The petition notes, "Although arrested, and originally

charged, the case against these individuals was ultimately dismissed following the conviction of Mondo and Poindexter in this case.”

Mondo stated that his trial lawyer should have explored Duane Peak’s testing for dynamite: “Peak’s clothes and hand swabs were never entered into evidence at trial; defendant’s trial counsel failed to investigate or even ask the chemist testifying at trial whether these articles tested positive for dynamite.”

The frequent harassment of NCCF members, including Mondo, by the Omaha Police Department should have been brought to the jury’s attention said Mondo’s petition.

A declaration by Marvin McClarty, an Omaha policeman who participated during the investigation and was guarding the outside of Mondo’s house, cited that the search was irregular. McClarty has said an effort was made to keep the public and other police officers at the scene from observing the search activity. To McClarty it seemed as though items were being carried into the house rather than out.

Mondo said his attorney should have explored Jack Swanson’s early focus on the NCCF despite no evidence linking the group to the bombing. Mondo also cites COINTELPRO targeting of Poindexter and himself.

“Dozens of FBI counter intelligence program (COINTELPRO) memos and reports targeting various NCCF members, including defendant, and several which illustrated Mondo and Poindexter was targeted by reason of their political beliefs.”

Mondo’s trial and appellate attorneys failed to preserve an objection to the “unified” trial which required the jury to simultaneously determine guilt or innocence and also make the determination as to execution. The prosecutors were seeking the execution of both Ed Poindexter and Mondo we Langa.

“In the guilt phase of the trial, Mondo had to defend his innocence, while he simultaneously argued for a life sentence. He had to forgo the benefits of presumption of innocence by arguing for life imprisonment. This gave the jury the wrong impression that because Mondo argued for a life sentence, he was admitting some level of guilt. Mondo was forced to present a defense to the jury that consisted of the conflicting objectives of proving his innocence and requesting a life sentence, all contrary to the requirements of a fair trial.”

Mondo appealed to the court over newly discovered technological evidence and the ability to scientifically analyze the 911 caller’s voice against that of Duane Peak equating the new forensic tools the equal of DNA analysis. Mondo cited the findings of internationally recognized forensic audiologist Tom Owen who said it was “highly probable” that Duane Peak did not make the 911 as Peak testified.

Mondo also asked for retesting of his clothing. Police claim dynamite particles were found in Mondo’s pants pockets yet an Omaha World-Herald photo of Mondo, hands deep in pockets, taken moments before Mondo’s hands tested negative for dynamite calls into question what, and when, did the alleged dynamite particles get into the pants.

The petition for a new trial closes with a detailed analysis of the flaws of the Board of Pardons and the conflicted role of the Attorney General who serves as both member of the Board of Pardons and attorney for the three member board.

In 1993, the Board of Parole voted 5-0 to commute Mondo’s sentence to a fixed number of years and thus obtain eligibility for parole. The unanimous Board of Parole was overruled by the Board of Pardons made up of the top three elected officials in the state. Attorney General Don Stenberg stated to the Board of Pardons that people who kill police officers should receive the death penalty or die in prison. Governor Ben Nelson acknowledged to the Board of Pardons that he was unlikely to grant Mondo a parole opportunity because of the nature of the crime.

“The practice of requiring a commutation by the board of pardons unconstitutionally usurps the power of the

parole board,” concludes the petition.

Mondo’s appeal is in the briefing stage and so he must continue to wait for a day in court from his small cell at the Nebraska State Penitentiary where he continues to proclaim his innocence.

14 Mar - No Obligation Found in New Law to Revamp Parole Procedures

An upstate appellate panel held March 13th that the Board of Parole has no obligation to spell out its procedures or provide more than a cursory explanation for its decisions to deny an inmate release.

MORE:

by John Caher (*New York Law Journal*)

The ruling dashed the hopes of inmates and activists, who believed that a 2011 amendment to the Executive Law required the parole board to shift its focus from punishment to rehabilitation.

In the first appellate review of the 2011 law, the Appellate Division, Third Department, said that virtually nothing has changed since it held, prior to the amendment, that the parole board “need not enumerate, give equal weight or explicitly discuss every factor considered and was entitled ... to place a greater emphasis on the gravity of [the] crime” (see *Matter of Serrano v. Alexander*, 70 AD3d 1099 (2010)).

Inmates and their attorneys were confident that the 2011 legislation, which required the board to incorporate a risk-and-needs analysis into its decision making and formulate “written procedures” was a game changer. With some judges, particularly Supreme Court Justice Richard Mott of Columbia County, it was.

But the Third Department’s holding in *Montane v. Evans*, 517567, vindicated the policies and practices of the Board of Parole and allows it to continue functioning essentially as it was before the Legislature changed the law.

“It is a clear indication to me that any change will require legislative initiative,” said Orlee Goldfeld of Hollyer Brady, who represented the inmate in the case decided Thursday as well as several other parole-eligible prisoners who were denied release. “The board is certainly not going to make any changes to its processes and unfortunately the court is not going to compel it to change its ways.”

Within hours of seeing the decision, Assemblyman Daniel O’Donnell, a Manhattan Democrat who chairs the committee on correction, said he was drafting new legislation to “correct the misreading of the law by the Third Department.” O’Donnell said his intention in voting for the 2011 measure was to “get a more objective assessment tool” for the parole board to use in making its determinations.

“I think the decision is wrong on many levels,” O’Donnell said. “They said we didn’t expect them to draft rules and regulations. Yes, we did. And we expect them to follow the rules and regulations that they draft. If the judges are choosing to interpret our intent so wrongly, we will make our intent specifically clear and state that the regulations are required and the board has to follow them.”

Montane centered on provisions in the 2011 law that required the board to consider an inmate’s rehabilitation and to adopt written procedures for doing so.

Mott has repeatedly held that a short memo from then parole board chairman Andrea Evans to the commissioners did not constitute a “written procedure.”

Additionally, Mott and a handful of other judges have shot down a number of recent parole determinations where the panel denied release after mentioning the statutory criteria in passing and concluding that the convict remains a threat to the public, while offering no support for its conclusion.

Mott and some other judges have repeatedly held that the board must do more under the 2011 amendment than simply list the various factors it is required to consider, assert that it considered them and then deny parole on

the basis of a crime that in some instances was committed decades in the past.

But the Third Department unanimously reversed. All four justices agreed that the denial of parole in the Montane matter did not evince “irrationality bordering on impropriety,” the standard since 2000 (see *Matter of Silmon v. Travis*, 95 NY2d 4700) for reversing a parole determination.

However, one judge, in a concurring opinion, said the paucity of any rationale for its determinations renders the parole board’s determinations virtually immune from judicial review.

The case centers on Yotuhel Montane, who is serving a 3-to-9 year sentence for a drug conspiracy. Montane filed an Article 78 petition after he was denied parole.

Mott granted the petition, as he has in several other cases, after concluding that the board had failed to adopt written procedures as required by law, and that it focused almost exclusively on the inmate’s crime, giving short shrift to factors such as rehabilitation. Mott has held in several cases that the parole board must, at least to some extent, explain its determinations and cannot merely state that it did all that the law requires.

The Third Department reversed in an opinion by Presiding Justice Karen Peters.

Peters said that if the Legislature wanted the parole board to draft formal rules and regulations, it would have said so explicitly, and that the Evans memo fulfilled its obligation under §259-I of the Executive Law. She said the 2011 revision simply added to the various factors the parole board must consider an analysis of the inmate’s rehabilitative efforts and likelihood of success.

“While the 2011 amendments now require the Board to ascertain the steps an inmate has taken toward rehabilitation and the likelihood of success upon release and consider them in determining whether parole release should be granted, we cannot conclude that this transformed or otherwise altered the obligations of either the Board in articulating its determinations or this Court in reviewing such determinations,” Peters wrote in a footnote in an opinion shared by justices Leslie Stein and William McCarthy.

Justice Elizabeth Garry concurred with the result. However, Garry said the 2011 amendments unquestionably required the parole board to consider the prisoner’s rehabilitation, and without an explanation of how the board reached its decision, the judiciary is unable to effectively review the board’s determinations.

“Meaningful review of the Board’s compliance with the statutory directives cannot be accomplished if the Board need not even enunciate the factors that it finds determinative in any given case,” Garry wrote. “Our exceptionally deferential precedent allows too much mystery and too little analysis.”

Goldfeld said that under Thursday’s decision, the parole board is free to “continue making decisions based on whim.”

“They are irrational,” Goldfeld said of the board’s decisions. “They keep people incarcerated longer than necessary. This is costing taxpayers millions of dollars. I don’t see any justification for the way they conduct themselves.”

A recent report by O’Donnell’s committee, suggests that the release rate has actually declined since the 2011 legislation, despite the fact that several lawmakers have said it was intended to have the opposite effect.

According to the report, in fiscal 2010-11, parolees account for less than 5 percent of felony arrests annually and only 8 percent return to prison for a new offense within three years of their release.

Assistant Attorney General Frank Brady represented the parole board. The attorney general’s office declined comment, as did the parole board.

15 Mar - Parole Letters for Political Prisoner Robert Seth Hayes

Though Seth Hayes is presently awaiting an Appeals Unit release decision appeal, he is scheduled for the his 10th board appearance this June. We are requesting letters of support for parole for Robert Seth Hayes.

MORE:

Seth is currently in his 41st year of incarceration, and is his mid 60s. The more personalized your letter is the better it is for the board.

Thank you for you time and please add to your letters.

- State your relationship to Seth, family or supporter.
- State who you are health care worker, citizen, mother, judge, carpenter, et cetera
- Please refrain from any profanity and be professional

Below is a long list of accomplishments one can choose from what Seth is currently working on or has already done. Below that list is Seth's Biography.

Please send your letters to Seth's Lawyer:

Cheryl Kates
Post Office Box 734
Victor, New York 14564

Institutional adjustment ... completed phase I, Phase II, and Phase III of "mandatory programming" of DOCCS. Facilitator of Pre-Release programs (see certificates); completed ART, and AVP (basic, advanced, workshop leadership and facilitator training); completed the state education department, Adult Peer Counseling Compadre Helper Program (see certificate); in 1999, completed the Inmate Program Associate Training (see certificate); completed Department of Labor Apprenticeship Program in Teachers Aide (see Certificate); studied Business Law and Economics at Ohio University through correspondence course; presently attending, Hudson Links College inmate courses thus far completing Basic Math, English, presently engaged in American History and Ethics.

Has Served as a clerk in both the General Library and Law Library as a paralegal assistant. Worked in Food Service, Grounds Maintenance, IGRC, General Business and Ethnic Studies. A path of continued learning to improve and enhance his community devoted mind. He has not had a disciplinary ticket since 1999. That was dismissed 4 months later, but prior to that, none since 1989. Since 1999 he has received no disciplinary tickets of any type but rather accommodations for his hard work, dedication and positive role responsibilities in whatever course or level of work called upon to complete. He is now engaged in his 41 year of incarceration. With a discipline and work accredited mannerism, one ins hard press to understand why he is time after time, turned down for parole release. He presently awaits an Appeals Unit release decision appeal as we speak. Undoubtedly many incarcerated have strong instant offenses for which they are serving time for. But in Seth's case one would be hard pressed to find a case like his. Continued denial of parole since 1998 having already completed his original sentencing, with a strong deterrent record of support for laws and remorse for his past actions, who is still incarcerated.

Biography

Robert Seth Hayes was born in Harlem, New York in October 1948. His father, John Franklin Hayes, was the child of sharecroppers and came to New York City from South Carolina; his mother, Francine Washington Hayes, moved to New York from Pittsburgh. Both of Mr. Hayes' parents worked for the U.S. Postal Service, trying to provide a better life for Seth and his four brothers and sisters. They also instilled in their children the desire to work for the betterment of their community. Seth writes, "My mother taught me to visualize family universally, not individually." Seth's father was a World War II veteran and a member of the United Negro Improvement Association, the Black Nationalist organization founded by Marcus Garvey.

Growing up in New York City, first in Harlem, later in the Bronx and Queens, Mr. Hayes saw one Black

neighborhood after another suffering from neglect, despair, anger and defeat. During 1950s and 1960s with the growing rise of the civil rights and Black power movements Seth recalls witnessing over the years a birth of hope and determination to overcome these conditions.

After his schooling in New York City, Mr. Hayes worked as a psychiatric aide at Creedmoor Hospital. He was drafted into the U.S. Army and sent to Vietnam. He saw combat, was wounded and awarded the Purple Heart, National Defense Service Medal, the Vietnam Service Medal and the Vietnam Campaign Medal.

In the armed forces, Seth underwent a change of consciousness. After the death of Martin Luther King Junior in 1968, Seth's troop was ordered to patrol the city streets with fixed bayonets to put down the rebellions resulting from Dr. King's assassination. "It was the saddest day of my life," Seth remembers, "and I could never identify again with the aims of the armed forces or the government."

Upon returning to the United States from Vietnam, Seth was swept up in the Black Liberation movement and joined the Black Panther Party. He worked in the free breakfast for children program and began dedicating his life to the betterment of Black people. His knowledge of the effects of racism on the Black community convinced him that the Black Panthers' program of community service and community self-defense was what was needed. His work, like that of so many others, was disrupted by COINTELPRO. Fearing further attacks, he went underground, believing it to be the only way to protect the work of the Black Panther Party and the Black movement in general.

Robert Seth Hayes had two children prior to his arrest and imprisonment, and he has remained closely involved their lives and upbringing, despite the difficulties presented by his long incarceration. His son, Chunga and daughter, Crystal, herself mother of Myaisha. Seth calls his family "the loves of my life." He describes his relationship with Crystal this way, "She has had the most intense impact on my life, always questioning, full of joy and insight, grasping lessons and maintaining her own dreams. She has kept me striving always to expand my knowledge and illuminate my principles, as I struggle to stay abreast of her questioning mind."

Seth is now currently happily married to his wife Sheila. Though after being transferred from Wende to Sullivan Correctional Facility has made it difficult for regular visiting.

Seth has been diagnosed with Type II diabetes and Hepatitis C. He has been extremely ill and had great difficulty procuring the necessary healthcare and has needed the help of his lawyers and some state political leaders in order to get adequate treatment.

While in prison, Seth continues to work for the betterment of the community in which he lives. He has participated in programs with the NAACP, the Jaycees and other organizations and has worked as a librarian, pre-release advisor and AIDS counselor. Whenever possible, he has taken college courses. He is also a longtime advisor and collaborator in the annual "Certain Days" Political Prisoner calendar project. He is dedicated to continuing to work for social justice when he gets out of prison. While at Wende correctional facility Seth was working to put together a "lifers program" to help rehabilitate prisoners and prepare them to reenter the community. Seth also coached basketball and worked on assisting a local restorative justice project taking place in Buffalo.

15 Mar - Statements to the 18th Annual Family Political Prisoner Tribute Dinner

In mid-January, the Malcolm X Commemoration Committee held their annual political prisoner tribute dinner. This year was dedicated to Baba Herman and Mama Iyaluua Ferguson. In honor of these two stalwart supporters of political prisoners, many write statements to address the audience and the Fergusons. We've included many of the statements below.

MORE:

Sundiata Acoli

It is an extreme honor, and pleasure, to pay tribute to Herman and Iyaluua Ferguson, husband, wife and leaders of our struggle for the liberation of Black people - and all other oppressed people. They blazed a trail together

-sometimes Herman led, at other times Iyaluua – and they set examples for all of us who came after, to follow.

One such occasion was Herman's leading role in the struggle for community control of NYC schools in the late '60s. It spanned 3 years and 3 designated school districts: Ocean-Hill Brownsville, Harlem and the Lower East Side – and over time the predominantly White teacher's union opposed community control by shutting down all the schools in NYC thru a teacher's strike.

Black and Puerto Rican communities, teachers and leaders – and progressive White teachers – banded together in the three designated school districts to keep their schools open. Herman, as school principal, set up new teaching curriculums, helped solicit substitute teachers of color to replace the striking White teachers and helped recruit community parents to work as teacher's aids and hallway monitors to keep their schools open and operating.

The late Jitu Weusi and the late Sonny Carson played prominent roles in the school struggle as did the NYC Black Panther Party (BPP.) The u.s. government brought into the fray, the FBI, the NY Police Dept., CIA and the various Military Intelligence services, plus the Ford Foundation was there from the beginning orchestrating intrigue and other underhanded schemes. Herman was arrested/convicted on spurious conspiracy charges and the NYC Panther leadership was arrested on the Panther 21 Conspiracy Case – all as part of the government's collateral attack leading up its ultimate use of overwhelming force to crush the community control school board and movement. It could not have ended otherwise considering the great imbalance of forces between the government and the community at the time.

But it is axiomatic that one learns more in defeat than in victory. Many important lessons were learned that are applicable to future struggles for community control. Many examples were set that are worth following today – and Herman was instrumental in setting many of those examples.

And nowSister Iyaluua, who saw a glaring lack of financial support for Black Liberation Army (BLA) Political Prisoners and Prisoners of War (PP/POWs) and boldly stepped forward to fill the void. She came up with the brilliant idea of holding a dinner to honor BLA PP/POWs and their families – and to use the funds raised by the dinner for distribution into the prisoner's commissary accounts. Then she, her daughters, Herman and other family members and supporters worked long hours over hot stoves cooking fabulous meals and doing all the other work to make the dinner a most memorable occasion. And it was an astounding success, so much so that it has become an annual tradition of our movement.

So i give special honor to Sister Iyaluua for creating the vehicle that broke decades, yes DECADES, of hand to mouth existence for me and some other BLA PP/POWs, by providing substantial and consistent annual donations to our commissary accounts. Frankly, the Anarchist Black Cross Federation (ABCF), also raises funds for BLA and other PP/POWs commissary accounts but Sister Iyaluua's example also inspired other Black organizations to make similar commitments though economic hard times have made most drop by the wayside.

Still MXCC, the originator of the PP/POWs' Family Dinner, marches on –the gift that truly keeps on giving – and for that i and other BLA PP/POWs are eternally indebted to the incomparable Sister Iyaluua – and her steadfast husband, Herman – for leading the way. Thank you.

Abdullah Majid

First, I want to say that the tribute this year to Herman and Iyaluua is well deserved. I can write all day about the many contributions and sacrifices they made, not only to the struggle for our national liberation in the u.s.a, but also to the international struggle against colonialism, imperialism and racism. I am sure that tonight there will not be a shortage of expressions of gratitude and acknowledgement, as well as homage to these two warriors of the Black Liberation Struggle.

However, I feel I would be remiss in my responsibilities if I did not express my warmest appreciation and gratitude to them both for their patience and time in nurturing myself, as well as numerous others of my generation. Our struggle is far from over as to our aims and objectives of our people. However, because of

those who have come before us, like yourselves, you have laid a foundation for those of us who follow to build upon until victory (freedom, justice and equality).

I am forever grateful to you both for opening my eyes and helping me to recognize the bigger picture. And I will stay the course, insha Allah, until the work is completed.

Jalil Muntaqim

Recently, with the passing of Nelson Mandela, we reflected on his historic life and the courageous, undaunting Winnie Mandela. Uncharacteristically, Nelson Mandela and Winnie, we celebrated during their time, while they were alive; where more often than not, such is not done until heroic people have ascended. It is in light of this experience and reality that we must give recognition to our own embodiment of Nelson and Winnie in Herman and Iyaluua. These two warriors for the freedom and complete emancipation of New Afrikan people completely represent the spirit of revolutionaries as had been recognized of Nelson and Winnie. Despite the unfinished business to Free the Land, the indomitable spirit of Herman and Iyaluua established a foundation expressing the character needed to complete the struggle. If each of us were to emulate their character in struggle, collectively, we would be far closer to national liberation and freedom. Needless to say, many of us envy the kind of love, dedication and commitment they have toward one another. A relationship forged in the heat of struggle and passion for the desire of freedom. It is with this understanding and sincere adulation I offer my deep appreciation and honor to Iyaluua and Herman for their sacrifices and contribution to our struggle and love of our people.

Sekou Odinga

I greet you all with Peace and Free the Land!

I am glad for the opportunity to say a few words in honor of Baba Herman and Iyaluua Ferguson. Few people deserve honor more than them.

It was about 50 years ago that I first heard about the wonderful work Herman was doing for our people, especially our youth, in spite of all the opposition from the powers that be. I think he had been fired as an assistant principal at a local junior high school in my neighborhood. The people in the community were out trying to force the school to take Herman back. I think that was the first political activity I took part in the street. I soon followed his lead again in the struggle to take control of our schools in Brooklyn. Not long after, Umi Iyaluua, Baba Herman's lovely wife, partnered up with him, and they have been struggling for our people ever since. Today, I am honored and happy to thank them both for their many years of dedicated struggle on behalf of our people in general, and political prisoners and prisoners of war specifically.

I am sure by now you all that this annual dinner, remembering and honoring PP/POWs and their families was started by Iyaluua and Herman. Me being one of the POWs who have personally benefitted from their hard work I want to say, I love you Herman and Iyaluua, and I appreciate greatly the work and sacrifices yall have done for PP/POWs. Although these dinners have taken a lot of hard work to make happen year after year, I know this just a small part of all the work and sacrifice you have done. I remember the dedicated and hard work you both did to start and run a revolutionary newspaper – Nation Time. Brothers still ask me about it and whether they can still get it.

Your work and sacrifice has always been of the highest revolutionary quality. Again, let me say I and my family really appreciate and love you for it. You are a wonderful example of revolutionary dedication and struggle. You are an inspiration to me and I hope to others to follow your example.

Kamau Sadiki

Baba Herman and Mama Iyaluua

and a Happy, Prosperous 2014

Although I am unable to leave a voice message, I do wish to convey to both of you my gratitude, thanks and

appreciation for all that you've done in behalf of political prisoners and our families. May the Creator reward you both in this life and the next.

Dr. Mutulu Shakur

WITH RESPECT TO THE DYNAMIC DUO

THE MANDELA'S NARRATIVE...

I AM ALWAYS INCLINED AT EACH OPPORTUNITY THAT WE GIVE HONOR & RESPECT FOR THE ENDURING EXAMPLES THAT MY MENTORS HERMAN & IYALUUA FERGUSON, WHO HAVE & STILL PROVIDE THE INSPIRATION, MOTIVATION & DETERMINATION FOR THE GENERATIONS BEHIND THEM PARTICULARLY ME; BUT IN TRUTH, HOW MANY TIMES CAN I POUR OUT MY HEART, MY RESPECT & LOVE TO THIS DYNAMIC DUO THAT I HAVEN'T SAID BEFORE???? WHAT MORE CAN I SAY!!! THAT WAS MY THINKING UNTIL YESTERDAY, DECEMBER 7TH, WITH THE PASSING OF THE GREAT NELSON MANDELA, A LIFE WE MUST NEVER FORGET TO GIVE HONOR TO. THE TRANSITION OF THIS GREAT HERO HAS ME REFLECTING ON THE LACK OF RECOGNITION SACRIFICES DURABILITY OF BROTHER HERMAN & SISTER IYALUUA FERGUSON WHO IN FACT CONTRIBUTIONS & THE LENGTH OF COUNTER INTELLIGENCE TARGETING AGAINST THEM BLANKED THE BREATH OF THE MANDELA HISTORY IN HIS STRUGGLE. THEIR SPECIFIC TACTICS & OPERATIONAL STRATEGY VANGUARDED THE CONTRIBUTIONS THAT WERE CARRIED OUT UNDER INTENSE REPRESSION IN THE BELLY OF THIS EMPIRE, WHERE WE AS A PEOPLE, UNLIKE IN SOUTH AFRICA, ARE THE MINORITY. IMAGINE THAT!!! & ALL THE HISTORICAL ANALYSIS OUR PEOPLE HAVE, HAVE NOT YET PLACED THEIR NAMES ON THE LIPS OF THE MASSES AS THE MAJORITY IN SOUTH AFRICA HAS DONE FOR WINNIE & NELSON MANDELA.

WHAT IS THE RESPONSIBILITY OF OUR INTELLECTUALS, PROFESSORS, POLITICAL PUNDITS & HISTORIANS THAT HAVE NOT PLACED THEIR SACRIFICES BOLDLY & CLEARLY WHILE THEY ARE WITH US INTO THE JOURNALS OF HISTORY FOR OUR CHILDREN & GRANDCHILDREN. I DON'T KNOW! I SAY THAT HERMAN & IYALUUA ARE SYNONYMOUS WITH EACH OTHER LIKE WINNIE & NELSON, BUT OUR DYNAMIC DUO DID NOT DIVIDE OVER STRATEGIC TACTICS TO RESOLVE OUR CONTRADICTIONS NOT IN THEORY & TACTICS AS TO HOW IT SHOULD BE DONE. WE ARE NOT FREE YET & THE STRUGGLE STILL WAGES & THE WORK IS NOT DONE, BUT I AM PROUD & SO HONORED TO BE MENTORED BY THIS 90 SOMETHING YEAR OLD COMRADE & LOVER & PARTNER.

HERMAN & IYALUUA YOU KNOW THAT YOUR BABY BROTHER LOVES YOU & THINKS THE WORLD OF YOU & WILL ALWAYS CONTINUE TO MAKE YOU PROUD OF HIM, FOR WE ARE, BY THE GRACE OF MALCOLM NEW AFRICANS, & WE WILL ALWAYS SPREAD THE LOGIC & THE HISTORY OF YOUR SACRIFICES & INSTRUCTIONS. OUR TRC WILL TELL YOUR HISTORY & YOUR STORY.

AIM HIGH & GO ALL OUT

Russell "Maroon" Shoatz

It has come to my attention that in addition to honoring the families of our Political Prisoners, this year the Malcolm X Commemoration Committee will also bestow honors on two of our most respected and beloved Elders: Baba and Mama Ferguson around whom the Committee and all that it has done over years.

Baba and Mama Ferguson are shining examples of two dedicated and unwavering fighters in our struggle for freedom and justice.

Alas, there is not space enough here for me to detail their lifetime of sacrifices and contributions to our struggle. I will only say that their lives and work has always lent inspiration to my own efforts, and one day I hope to rise

to the levels they live by and display.

16 Mar - Joel's Blog: Overcrowding and Drug Addiction

Recently imprisoned comrade Joel Bitar has started blogging about his experiences in prison. We'll be printing them here.

MORE:

I just laid my head down to get some sleep as I feel a cold coming on and all of a sudden I hear a ruckus. I look up from my book to see a corrections officer unlocking our cell door with a very miserable person next to him holding a mat. The sick looking man says to the C.O. "I asked to be put in segregation because I'm going to be coming down from my addiction tonight." The C.O. responds saying, "It's not my fault you're a crack-head" and closes the cell door behind him. So the man comes into our cell and puts the mat on the floor.

Overcrowding is a big problem in these remand facilities and is often the source of a lot of tension amongst the inmates. A few cells on this range now have three men in cells designed for two people. Factor in that we are either locked in or out of our cells all day, sometimes for multiple days at a time, and you have a recipe for disaster. The brutality of this system is becoming more and more evident. This man in my cell right now is a drug addict who needs treatment and care, instead he's trapped in a cramped cage about to have major withdrawal symptoms.

I was unable to sleep all night because the man, coming off a prescription drug addiction, groaned and gasped in agony for hours. Anyone who is under the illusion that the prison system has anything to do with rehabilitation needs to come experience this for themselves. This especially applies to those who make a living filling these cages: the judges, prosecutors, and police. Jail is the antithesis of rehabilitation because inmates are dehumanized and treated like animals. This creates a feedback loop of anger, resentment, and ultimately, criminality.

28 Mar - Roses & Bread: Women's Poetry and Performance Event

WHAT: 19th Annual Women's Open Poetry & Performance Event

WHEN: 7:00-9:00pm, Friday, March 28th

WHERE: The Commons - 388 Atlantic Avenue, Brooklyn

COST: \$10, \$15, \$20 more if you can, less if you can't.

MORE:

The Women of Resistance in Brooklyn (RnB) & their friends invite you to Roses & Bread. An event for women and trans folks only. We will donate the proceeds to support medical care for People's Lawyer Lynne Stewart, recently released from Carswell Prison in Texas on compassionate grounds, who is fighting metastasized stage 4 breast cancer, which has spread to both lungs, back, bones, and lymph nodes.