



Updates for April 1st

17 Mar - Chelsea Manning Update

The fight to free Army Pvt. Chelsea Manning is far from over. Her support crew's priority is now raising money to support a rigorous legal appeals process that will significantly reduce her unjust 35-year sentence.

MORE:

To hire a nationally renowned legal team that is willing to take this fight all the way up to the Supreme Court if necessary, Courage to Resist has just loaned \$50,000 to the Manning Defense Fund. Now we need your continued support to keep this struggle for justice moving forward!

Manning was convicted on July 30, 2013 under the Espionage Act, despite many legal experts considering it outdated and unconstitutionally vague. She was also convicted of several other charges related to releasing classified data. Her final sentence was blasted by Amnesty International, the American Civil Liberties Union (ACLU) and a number of other prominent organizations and individuals because no evidence showed anything other than patriotic motivation on the part of Manning, or any indication that an enemy had used the information to hurt the United States.

She was imprisoned for over three years before trial, and was subjected to illegal pretrial punishment for her first year of incarceration, when she was held in isolation without access to regular sunlight or exercise. She was also subjected to a biased court martial—the government controlled the defense's access to evidence, the Commander in Chief proclaimed her guilty before trial, and the judge allowed the prosecution to amend their charge sheet after concluding their argument. All of these injustices provide excellent grounds for appeals.

Manning has selected the attorneys Nancy Hollander and Vincent Ward to represent her in the US Army Court of Appeals, federal appeals and potentially even the Supreme Court. They come to this case with a strong understanding of its political importance, and a desire to obtain justice for whistleblowing while defending America's civil liberties. Prior to law school, Ms. Hollander was an anti-war and civil rights activist. In 2001, she was named one of the country's top 50 women litigators by the National Law Journal. Both she and Mr. Ward became well-known for their work representing prisoners held at the Guantanamo Bay detention camp, while continuing to work on other civil rights cases.

Manning, who came out publicly as transgender in August of 2013 while announcing her desire to live as a woman named "Chelsea," is eager to change her name legally from "Bradley Edward Manning" to "Chelsea Elizabeth Manning." She also wishes to receive Hormone Replacement Therapy (HRT), which is recommended by doctors as appropriate treatment for her diagnosed gender dysphoria. Chelsea does not, at this time, wish to undergo any surgeries or to be transferred to a different prison. She reports that she has made friends at Fort Leavenworth, and only wishes to be able to live as herself. In the face of military opposition to Chelsea receiving HRT, the ACLU plans to assist trial attorney David Coombs in advocating for this treatment. To show support for Pvt. Manning's intent to legally change her name to "Chelsea Manning" in the face of military resistance, we are renaming our organization and website to the "Chelsea Manning Support Network," at chelseamanning.org.

The public's desire for government transparency remains in many ways the center of Chelsea's story. She was recently chosen as 2014 winner of the Sam Adams Award for integrity in intelligence, which is given by former CIA intelligence officials.

NSA whistle-blower Edward Snowden, who received the award last year, congratulated her at the ceremony by saying, "It is this extraordinary act of public service at an unbelievable personal cost for which we grant this

award and our moral sanction to Chelsea Manning.” Since Mr. Snowden is also being charged under the Espionage Act, the outcome of Chelsea’s legal appeals is likely to affect any US attempts to prosecute him.

While accepting the Sam Adams Award, Chelsea’s childhood friend Aaron Kirkhouse explained, “I am now accepting this... for the release of a video and documents that ‘sparked a worldwide dialogue about the importance of government accountability for human rights abuses.’ To echo a maxim from Milton and Rose Friedman: A society that puts secrecy—in the sense of state secrecy—ahead of transparency and accountability will end up neither secure nor free.”

Additionally, the San Francisco Lesbian Gay Bisexual Transgender Pride Celebration Committee has responded to the efforts of thousands of San Francisco activists by electing Chelsea as an honorary Grand Marshal for the 2014 parade. The annual SF Pride celebration is the largest of its kind in the United States, attracting up to 1.8 million people from around the world. Last year Manning had been elected a Grand Marshal through a different process, but the honor was later revoked by the 2013 board of directors. Thanks to the dedication of our supporters, the 2014 board has decided to redress that controversy.

Also thanks to the generous contributions of our supporters, Chelsea now receives high-quality newspapers on a daily basis. At Chelsea’s request, the Support Network has purchased her daily print subscriptions to The New York Times and the Washington Post. Additionally, since Chelsea plans to enroll in college classes next September to work toward a degree in Pre-Law and Political Science, Support Network staff will be helping to coordinate independent studies with professors who can offer her more personalized curriculum.

There are three primary ways that activists and volunteers can take action to support Chelsea Manning and her struggle for government accountability at this point in time:

- 1) First, if you have not done so, you can sign our petition asking President Obama for a pardon. When you sign the petition we will mail a letter on your behalf to both the White House and the court martial Convening Authority. Our petition can be accessed at privatemanning.org/pardonpetition
- 2) We also encourage you to organize a dinner party, speaking events and/or concert in your home community to help raise money to defend Chelsea. To learn more about organizing an event, please e-mail [emma\(at\)privatemanning.org](mailto:emma(at)privatemanning.org)
- 3) This summer, LGBT Pride events will be taking place across the country. We encourage you to organize a Chelsea Manning contingent at your local pride celebration. Last year, the Manning group was the largest non-corporate contingent in the San Francisco Pride Parade and gained wide community recognition as a result! Visit privatemanning.org/events to register your contingent and receive materials for use at your event.

March 17th - Messages from Chelsea Manning

I would like to thank all of you for your support. Without your efforts—including organizing, fundraising, and public education—my court martial would not have been nearly as visible to the public, and many of the serious issues in my case would have gone unnoticed.

Currently I’m doing well. I spend most of my time working, but when I’m not working I’m either at the library doing legal research and drafting, reading books, magazines, newspapers, and your mail, or working out—running, calisthenics, and various cardio regimens.

I’m currently waiting for the Convening Authority of the Military District of Washington, Major General Jeffrey Buchanan, to act on my case—including my clemency request, filed by my trial attorney David Coombs. If Major General Buchanan denies my request and approves the findings of my court martial, my case will be reviewed by the US Army Court of Criminal Appeals next year.

In preparing for the appeals phase of my legal proceedings, I have worked with Courage to Resist and the Chelsea Manning Support Network to hire excellent civilian defense council, Nancy Hollander and Vincent

Ward of the law firm Freedman Boyd Hollander Goldberg Urias & Ward of Albuquerque, New Mexico.

I've spoken a few times with both Ms. Hollander and Mr. Ward over the phone and I met them in person last month and I feel they are a perfect fit for doing this case, and we're all excited about working together. Both Ms. Hollander and Mr. Ward have achieved successes in complex, high profile, civil and criminal cases in the past, fighting to protect the U.S. Constitution, civil liberties, and social justice through work on Guantanamo, the Gulf Coast Oil Spill, and more. They are eager to represent me before the military court, federal court, and perhaps even the Supreme Court.

I hope that you will continue supporting my fight for justice. My case impacts important issues that affect many, if not all Americans. These include the rights of an accused not to be subjected to harsh and unnecessary pretrial punishment, the right to a speedy trial, the right to timely and complete access to relevant evidence held by the government, and the right to a public trial. Your support for my case going forward can even help to define the limits of power held by the military's convening authorities, the Executive Branch, and the US Government.

Again, thank you for your overwhelming support thus far. I have stayed—and continued to be—optimistic throughout all of what has happened. I sincerely hope that we can continue working together to change history.

March 19th - Announcing the “Chelsea Manning Support Network”

As we've discussed previously on this website, Army whistleblower PVT Manning came out publicly as transgender on August 22, 2013, when her trial attorney David Coombs read a statement on NBC News announcing her desire to live as a woman named “Chelsea.” This announcement represented the result of a long process of personal introspection and discovery, which started before her arrest in May of 2010.

PVT Manning has recently filed to change her name legally from “Bradley Edward Manning” to “Chelsea Elizabeth Manning.” She also wishes to receive Hormone Replacement Therapy (HRT), which is recommended by doctors as appropriate treatment for her diagnosed gender dysphoria. Chelsea does not, at this time, wish to undergo any surgeries or to be transferred to a different prison. She reports that she has made friends at Fort Leavenworth, and only wishes to be able to live as herself.

In the face of military opposition, the American Civil Liberties Union plans to assist attorney David Coombs in advocating for Chelsea's right to receive HRT. There is already precedent in federal courts establishing this right for transgender prisoners. We are confident that with adequate public and legal pressure, the military court and military prison system will follow suit.

To show our support during this struggle, and for her legal name change, we are renaming our organization and website to the “Chelsea Manning Support Network.” Chelsea has responded to this decision with enthusiastic approval.

March 27th - Chelsea Manning's Attorney: She Didn't Get a Fair Trial

by J.K. Trotter (*Gawker*)

Rhode Island attorney David Coombs, who for the past four years has represented WikiLeaks source and Army Private First Class Chelsea Manning, said on Wednesday evening that his client did not receive a fair trial for multiples charges of espionage and theft against the U.S. military.

In an open letter disseminated online, Coombs writes:

“The attention generated from this case placed a very heavy civilian thumb on the military scales of justice. Whether this thumb was placed intentionally or unintentionally, it influenced the process. The impact from the pretrial statements caused the prosecution to adopt a “take no prisoners” approach to military justice, and the military judge to believe that she needed to send a message with her sentence.”

In late August, Manning was sentenced to 35 years in prison (with a chance of parole after approximately 8 years).

In the same letter, Coombs announced that he was removing himself as Manning's legal counsel, having written and submitted a request for Manning's clemency to the Secretary of the Army, and a request for a presidential pardon with the White House. Both requests would require Major General Jeffrey S. Buchanan, the commanding general of the Army's Washington command, to appeal Manning's sentence.

18 Mar - New writings by and film festival about Mumia Abu-Jamal

We're including transcripts of Mumia's latest commentaries as well as information regarding an upcoming film festival about him.

MORE:

March 18th - Anti-MOVE Propaganda 2.0

In all my years, I've never seen such biased, negative and nasty news coverage as I have of the Philadelphia-based MOVE Organization. There may be one exception: the coverage of the so-called Central Park 5, the young men charged (and later cleared) in the rape and beating of a young New Yorker.

Possibly.

But both are test cases in media demonization; they just occurred in different cities.

Remember the recent brouhaha over a rock 'n' roll racist who called the president a "subhuman"?

Editorials readily used such terms to depict MOVE, but they rarely do so these days.

They are more sophisticated.

Yet, demonization remains. This tactic today is used as a pretext and precursor for war.

Remember Saddam Hussein, called 'insane'? Or Muammar Khadafy likened to Daffy Duck?

This is but the corporate press, marching with their ink pens to wars of words.

A recent article in the Philadelphia magazine, entitled "Lost Boy" was full of innuendo and suggestion that MOVE folks beat and attacked their children. The article, detailing the life and untimely demise of the man once known as Birdie Africa, was, at bottom, a smear piece on MOVE.

Why? Why now?

Because MOVE people are up for parole now, for their minimums have all been served. All of the survivors of the police attack on MOVE of August 8, 1978, have spent over 30 years in prison.

Now, it's time to slime them according to the press.

They do it in a more sophisticated way today; but they do it.

They even gratuitously publish bits of letters from MOVE people, which gives the illusion of balance.

But the slant remains. (MOVE bad; police good)

How anyone could write about the massacre of May 13th, 1985, and not announce that city cops (armed by state and federal forces) killed 11 men, women and babies, with murderous intent, blares the slant of the entire piece.

Cops are quoted saying stuff that suggests they'd never kill kids – as they are killing kids.

Former police chief, Gregor Sambor, told members of the MOVE Commission that children – MOVE children– were considered combatants. Think of that.

Those children –uh, I mean ‘combatants’, were bombed and burned to death by the city of their birth, after the announcement (by Sambor): “Attention MOVE! This is America!”

Yet, the slant is a child was forced to eat fruit in season, instead of candy; and fresh vegetables, instead of Twinkies.

Slant wins again, right?

March 31st - Land Grabs

With the annexation of Crimea to the Russian Federation, U.S. politicians have gone coo-coo, raising Cain about it, likening it to Hitler’s seizure of Poland, with Americans snarling about violations of International Law, and ‘land grabs’.

Almost immediately, Americans and Europeans, citing threats of “regional destabilization”, announced sanctions on Russian.

For American to crow about ‘land grabs’, is above all, an assault on U.S. history.

For how did America come to be, if not for vast land grabs from the so-called Indians, and later, Mexicans?

Was it illegal? Yep. Did it violate International Law? You betcha!

Treaties are pacts between nations. The U.S. violated so many treaties with Native nations that it’s almost embarrassing to recount.

Remember Texas? It was part of Mexico, until the Americans rebelled. For almost 10 years it was its own country (The Republic of Texas), until 1845, when the U.S. annexed it.

Nevada? New Mexico? Arizona? Utah? Colorado? California? All of it was part of Mexico, until the US. started a war to justify a land grab. By 1848, it was over, and over half a million square miles became part of the United States.

I’m not a scholar of Crimea –nor of Russia for that matter.

But I do know that it was originally annexed by Russia in 1783. It remained Russian until 1991, when it was ceded to Ukraine.

Seen from this perspective, Russia had a better claim to Crimea, than the US had on northwestern Mexico.

Shall the US return the land it stole from Mexico?

Shall it then return the millions of square miles it swindled from indigenous nations by violating international treaty law?

The very question seems rather silly to us, doesn’t it?

And yet, in 1999, our neighbor to the North, Canada, carved out a vast swath of its Northwest Territory and returned it to the descendants of the indigenous, traditional people, the Inuit. It’s called Nunavut – and it’s roughly the size of the so-called Louisiana Purchase, when France sold land to the US – doubling it overnight.

The very idea is crazy in America –giving back land.

In Canada, it's history.

March 31st - Venezuela: Coup Pt. 2

The United States has tried, several times, to stage a coup against Venezuela, especially during the outsized life of the late Presidente, Hugo Chavez.

It was April of 2002, when U.S. backed corporate and military forces ousted Chavez, and tried to install a puppet regime.

Within days, the streets of Caracas came alive to bring back Chavez, and restore him to the presidency.

Here we go again.

Right wing and corporate backed forces are now trying to spark popular revolts against the Bolivarian successor to Chavez: Nicolas Maduro. And guess who's backing them?

Members of America's millionaire -Congress. Using right wing claims of government attacks on peaceful protests, and on a free press, members of the U.S. corporate Congress are trying to scare up sanctions against the socialist government of Venezuela.

We saw no congressional action when peaceful protests were waged in cities across America. The Occupy Movement, peacefully protesting corporate greed and the brutal tyranny of the 1%, got, first, slimed in the corporate press, and when the media turned out the lights, they got beaten by police, their tents and property seized and destroyed.

Mayors across America conspired with Homeland Security to run their encampments off the streets. Some protestors were shot by cops, and injured badly.

From Congress came nothing – but silence.

Now, the 10% Congress, at the behest of several anti-Castro Cubans, are attacking Venezuela's democracy – again, on behalf of the 1%.

This is nothing but another attempted coup, with American money and backing.

Their noses are so busy poking into other's business, that it ignores the cancer at home, which may explain its now epic low levels of support – 10%.

April 5th - Mumia Filmfest

WHAT: Mumia Film Fest

WHEN: 12:00-5:00pm, Saturday, April 5th

WHERE: National Black Theatre - 2031-2033 National Black Theatre Way (5th Avenue, between 125th and 126th Streets)

COST: \$10, separate donation for food and beverage.

MORE:

Mumia Abu-Jamal—He's Off Death Row, Let's Bring Him Home!

The day is dedicated to the memory of the great poet, playwright, and activist Amiri Baraka!

5 hours of Mumia film and video clips, some rarely seen, some familiar to Mumia supporters, plus a silent auction, MumiaGear table, and cultural presentation.

19 Mar - Never Alone online benefit art show for June 11 International Day of Solidarity

June 11 is coming up soon! Please consider organizing a benefit or solidarity action with Marie Mason and other Eco-prisoners. Below is a call-out for artists to contribute to the Never Alone online exhibition for the June 11 International Day of Solidarity with Marie Mason, Eric McDavid and all Eco-prisoners. Please share widely.

MORE:

This year on June 11 – the International Day of Solidarity with Marie Mason, Eric McDavid & all Eco-prisoners – we will be running the 2nd annual Never Alone online exhibition. It will serve as an avenue not only for fundraising for these political prisoners, but as a way to reach out informatively to a broad audience on issues of earth & animal liberation and state captivity. We would love to invite you to contribute an artwork to this exhibition.

June 11 started back in 2004 as the International Day of Solidarity with Jeff ‘Free’ Luers, an eco-prisoner sentenced to 22+ years in prison in Oregon (U.S.) for an act of arson against 3 light trucks in an effort to highlight the threat of climate change. This threat is now widely recognized, as was the incredibly unjust sentence that Jeff received. An international campaign of support had a massive impact on the fact that Jeff’s sentence was ultimately reduced to 10 years. By the time he was released in 2009 many other activists in the U.S. had been locked up in prison for standing up for a better world. Two of these prisoners – Eric McDavid and Marie Mason – had been sentenced to 20 and 22 years respectively. Both were sentenced severely for their willingness to fight for a world without oppression – be that of the earth, other animals, or our human communities.

Last year the Never Alone exhibition raised important funds for Marie and Eric’s support campaigns. We want to build on all the amazing support shown by artists and art buyers, and make this year’s exhibition an even bigger and more successful fundraiser. You can still see last year’s online exhibition.

Marie and Eric are contributing artworks for the exhibition, as well as a number of other amazing artists already on board. We are inviting a range of incredibly talented artists to contribute, whose art regularly touches on themes of liberation, wilderness and political action. We are very interested in contributions of original work, prints and small sculptures, and any other ideas that artists may have. Please feel free to get in touch and discuss with us any ideas you might have.

The exhibition will be online at www.neveraloneart.org, from June 11-30. It will be promoted heavily through our support networks, social media, and through other June 11 events being organized around the world. Artists involved would need to be able to provide suitable images of their artwork/s, as well as details of the dimensions, medium/s and price (incl. cost of postage within the U.S). We are hoping that any artists involved will be willing to contribute between 100-70% of the sale of any artworks at the exhibition, with funds raised going directly to the support funds of Marie Mason and Eric McDavid. We would also require artists to be responsible for posting any sold artworks to the purchaser, with those costs being reimbursed to you by our collective.

If you have any questions please don’t hesitate to get in touch. Expressions of interest close on May 1st, 2014. We really hope to hear from you if you are interested in contributing, and look forward to working with you!

March 29th - June 11th International Day of Solidarity With Marie Mason, Eric McDavid & All Longterm Anarchist Prisoners 2014 Call Out

Though it may not seem like it from the depths of winter, June 11th is quickly approaching. As a revitalization of the day of support for eco-prisoners, the International Day of Solidarity with Marie Mason, Eric McDavid and Long-term Anarchist Prisoners has seen a huge outpouring of support and love for both Marie and Eric from all corners the globe over the past 3 years.

Significantly, in addition to the well-spring of both material and immaterial support, we’ve seen the proliferation of solidarity actions in many diverse contexts spreading the spirit and contributions to our struggles of those the

state has attempted to disappear. Coordinated international solidarity has begun to flourish, with information about long-term anarchist and environmental prisoners crossing many geographic and linguistic barriers.

These efforts have had very tangible effects in the lives of Marie and Eric (and many others). Fundraisers have helped them remain true to their vegan principles, loved ones have been able to visit regularly even across vast distances, new generations of radical folks all over the world have reached out to them in solidarity. In short, June 11th has been greatly successful in helping to keep Marie, Eric and many other long-term anarchist and environmental prisoners in our hearts and minds, and to keep them alive in our struggles.

But this process of remembering - of "keeping alive" - is a tricky thing.

Our struggles and movements are often mired by a lack of memory, a lack of understanding and connecting with the past as a way to inform our actions in the present. This is both a product of the techno-alienation of our age as well as a consequence of tactical repression by state forces. The state, for the time being, has the ability to kidnap our comrades and bury them alive, to force them to languish in cold steel and concrete for decades on end. They're ripped from our communities, from our lives. And in their place exists a painful void.

The state, for its part, is banking on the veracity of the old adage "time heals all wounds"; it is hoping that this void will shrink and that we will "forget". If held in captivity long enough, so thinks the state, the actions of our courageous comrades will fade into the oblivion of history and we on the outside will be left without their constructive and loving presence in our struggles. We must fight against this repressive tendency; we must never forget.

Over the past few years we have seen a sharp increase in ecological defense and animal liberation actions all over the world. In this ever-increasing resistance it is paramount that we recognize the actions and struggles of the past, of the comrades who we must now unfortunately call "long-term anarchist prisoners." The continuation of their fights - their active remembering - must be kept alive.

To this end, for June 11th this year we're making a specific call. While in years past we may have emphasized certain aspects of long-term prisoner support (i.e. material support, building international ties, etc), this year we want to make it explicit.

As the June 11th organizing crew, we've often used the term "active remembering" to describe a process that feels crucial to us in doing long-term prisoner support. That is, we've come to see the necessity of not simply passively holding onto a set of names to "honor and remember," but to work towards a mode of support that ties our relationships with long-term anarchist and environmental prisoners into action in our/their ongoing struggles.

Marie and Eric, being the focus of our June 11th organizing efforts, are both dedicated vegans imprisoned for acting in direct opposition to the destruction of the earth. In an effort to "actively remember" them and to engage with them in the present by connecting them to a continuance of their fight, we're encouraging people to tie their June 11th events into actively ongoing eco and animal liberation struggles.

This call is not proscriptive in any way; read what you want in these words and put them into action as you and your crew see fit. But remember, what we're calling for is not a ritualistic expression of solidarity, a once a year party in which we, for only an instant, call to mind those captured by the State. Rather, ours is a call to live the history of our imprisoned comrades, to take their names, their actions, and their struggles and to turn them back on the world that locks them up. Ours is a call to action.

In solidarity with Marie and Eric; with all long-term anarchist prisoners; in defense of the earth; until all cages are empty!

**Check out the revamped <http://www.june11.org> for more information and history on the day, a longer piece on our goals, successes and failures, and plenty of resources to help you plan your june11th event or action.

20 Mar - Inside the Kafkaesque World of the US's 'Little Guantánamos'

Prisoners describe the communication management units, or CMUs, as “Little Guantánamos.” In 2006, the Bureau of Prisons created two of these units to isolate and segregate specific prisoners, the majority of them convicted of crimes related to terrorism.

MORE:

by Annie P. Waldman (*VICE*)

We sat together on her couch, her small, eight-year-old hands clutching a photo of her father, Yassin Aref. “My daddy only held me twice before I was five,” Dilnia told me. For the first five years of her life, she only knew him as the man on the other side of a plexiglass window in a communication management unit in an Indiana federal penitentiary.

The bureau secretly opened these units without informing the public and without allowing anyone an opportunity to comment on their creation, as required by law. By September 2009, about 70 percent of the CMU prisoners were Muslim, more than 1,000 to 1,200 percent more than the federal prison average of Muslim inmates.

In the CMUs, prisoners are subject to much stricter rules than in general population. They are limited to two 15-minute telephone calls per week, both scheduled and monitored. Visits are rarely permitted, and when family members are allowed to visit, they are banned from physical contact, limited to phone conversations between a plexiglass window. This differs from the general population, where prisoners can spend time with their visitors in the same room. To further the isolation, some of the CMU prisoners are held in solitary confinement, with only one hour out of their cells each day.

After nearly three years of imprisonment in two CMUs, one in Indiana and one in Illinois, Aref and four other inmates decided to take action. On April 1, 2010, Aref, Daniel McGowan, Avon Twitty, Royal Jones, and Kifah Jayyousi filed a federal civil-rights lawsuit with the Center for Constitutional Rights against the Department of Justice and the Bureau of Prisons. The lawsuit, *Aref et al. v. Holder*, ignited the first attempt to expose the unconstitutionality of the CMUs. The prisoners argue in their complaint that the CMUs violate the First, Fifth, and Eighth amendments of the United States Constitution, as well as the Administrative Procedures Act. After nearly four years, and to the surprise of many involved, the case continues on and will go to trial or into settlement this year. The attorney for the prisoners is hopeful that the case will be settled with a summary judgment in March, vindicating their claims.

Since the original filing, the government has pushed hard to invalidate their case, successfully dismissing three of the original five plaintiffs. After the filing of the lawsuit in 2010, all five plaintiffs were transferred out of the CMUs. Because they were no longer in the CMUs, the specific complaints of three of the plaintiffs were invalidated. Yet Aref’s and Jayyousi’s complaints challenged more than just their own imprisonment in the CMU. They disputed the constitutionality of the CMUs as a government facility.

Although many advocates expected their case to be dismissed in its entirety, Judge Barbara Rothstein of the Western District of Washington allowed the case to continue. If a judge rules in favor of the prisoners later this year, the CMUs will be required to fit current prison standards, and some believe that they could ultimately be closed down.

As an eight-year old, Dilnia doesn’t understand any of the implications of her father’s lawsuit. Like the rest of her family, she just wants him home.

* * *

Although Aref is the one behind bars, his family also feels imprisoned and under constant surveillance. His wife, Zuhur Jalal, 42, doesn’t work and stays at home, raising their four kids and waiting for news about her husband’s case. She longs for familiar people and things, especially her homeland, Iraq. Following the Kurdish genocide in Iraq in the late 1980s, Aref and his family fled to Syria, and in 1999, the United Nations offered them asylum in the United States. They came to America looking for the freedom and basic human rights that they never had under Saddam Hussein’s regime.

They settled in Albany, New York, and when the city's first mosque opened, in July 2000, Aref became its first imam. He viewed the members of his mosque as his family, regardless of how well he knew them or what their background was. His commitment to the mosque quickly became the beacon of Albany's Muslim community.

Yet his accepting nature led to trouble when the FBI sent an undercover paid informant into the mosque. Instead of being skeptical, Aref took in the outsider without question. Within a few months, the informant had become close with Aref's friends, including one of his closest friends, Mohammed Hossain. Hossain owned a failing pizza parlor, and the informant offered him a large loan, requesting Aref to witness the loan transaction, a common role for an imam. Aref did not hesitate. He counted the money and signed off on the agreement, as any notary public would have done. Neither he nor Hossain realized they were the objects of an FBI sting.

A few months later, the FBI arrested Aref and Hossain, raided their homes and the mosque, and interrogated their families. The informant had previously mentioned to Hossain that the money he had loaned him had been made from selling a surface-to-air missile, but Hossain had no involvement with the missile deal. And Aref says he had no knowledge of the deal at all. After a controversial trial, both men were convicted of conspiring to aid a terrorist group and money laundering. They were sentenced to 15 years in prison.

Judge Thomas J. McAvoy of the Northern District of New York requested that Aref be assigned to a local prison near his family because he had a newborn daughter. The Bureau of Prisons ignored this recommendation along with his status as "low security," and sent him to the CMU in Terre Haute, Indiana. The bureau wrote a letter to the judge, explaining that it had denied the request because of unspecified "security reasons."

When Aref was first arrested and made his one permitted phone call to his family to tell them that he was in jail, his 12-year-old daughter, Alaa, asked, "Why are you gone?" He told her that he didn't know why, but he promised her that one day he would find out. While he was inside the CMU, his daughter's question haunted him. He was depressed and anxious, and according to court documents, he became "obsessed about why he had been singled out for such restrictive confinement, and why he is perceived as dangerous." He had fled his country because of Saddam Hussein, America's main adversary during the Iraq War. Aref saw himself as an ally of the United States. He came to the United States with dreams of freedom and democracy. But soon after, in the post-9/11 counterterrorism haze, he was persecuted.

While inside the CMU, the obstructive nature of the facility restricted not only Aref but his family as well. Telephone calls, their main permitted form of communication, were so difficult to organize that it would often discourage his family from calling. All calls had to be scheduled one week in advance and could only be made between 8 AM and 3 PM during the week. Because the children were in school during this time, the family had to make the calls in the principal's office of the school. Zuhur and her four children would gather around the speakerphone, trying to share the limited time. They never felt that it was enough.

During the first two years of Aref's imprisonment, his family was only able to visit four times. They didn't own a car, so for each trip, a close family friend would volunteer to drive them the nearly 1,000 miles to Indiana. Although the trip took 14 hours, the family was only allowed to have one four-hour visit per month. Steve Downs, a close friend of Aref's, took the family on two of the trips. He tried to make it fun for the children and would let them pick out a motel, which they always chose for the best pool and restaurant. "It's actually where they learned to swim," he said. But these moments of fun were overshadowed by the distressing visits into the CMU. Several guards monitored their short visits, waiting for any violation of the seemingly arbitrary rules. During one visit, Downs pulled a pen out of his pocket to take notes, and immediately the guards stopped the visit and removed the family, stating that they had violated CMU code by using a "recording device."

The visits were also emotionally draining. The children became upset with the sight of their father on the other side of the plexiglass. They would often cry. Aref and Zuhur also found these visits unbearably painful. They could see each other through the blurry window, but they could not touch or hug each other. And Aref could not hold Dilnia, a daughter he barely knew.

After four visits, Zuhur refused to bring the children to the CMUs anymore, believing they were too traumatic. Aref agreed, and for the last two years of his placement inside the CMUs, Aref did not see his family. Only after he was transferred to the general prison population was he able to see his children again.

In 2011, New York magazine profiled Aref's case and his time spent in the CMUs. In one of the first email exchanges that he had with press, he told journalist Christopher Stewart, "I am not spending my time, time is spending me."

On a cold Saturday morning last November, Downs and I visited Zuhur's apartment in a working-class neighborhood in Albany. He hadn't stopped by in a while, and Zuhur seemed surprised, yet pleased, to see him. Children's shoes and textbooks littered the floor. An aged pizza box and a bottle of flat soda sat on a wooden table against the wall. A bare lightbulb lit the small living room, illuminating scuffed lime-green walls and hanging prayer tapestries.

"Zuhur, your husband is taking on the government and, if he succeeds, could stop the CMUs," said Downs.

She barely showed a reaction to his words, except for her brow, which folded in deep lines of sorrow. "Does that mean he'll come home?" she asked.

Downs looked away from her. His voice became softer. "I don't know, Zuhur. But he could help a lot of people."

"How can he help other people if he can't even help himself?" she replied bitterly, brushing away tears from the corners of her eyes.

While in prison, Aref refused to resign himself to losing his family or his sense of self. He published a memoir about his life in Kurdistan, his trial, and the CMUs. He reached out to journalists to share his story. And largely, he worked with his fellow inmates and attorneys to prepare their lawsuit.

The lawsuit challenges the CMUs on two fronts: first, how the prisoners were selected for the CMUs, a due-process challenge; and second, why they were selected, a First Amendment challenge. The Bureau of Prisons classified the CMUs as control units (the same category as supermax prisons) defined by heavy communication restrictions. Prison authorities must tell inmates why and when they are being transferred to control units. They must also give the prisoners a chance to protest their designation to such a unit in a hearing. Once in a control unit, the Bureau of Prisons is required to provide regular reviews of prisoners' placement in the unit.

"The CMU doesn't have any of this," said Alexis Agathocleous, one of lead attorneys, from the Center for Constitutional Rights. "All of our clients and everyone that we know of in the CMU sort of get picked up and taken to the CMU, and then get a piece of paper that says, 'You've been sent to a CMU, and here are the reasons.' It's a short, perfunctory paragraph, and often the information is inaccurate and unfounded. There is no disclosure of what the underlying allegations are."

When inmates arrive at the CMUs, prison authorities are supposed to tell them that they can challenge their placement through an Administrative Remedy Process. But during the first few years of the CMUs, neither a review of placement nor a process took place. Many prisoners tried to uncover why they were there and how they could get transferred out, but no inmate or attorney figured it out.

"No one was transferred out of the CMU until we filed our lawsuit," said Agathocleous. Only four years after the opening of the CMUs did the Bureau of Prisons begin to review cases for transferring out of the facility.

The lawsuit also contends that the protected religious and political speech of prisoners was used as a rationale to send them to the CMUs. "Perfectly legitimate, First Amendment-protected speech is the reason that the Bureau of Prisons is saying we need to put this person in the CMU," said Agathocleous. Since the CMUs have 1,000 to 1,200 percent more Muslim inmates than the federal prison average, it is difficult to ignore the idea that the CMUs might have been created to segregate and restrict Muslim prisoners, whom the Bureau of Prisons saw as a

greater security risk than non-Muslim prisoners. “Religious speech and religious identity have been used as a proxy for security risk,” said Agathocleous.

Aref’s lawsuit is not the first complaint against the creation of the CMUs. When the Bureau of Prisons first announced its plans to create CMUs with a new rule in the federal register in April 2006, the ACLU, the Legal Aid Society, and 16 other civil-liberty organizations came together to protest the development of the new institutions. The rule introduced heightened restrictions on the communication of inmates charged with, convicted of, or detained in connection with terrorism. Anyone the Bureau of Prisons deemed a risk to public and prison security could be transferred to these new units. The civil-liberty groups saw the suggested blanket ban on communication as unprecedented and unconstitutional, and infringing on First Amendment rights. They demanded that the rule be withdrawn.

The Bureau of Prisons ignored their demands. In September 2006, the inspector general of the Department of Justice reported that the Bureau of Prisons had moved forward on “several ongoing and proposed initiatives to improve the monitoring of communications for terrorist and other high-risk inmates.” Yet no one knew if the CMUs existed until the first prisoners were transferred to the CMU in Terre Haute, Indiana, in December 2006. They were transferred without any notice, hearing, or explanation. A few months later, the Bureau of Prisons created another CMU in Marion, Illinois, and more prisoners were transferred into this unit without notice or sufficient explanation.

Not only are the prisoners kept in the dark about the CMUs; the American public is as well. For the past 18 months, Human Rights Watch and the Human Rights Institute at Columbia University have been investigating human-rights abuses in the federal prosecutions of American Muslims since September 11, 2001. Much of their research revolves around the secretive CMUs. In August 2012, Human Rights Watch requested further information from the Bureau of Prisons, in accordance with the Freedom of Information Act. After months of waiting for the Bureau of Prisons to relinquish the information, Human Rights Watch and the Human Rights Institute filed a lawsuit in October 2013, to impel the government to provide the requested documents and data necessary for understanding the covert treatment of convicted citizens. They still have not received the requested information.

* * *

“I think that the Bureau of Prisons has been secretive in nature because, if this kind of information were to be widespread, there would be an outcry,” said Noor Elashi. Her father had been imprisoned in a CMU with Aref. But unlike Aref, who was transferred to a low-security prison, her father still remains in a CMU.

Elashi and I talked about her father in a small café in Manhattan as rain clouds haunted the November sky. She spoke slowly, choosing her words carefully as she recalled his stories from inside the CMU: how he lost visitation rights for putting his name on a yoga mat, how she rarely speaks with him because of his limited permitted phone calls, and how her relationship with her father has suffered because she cannot touch, hug, or smell him.

Elashi’s father, Ghassan, was charged under the ambiguous Material Support Statute for sending humanitarian aid, such as books and backpacks, to a Palestinian charity committee in Gaza. The prosecution claimed these committees were front organizations for Hamas, a US-designated terrorist organization, even though USAID and other international organizations had donated to the same committees. He was convicted and sentenced to 65 years in prison.

Elashi believes that what happened to her father and the other defendants in his case exemplify the prosecutorial bias against American Muslims after 9/11. His placement in a CMU furthers her belief that her father and many others like him were targeted, charged, and imprisoned for their religious beliefs. “Every aspect of today’s post-9/11 prosecutions echoes the political persecutions that existed during the civil-rights movement and during World War II against the Japanese Americans,” she said. “I think things will change, but it’s an uphill battle. The truth will slowly unpeel itself as we continue to investigate, document, and witness.”

* * *

Under media scrutiny in 2009, the Bureau of Prisons increased the percentage of non-Muslims in the CMUs.

Many inmates now believe that the non-Muslim prisoners were placed in the CMUs to balance the population and make the units appear less religiously segregated and secret.

One of the original plaintiffs in Aref's lawsuit, Daniel McGowan, was one of these "balancers." In 2007, McGowan was sentenced to seven years in prison on multiple counts of conspiracy and arson related to the destruction of two lumberyards. Originally, he was sent to a low-security prison and spent the majority of his time writing political articles on prisoners' rights and environmental issues. Within a year, he was sent to a CMU.

"They claim that it's not an isolation unit, and it's not a punishment unit, but the way they treat you? It's like you're a killer," McGowan told me. McGowan's been out of prison for almost a year. Living in Brooklyn with his wife, he is waiting out his period of supervised release, which will be done in 2016.

He met me during his lunch break a couple weeks after he gave his witness deposition for the lawsuit against the CMUs. "It's a horrible place. You're under constant surveillance, and you're in a tiny area. It feels like you're being sat on," he said. The only place he didn't feel the eyes of the authorities was in the shower. Other than that, he always felt that he was being monitored: when he was alone in his cell, on the phone, in the yard, eating lunch, or even getting his teeth cleaned. There were extra eyes on the inmates of the CMUs; there was a sense of surveillance that he had never experienced in the standard prison system.

The 18th-century social theorist Jeremy Bentham envisioned a new model for incarceration. Prisons of the future would be shaped like a cylinder, with cells lining the curved walls and stacked on top of each other. In the center of the prison would stand a single watchtower, with windows that would allow prison guards to look out without prisoners looking in.

Bentham created this prison design to maximize the visibility of prisoners, while isolating them in individual cells, so they could never be sure when they were being watched and when they weren't. The design, which he called the Panopticon, allowed a minimal number of prison wardens to watch over a large number of prisoners.

French philosopher and theorist Michel Foucault took the metaphor of the Panopticon one step further. In *Discipline and Punishment*, he wrote that the major effect of the Panopticon was "to induce in the inmate a state of conscious and permanent visibility that assures the automatic functioning of power." In other words, under constant surveillance in the Panopticon, the inmates would internalize the monitoring and would begin to monitor themselves. Indeed, it was of little importance whether the prisoners were actually being watched—what mattered was that they thought they were.

McGowan hesitated when I asked him how the CMU's surveillance had changed him. "You start surveilling yourself. You police your own behavior because you are aware that you are being watched all the time."

Aside from the constant surveillance, McGowan rarely received any information on why he had been sent there and how he could appeal his transfer. A few days after the Bureau of Prisons had transferred him to the CMU without warning or reason, they gave him a one-page memo that stated in a short five-sentence paragraph why he had been transferred. Yet the memo only listed a summary of his conviction, with some of the details incorrect. Why he had been transferred to the CMU was still a mystery to him. "Even if you feel like there's a reason to open up one of these units, you have to do it legally. You can't just open it up and jack people in there."

Before the judge dismissed McGowan as a plaintiff, the courts impelled the Bureau of Prisons to release new information on why he had been sent to a CMU. In a previously unseen memo, the chief of the Bureau of Prison's Counter Terrorism Unit, Leslie Smith, said that McGowan had been sent to the CMU due to some of his outspoken political views. In April 2013, McGowan wrote about the new document on the Huffington Post:

It is becoming increasingly clear that the BOP is using these units to silence people, and to crack down on unpopular political speech. They have become units where the BOP can dump prisoners they have issues with or whose political beliefs they find anathema. In the months that come, with CCR's help, I hope to prove that in

court and show what is happening at the CMUs. This needs to be dragged into the sunlight.

Less than three days after McGowan published his article on the Huffington Post, the Bureau of Prisons remanded him into custody for “publishing under his own byline,” a violation of his probation. Although McGowan was released after one evening and was not charged with anything, the detention deeply troubled him. It was a reminder of the bureau’s ability to curtail his freedom of speech. It was a reminder of the lack of transparent rationale or process. As in the CMU, it seemed to McGowan that the bureau was making up the rules and regulations as it went along.

Although details about the CMUs remain elusive, one notion about the CMUs is concrete for McGowan and the other inmates: The CMUs represent relentless surveillance and monitoring.

* * *

“I know this mosque is under surveillance,” said Shamshad Ahmad, president of Masjid As-Salam, where Aref was the imam. Ahmad, Downs, and I were sitting in the backroom of the mosque, in the classroom where Aref used to teach. Toy trucks and coloring books were strewn across the carpeted floor, and the walls were covered with children's drawings of their families. The door handle was still broken from the FBI raid years before.

When Ahmad had originally bought the building to convert it into a mosque, Aref volunteered to help him renovate it. He asked for no money but worked nightly on the mosque after he came home from work. Once the mosque was complete, Ahmad knew the only person who could lead the community was Aref, and chose him to be its imam. They were close friends. Ahmad called Aref his brother. After Aref’s conviction, Ahmad wrote a book defending the innocence and dignity of his good friend.

The Muslim community of Albany was deeply shell-shocked after Aref’s arrest. One third of the worshipers of Masjid As-Salam stopped going to the mosque to pray. Ahmad says that they were afraid of being too visible in his or any mosque.

“Later on, they considered this a punishment for being Muslim,” said Ahmad. “If you are a Muslim living in this society after 9/11, you expect your mosque will be under surveillance. You will be under surveillance. The government will try to entrap you. You cannot do anything about it.”

“It’s like Niemöller said,” interjected Downs. He leaned back in his chair, reciting from memory: “First they came for the Socialists, and I did not speak out—because I was not a Socialist. Then they came for the Trade Unionists, and I did not speak out—because I was not a Trade Unionist. Then they came for the Jews, and I did not speak out—because I was not a Jew. Then they came for me—and there was no one left to speak for me.”

Ahmad nodded and laughed, although the words seemed hardly humorous. “We live our life knowing that we are watched and under surveillance,” Ahmad concluded.

* * *

Many of the inmates in the CMU and their families hope that Aref’s lawsuit will create a formal process for the facilities and lighten their heavy communication restrictions. With depositions for the trial complete, Aref and Jayyousi’s attorneys expect the case to go to trial or reach a settlement in early 2014. At this time, both the Federal Bureau of Prisons and the Department of Justice have declined to comment on the case. Even if the case does not succeed in changing the system, some of the inmates hope that the case will illuminate concealed information, as in McGowan’s case. But until the lawsuit is settled, the CMUs will remain open—and opaque.

20 Mar - Update on Cecily McMillan Case

Cecily McMillan, the last of the Occupy Wall Street cases awaiting trial, has her next court appearance on April 7th. In anticipation of this trial, a couple of interesting articles have appeared.

MORE:

March 20th - Cop's Record Of Excessive Force Allegations Will Be Sealed For OWS Trial

by Christopher Robbins (*Gothamist*)

A Manhattan judge has sealed the personnel file of an NYPD officer who allegedly groped the Occupy Wall Street protester charged with assaulting him.

Martin Stolar, the attorney representing protester Cecily McMillan, had argued that the prior allegations of excessive force against her arresting officer, Grantley Bovell, as well as his involvement with the Bronx ticket-fixing scandal justified an examination of his personnel file, which may contain other incidents that would impact his credibility. Judge Ronald Zweibel disagreed.

"I think it's totally wrong," Stolar says of the decision. "It is a very narrow reading of the law, because what I'm looking for are things that will reflect on the officer's credibility. It's things that I don't know about that I believe should be in the file. Somebody who has this pattern of behavior, there may be other incidents."

McMillan was arrested in Zuccotti Park on March 17th, 2012, during a demonstration to mark the six month anniversary of the movement. During a violent altercation between the protesters and the NYPD, McMillan, then 23, suffered a seizure. Protesters described on video how McMillan convulsed on the pavement for several minutes while police officers stood mutely over her body.

As she was being detained, McMillan allegedly elbowed Officer Bovell in the face. McMillan says that's because Bovell grabbed her right breast. The City denies that claim, and has charged McMillan with felony assault of an officer, which carries a sentence of up to seven years in prison. She was hospitalized after her arrest for bruised ribs and limbs.

Officer Bovell has been accused of running a motorcyclist off the road to make an arrest, kicking a suspect in the face while he was on the ground, and slamming an arrestee's face into the stairs on an MTA bus. In the case of the motorcyclist, Bovell was disciplined for a procedural infraction, while the department could not substantiate the other claims.

Bovell was also one of the 500 officers ensnared in the vast ticket-fixing scandal in the Bronx, and was again internally disciplined for his role.

"These incidents may have nothing to do with this case, but they sure have a lot to do with his ability to testify under oath and tell the truth," Stolar says, adding that the judge's ruling does not prohibit the defense from using the allegations against Bovell. "I'm certainly going to bring them up and question him about them."

A spokeswoman for the Manhattan DA's office declined to comment on the judge's decision. McMillan's trial, one of the last involving Occupy Wall Street protesters, is set to begin on April 7.

March 24th - The Case That Could Rock the Occupy Movement

by Ari Paul (*VICE*)

Cecily McMillan doesn't appear to be a violent insurrectionist. On the contrary, the cheerful 25-year-old New School for Social Research graduate student is well known among Occupy Wall Street activists for preaching non-violence.

But on April 7 she will step into a lower Manhattan courtroom, accused of assaulting an NYPD officer during an OWS demonstration. She faces up to seven years in jail.

The police say McMillan elbowed Officer Grantley Bovell in the face on March 17, 2012. OWS activists had gathered in Zuccotti Park (the OWS encampments there were evicted the previous November) and the police started to make arrests. McMillan claims that while leaving the park her right breast was grabbed from behind and she instinctively reacted. She was arrested, beaten, and later hospitalized after going into a seizure (she was released without bail, although prosecutors sought a \$20,000 bail). McMillan had bruises and cuts on her back, shoulders, head, and right breast.

Her attorney, Martin Stolar, is confident that the prosecution can't prove intent beyond a reasonable doubt, but he has an uphill battle. The judge, Ronald Zweibel, refused to unseal Bovell's internal police file. Bovell has previously been accused of using excessive force on the job and he was party to a massive ticket-fixing scandal in the Bronx, but the judge sided with an NYPD attorney who argued that the cop's internal record had no direct bearing on McMillan's case.

Beyond the threat of a seemingly law-abiding social justice protester doing hard time, the case is of great significance to New York City activists. According to Stolar, 90 percent of OWS charges have been reduced to misdemeanors or have been dismissed. A guilty verdict, then, in this case allows the critics of OWS to paint movements preaching economic equality as something other than non-violent. "It sends a chilling message to those who are engaged in non-violent protests," Stolar told VICE News. "It says, 'Watch out. You could be snatched up and sent to jail for a long time.'"

OWS activist Shawn Schrader (aka Shawn Carrié), who was arrested and hospitalized at the same time as McMillan and received an \$82,000 settlement from the city, thinks the police are already winning that battle. "The fact that it's even in the discourse, you go to a protest you might get arrested or get your butt kicked, is chilling in and of itself," he told VICE News.

Indeed, various legal groups have documented routine use of violence by the NYPD against OWS members.

McMillan declined the prosecutor's offer to plead guilty to a lower felony charge and avoid jail time, because she refused to say on the record that she acted violently against a police officer.

"She's a very strong believer in the principles she stands for," Stolar said. "For her to say, 'Tonight I'm going to slug a cop,' it's totally in conflict with who she is."

Schrader reflected on McMillan's stature in the OWS movement, saying: "A lot of people were really angry with the police, but Cecily is one of those people who always took the argument that cops are working class people who are taking orders. She was the most steadfast advocate for non-violence in OWS."

The zealotry of the prosecution is largely seen as an attempt by Manhattan District Attorney Cyrus Vance Jr. to solidify his reputation, which is enduring criticism in his first term, and to smooth relations between his office and the NYPD. His election war chest receives hefty funding from Wall Street.

McMillan's supporters further complain that delays in the legal process have put her in a state of limbo for more than two years. Schrader believes that even if she is acquitted the ordeal has taken an irreversible toll. "For me it was really exhausting to wait just for a settlement, the mental exhaustion for waiting to feel like you've been vindicated, and I didn't even get charged," he said. "She wants to get justice for herself and she won't even feel like she'll have justice for another two years for her to sue. I think she fully intends to take her lawsuit not to a settlement but to a trial. Justice delayed is justice denied."

April 7th - Pack the Courtroom

WHAT: Court Support

WHEN: 9:30am, Monday, April 7th

WHERE: Manhattan Supreme Court: 100 Centre Street, 11th Floor, Room 1116 (Part 41)

The Hon. Judge Zweibel has made the decision to DENY the defense's pre-trial motion, refusing to so much as hear arguments about the relevance of Bovell's involvement in another ongoing case about assault. We were, however, granted access to the Internal Affairs Bureau (IAB) disciplinary files regarding Officer Bovell's involvement in the Bronx ticket fixing scandal. In any case, jury selection is definitively starting on Monday, April 7th, and we hope to see you all in court, packing it to the rafters and showing Zweibel that we mean business. We had two court sketch artists and over 50 people show up to the pre-trial motion alone - let's see you

all in April!

21 Mar - 33 Mujeres For Oscar López Rivera

33 Women begin monthly rallies demanding the freedom of Puerto Rican political prisoner Oscar López Rivera.

MORE:

33 Mujeres NYC x Oscar is a newly formed group of women from New York City committed to securing Oscar López Rivera's freedom. We will be holding monthly rallies for 33 minutes on the last Sunday of every month from 4:00 – 4:33pm to signify the 33 years that Oscar has been imprisoned in federal penitentiaries, and will continue to hold monthly rallies until he is released. Our rallies will coincide with the 32 x Oscar monthly rally that will occur at the same date and time in San Juan, Puerto Rico which are organized and held by 32 women who initiated these public rallies last year to mark Oscar's 32nd year of imprisonment.

The 33 Mujeres NYC x Oscar campaign is dedicated to championing the freedom of Oscar López Rivera, a 71-year old Vietnam veteran who begins his 33rd year of imprisonment in May. Oscar was charged with the mental crime of seditious conspiracy – the same as former South African President and anti-apartheid leader Nelson Mandela – for fighting for the independence of Puerto Rico. He has never been accused nor convicted of committing a violent act or causing harm or death to anyone. Oscar is the longest held Puerto Rican political prisoner in the history of the nation's independence movement. Activists, singers, politicians, actors, students, religious leaders and lawyers the world over have called for his release and clemency by President Barack Obama.

In 1999, as a result of an international human rights campaign, President Bill Clinton determined that the sentences of Oscar and other Puerto Rican political prisoners also charged with similar crimes were disproportionately lengthy and offered to commute their sentences after they had served 16 to 20 years behind bars. Most accepted and were released in 1999. However, under the terms of the offer to López Rivera, he would have had to serve an additional ten years with good conduct in prison. He did not accept the offer, as the president did not include all of his co-defendants. In 2011, the U.S. Parole Commission denied parole, ordering that he serve an additional 15 years in prison, which would mean serving 45 years in prison for politically motivated offenses where no one was hurt and no one killed.

33 Mujeres NYC x Oscar calls on President Obama to exercise his Constitutional power of pardon, and to grant immediate and unconditional release to Oscar López Rivera. Until then, we will gather and rally every month for 33 minutes demanding his freedom.

21 Mar - New Blog Posts by Joel Bitar

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

MORE:

March 5th - Penetang, Home Sweet Home

Early this morning I was told to collect my possessions for my transfer to Central North Correctional Center in Penetanguishene, Ontario. When my name was called I said my goodbyes to the guys on my range. It's only been three weeks but I've definitely established some friendships. I will miss many of the people I've met.

After being shackled, a group of us were brought to the paddy wagon. The ride up to Penetang was not a pleasant one. The heat was on 'high' and I sat next to a man with a psychological disorder. He rambled on about nonsensical things causing me to eventually close my eyes and begin meditating. I transport myself to a wonderful place. I take myself to a beach in a faraway place – I'm playfully running from a beautiful woman through sand dunes on the edge of the world. The wind blows hard, stinging my body.

Suddenly the vehicle leeches to a halt – we are here. After processing, a group of us sit waiting in a room to be brought to our ranges. We still have our canteen items so we pull out our cards and begin an impromptu game of spades that is quickly cut short.

I'm in my new cell now, on my new range. I can safely say, now, that this place is awful. Unlike the Toronto West Detention Center, this place feels like a stereotypical jail. It's a huge bland "super-jail" and a shining example of Canada's movement toward mass incarceration. I will most likely spend the next twelve months here. I will now lay down with a candy bar and a book to do some time.

Home sweet home.

March 14th - What's it Like?

Folks have been asking me what it's like being in jail and I've been wondering how to go about describing it. It's a much different experience than I imagined it would be. In my last piece I said that this place is awful, however that was more in reference to the physical environment. I think Alex Hundert described this jail most accurately when he called it a human warehouse because the buildings we are housed in are literally constructed in the style of warehouses. Picture high ceilings, rafters, an overhead speaker, and constant echoing. When I arrived it felt like I was walking into a Home Depot.

Socially I'm finding jail quite stimulating and, in a weird way, satisfying. The other day one of my fellow prisoners had me laughing so hard, tears ran down my face. I was preparing for a lonely, depressing experience filled with sorrow and sadness. It's quite the contrary. The jailhouse camaraderie creates a thriving, rich social environment that you won't find in many other places.

In her blog, Mandy Hiscocks, wrote that jail made her feel diminished as a human being. There are the rare moments where I experience that. For example, when I'm strip-searched and have to get naked, lift my sack, bend over, spread my cheeks, and cough. The last time it happened to me, the corrections officer performing the search made an offhanded comment to a colleague that "it's pretty gross" to have to stare at another man's private parts. When you are paid well enough, I guess such a thing becomes less objectionable.

The majority of time, however, I feel pretty good. My experience is unique because I've had charges hanging over my head like a dark cloud for four years. I feel a sense of relief being in here. Each day is one day closer to putting this episode behind me. Instead of looking at my sentence as a punishment, I see it as a once in a lifetime opportunity to perform an anthropological/sociological experiment into the nature of authoritarian systems that exist outside of mainstream consciousness. I'm studying this place all the time, much like an outside observer, while simultaneously allowing myself to be an active participant in the experience. In here, I feel like I can be myself and other inmates understand and respect me for what I've done and who I am. It's a much different feeling than the loneliness and alienation I feel living in a capitalist society where insane ideas have become legitimized and normalized.

Please don't take this post as encouragement to come to jail or prison. I would not choose to be here under any circumstance and would much rather be home with my family. I feel myself longing for freedom all the time, but while I'm here I need to make the best of it. Part of me might even be trying to convince myself that things are good as some sort of defense mechanism but, hey, it's been a month and it's worked for me thus far.

25 Mar - NSA, CIA, FBI & DIA Sued Over Withholding of Records on Capture & Surveillance of Mandela

NYC ABC is hosting a talk by "FOIA Street Fighter" Ryan Shapiro on April 9th. There are several recent articles about Shapiro and we've included one, along with event details, below.

MORE:

by Kevin Gosztola (*The Dissenter*)

The National Security Agency, Central Intelligence Agency, Federal Bureau of Investigation and Defense Intelligence Agency are each being sued for allegedly violating the Freedom of Information Act in their refusal to disclose records on anti-apartheid leader and South Africa president Nelson Mandela.

Ryan Shapiro, a prolific requester of government records, submitted requests that he hopes will finally reveal the role US intelligence agencies played in the 1962 capture and imprisonment of Mandela. He also would like to find out why it took until 2008 for the US to remove Mandela from a terrorist watch list and what led to his designation as a “terrorist.”

All four agencies have failed to properly respond to the requests. For that reason, Shapiro argues in his lawsuit, the “CIA, DIA, FBI and NSA have violated FOIA by improperly withholding records, failing to conduct and adequate search and, in the case of the CIA, refusing to process the request at all.”

The CIA decided his requests called for the agency to engage in an “unreasonably burdensome search.” The DIA refused to forecast when it could find the time to comply with the requests. The FBI did not respond and indicate whether it would release any records or not.

The response from the NSA was the most significant. On December 31, 2013, as reported on “Democracy Now!” this morning, “To the extent that your seeking intelligence information in Nelson Mandela, we have determined that the fact of the existence or the non-existence of the materials you request is a currently and properly classified matter.”

And, “FOIA does not apply to matters that are specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign relations.”

What makes this remarkable is the fact that these requests are seeking some information that is over fifty years-old. Any information dealing with the anti-apartheid movement would probably be twenty to thirty years-old. Typically, information is up for declassification after twenty-five years.

Steven Aftergood of Secrecy News reported in 2006 that the NSA “has 46 million pages of historically valuable classified records more than 25 years old that are subject to automatic declassification by the end of December 2006, according to a new NSA declassification plan.” And, “Another 4.5 million pages of 25 year old records have been categorically exempted from automatic declassification because they ‘contain information relating to our core capabilities and vulnerabilities.’”

The NSA invoked the Espionage Act of 1917 when claiming it could not acknowledge the existence of records. What in this potentially fifty year-old information would reveal “core capabilities and vulnerabilities”?

It should be considered appalling that the NSA is invoking this World War I-era law used aggressively by President Barack Obama’s administration to prosecute leakers or whistleblowers.

The lawsuit filed indicates, “Though the US intelligence community is long believed to have been involved in Mandela’s arrest, little specific public information exists regarding this involvement. Similarly, though the US intelligence community is long understood to have routinely provided information to the South African regime regarding the anti-apartheid movement more broadly, little specific public information exists about these activities either.”

What could possibly be in this material that would impact the “national defense” of the United States other than awfully embarrassing details of how US intelligence agencies played a key part in trying to thwart the efforts of a civil rights icon, who later won the Nobel Peace Prize as well as the US Presidential Medal of Freedom?

“What was the extent and purpose of the U.S. intelligence community’s surveillance of Nelson Mandela prior to his arrest?” Shapiro asks. “What role did the US intelligence community play in the broader effort to surveil and subvert the South African anti-apartheid movement? To what extent, and for what objectives, did the US intelligence community surveil Mandela following his release from prison?”

“To what extent, if any, did the U.S. intelligence community continue providing information regarding Mandela

to the apartheid regime following Mandela's release from prison? What information did the US intelligence community provide American policymakers regarding Mandela and the South African anti-apartheid movement? To what extent, and to what ends, did the US intelligence community surveil the anti-apartheid movement in the United States?"

All of the answers to Shapiro's questions are clearly in the public interest. The questions not only implicate freedom of speech and assembly here in the United States but in a foreign country, where the US was likely helping the apartheid regime and white government violate the rights of black South Africans.

In filing his lawsuit, Shapiro is not only pressing for information on Mandela but challenging this nation's broken FOIA system. Agencies routinely abuse and manipulate the process to serve their desires to preserve total secrecy around programs and policies.

"The records of government are the property of the people," Shapiro concluded. "Yet, unknown billions of pages are needlessly hidden from the American people behind closed doors and 'classified' markings. Undefined 'national security' concerns ostensibly legitimize this secrecy."

President Barack Obama's secrecy record has gradually outpaced his predecessor, President George W. Bush. The Associated Press reported recently that the "government's efforts to be more open about its activities last year were their worst since President Barack Obama took office."

Mandela is someone who Obama lauded at his memorial service in South Africa yet he studiously has avoided to address the dark part of American history where the US government considered this iconic leader an enemy of the state.

Intelligence agencies confronted with requests for information now seem intent to further conceal this aspect of American history. No matter how inspirational Mandela was to Obama, there most certainly will be no moment where Obama opposes agencies and indicates support for disclosing all information on Mandela. He'll remain silent so these agencies can fight Shapiro and avoid reckoning with the past.

April 9th - FOIA Street Fighter Ryan Shapiro at The Base

WHAT: Ryan Shapiro on Fighting to Expose the U.S. Government's War on Mandela, Occupy, Animal Rights, & More

WHEN: 8:00pm, Wednesday, April 9th

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

COST: Free, but donations are appreciated.

Come join NYC ABC and The Base for a discussion with "FOIA Street Fighter" Ryan Shapiro.

Will Potter has called Ryan Shapiro "The FBI's Worst Nightmare," and a recent article about Shapiro's work opened by declaring, "Depending on whom you ask, Ryan Shapiro is either the country's 'FOIA superhero' or a 'threat to national security.'" Shapiro is a longtime radical social justice activist and now also a PhD candidate in MIT's Department of Science, Technology, & Society (HASTS). Shapiro's research focuses on the political functioning of national security and the policing of dissent. To this end, he currently has over 700 Freedom of Information Act (FOIA) requests in motion with the Federal Bureau of Investigation (FBI), Central Intelligence Agency (CIA), Defense Intelligence Agency (DIA), and National Security Agency (NSA), as well as numerous ongoing lawsuits against these agencies for failure to comply with his FOIA requests. The FBI is even now arguing that Shapiro's dissertation research on FBI campaigns against animal rights and environmental protesters is itself a threat to national security.

A recent revelation resulting from Shapiro's research is the FBI monitoring of Occupy Houston. As important as the monitoring itself, is the fact that the FBI uncovered a plot to assassinate Occupy "leaders," yet did not share this information with potentially endangered activists.

Additionally, through his FOIA research and lawsuits against the FBI, Shapiro has exposed FBI attempts to bring Animal Enterprise Terrorism charges against animal rights activists conducting undercover investigations of factory farms. Notably, Shapiro is also one of the plaintiffs in the federal lawsuit challenging the constitutionality of the Animal Enterprise Terrorism Act.

And just last week, Shapiro and his attorney filed a law suit against the NSA, FBI, CIA, and DIA for their failure to comply with Freedom of Information Act requests filed shortly after the death of Nelson Mandela. In this particular series of FOIA requests, Shapiro is trying to determine the role the United States played in Mandela's 1962 arrest, and to answer why the U.S. government kept Mandela on a terrorist watch list until 2008 and what qualified him as a terrorist in the first place.

Directions:

Getting to The Base is simple:

From the M Train:

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

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

From the L Train:

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

From the J Train:

Myrtle Avenue Stop: Transfer to the M train and follow the above directions.

28 Mar - Federal Appeals Court Upholds Sentences For Cleveland 4

We're including a corporate news article about the recent setback for the Cleveland 4

MORE:

by Andrew Welsh-Huggins (*SF Gate*)

A failed anti-Wall Street plot to bomb a highway bridge near Cleveland had an element of terrorism to it, a federal appeals court ruled on March 28th in upholding the sentences of four men in the case, including the addition of extra time because of the terrorism factor.

The court also said Akron federal judge David Dowd correctly added time to the sentence of defendant Douglas Wright as the group's leader.

The ruling by a panel of three judges unanimously upheld the 11 ½-year sentence for Wright, of Indianapolis; the more than 9-year sentence of Brandon Baxter, of suburban Cleveland; and the 8-year sentence of Connor Stevens, of Berea.

The panel ruled 2-1 to uphold the 6-year sentence of Anthony Hayne, of Cleveland.

The terrorism element added about five years to each man's sentence, while the leadership element added one to two additional years to Wright's sentence, according to the U.S. Attorney's Office in Cleveland, which prosecuted the cases.

The defendants, who all pleaded guilty, were accused of plotting to blow up a busy highway bridge over the Cuyahoga Valley National Park between Cleveland and Akron.

An informant who secretly recorded conversations helped FBI agents foil the bomb plot, and an undercover agent supplied the would-be bridge-bombers with fake plastic explosives, authorities have said.

The government described the suspects as self-proclaimed anarchists who acted out of anger against corporate America and the government.

The cumulative evidence in the case justifies the judge's use of the "terrorism enhancement" permitted in federal sentencing rules, according to Friday's ruling by Judge Guy Cole of the 6th U.S. Circuit Court of Appeals in Cincinnati.

That includes the bridge-bombing plot, a plan to engage in violent protests in Chicago, and the defendants' consideration of bombing two government buildings, the ruling said.

"They expected that the government would respond to the bridge bombing that the bombing would 'influence or affect' the government by taking new security measures," Cole wrote.

Likewise, evidence showed that Wright encouraged the group to come to a consensus on their plan, which at one point consisted of targeting a cargo ship by detonating underwater explosives as it approached, Cole said.

"Wright acted as coordinator and sought the participation and agreement of the others," Cole said.

Cole disagreed with applying the terrorism element to Hayne, calling him a latecomer to the plot who "did not participate in the conversations evincing an intent to affect the conduct of the government."

Tony Vegh, an attorney representing Anthony Wright, called the decision disappointing. Paul Nelson, a federal public defender representing Stevens, declined comment. Messages were left for attorneys for Baxter and Hayne.

A fifth defendant, Joshua Stafford, has appealed his jury conviction last year where he served as his own attorney. He was sentenced to 10 years in prison.

Steven Dettelbach, the U.S. Attorney in Cleveland, praised the court for agreeing the sentences were deserved because of the terrorism element.

11 Mar - URGENT Medical Campaign for Abdullah Majid

We just found out on Friday, March 28th, that Majid has been put in the SHU due to unfounded allegations against him by the DOCCS Muslim chaplain. 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

Superintendent Paul Chappius
Elmira Correctional Facility
607.734.3901

Let NY Jericho know what kind of response you receive by emailing them at nycjericho@gmail.com

11 Apr - Benefit Show at The Swamp, Featuring As\$troland, Lords of Death, Mad Diesel and Felon

WHAT: Punk Show to benefit NYC ABC and Wolf Mountain Sanctuary

WHEN: 8:00pm, Friday, April 11th

WHERE: email revqc@eastrev.com for address

COST: \$6-\$10, sliding scale

MORE:

EastRev Presents

AS\$TROLAND - NYC punk Legends reunited! asstroland.bandcamp.com

MAD DIESEL - BK Powerviolence FFO drinking and violence against the state: maddiesel.bandcamp.com

LORDS OF DEATH - NYC Dbeat/Hard Core - Last show for a while: lordsofdeathny.bandcamp.com

FELON - New Hard Core punk band from Brooklyn

Take the L to Montrose Avenue, between Bushwick Avenue and White Street.

Please don't BYOB!

NO RACIST, RIGHT WING, BACKWARD SHIT ALLOWED