

Updates for February 3rd

17 Jan - New writings by Mumia Abu-Jamal

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

MORE:

January 17th - Martin's Days of Pain

His name is known to millions, but few know of his trials and tribulations, how the nation's federal policing agency (the FBI) hounded him and tormented him until his dying day.

He is loved today, and a majestic statue stands in the capitol, less than a mile from a building named for his nemesis J. Edgar Hoover, who loathed him and taped his hotel rooms, his phones, and his friends.

Hoover tried every day to destroy him.

I write, of course, of the Rev. Dr. Martin Luther King, Jr.

In his last year, after his Riverside Speech in New York, he faced the betrayal of those he thought were his friends and allies, and the furious demonization in the media.

Why? Because, at Riverside, he spoke against U.S. carnage in Vietnam, U.S. greed and U.S. racism.

He criticized capitalism – and everything changed.

Everything.

He was called “irrelevant”, “out of touch”, “unaware of reality”, and much, much more.

The very media that once portrayed him in heroic lights, turned the lights off, closed its pages and covered their microphones.

This isolation served to make him vulnerable to the forces that sought his destruction.

That's who Martin Luther King, Jr. was in the twilight of his life.

Hounded, harassed and harried by his government.

Let us not forget.

January 26th - Mexico: State of Corruption – State of Terror

The disappearance of 43 students in Mexico, made possible by the deep corruption of politicians and police, has rocked the nation in ways not seen since 1968.

Then, as now, students protesting the failures and corruption of the State became breaking points – the sparks of rebellion, and social rejection of the rotten status quo.

With the news that local police in Iguala, Guerrero State, under orders of the corrupt mayor, kidnapped 43 students and delivered them to hitmen for a drug gang, the gates have burst open to national protest and widespread contempt for the government.

For it reveals, in stark clarity, that the State is so corrupt that there is no difference between politicians, cops and drug-dealing gangsters. They're all in on the same game of money, violence and crime.

They are brothers.

For when the political class betrays the youth, and the police betray their oaths, they are but criminals by another name, aiders and abettors of crime.

They show that under neoliberalism, the State itself is for sale to the highest bidder. And so are gangsters.

For capitalism buys all, and therefore, it corrupts all.

But if you think a mere mayor ordered the liquidation of dozens of students on his own say-so – well- I've got a bridge to sell you in Brooklyn!

This points to a system of corruption that ripples throughout the entire government.

American journalist, John GIBLER, in his 2011 book, *To Die in Mexico*, details how corruption in Mexico is indeed systematic, where drug cartels actually run whole states in Mexico.

Gibler explains the dimensions of the so-called 'drug war' in Mexico, and its resultant pervasiveness of fear:

In the battle zones of the drug war, where the soldiers sent into the streets to "keep drugs from reaching your children" shoot kids instead, where the cruelest of hired killers is called the Barbie, where police will tell you that they do not investigate murder cases because they are afraid, the ambulances will not take people with bullet wounds to the hospital for fear that the killers will return to finish their victims off en route, in a place where such incongruity is the norm....

In Mexico, drug cartels buy, and won, governors, mayors, other politicians and entire police departments.

They work for them.

This explains, and makes possible, the attack, 'arrests', and massacre of college students from Ayotzinapa, who came to Iguala to protest. Forty-three young men.

What we're looking at is simple: state terrorism.

January 30th - After Colony, Chaos

It has been decades since the decolonization process in the '60s, when African and Arab states, often through armed struggle, broke free of European colonial control.

It has been decades, yes but the fires lit by that process have still not gone out.

That's because colonization was a violent phenomenon, an essentially violent exploitation by a stronger power over a weaker one.

Those colonies failed, because resistance became national, and all segments of society opposed the system imposed by the exploitative foreigner.

The colonial power, once so universally opposed, could hardly justify staying in a position of power.

Now, decade later, anti-colonial energies find expression in Islamist politics, and before long, these forces morphed into movements. These movements, funded, armed and advised by American, British, Saudi and

Pakistani intelligence, became Al Qaeda, Al Qaeda in Iraq, Al Qaeda in the Maghrib – and later, ISIS.

Now, the worm turns. This instrument, of anti-communist war against the Afghanistan government (under former President Najibullah, ca. 1987 -1992), has come back to its one-time funders to roost.

The child dreams of strangling its parents.

I end this essay with the words of Lebanese scholar, As ‘ad Abu Khalil, who, in his 2004 book, *The Battle for Saudi Arabia*, wrote:

In duping the U.S. public to go to war, neo-conservatives in Washington promised that regime change in Iraq would change the Middle East forever. They talked about restructuring the region. As we now know, they were wrong in all of their assumptions and predictions except one: they have in fact changed the forever. But instead of liberating a people into democracy, the U.S. invasion and occupation of Iraq has energized insurgent outrage, militancy, recruitment, and organizing. Fanatical and radical forces are spreading, and their lethal and destabilizing impact threatens not only Iraq and America’s favorite royal dictatorship – (Saudi Arabia) – but Europe and beyond.

January 30th - Ferguson: The Epicenter (For Rosa Luxemburg Conference, Germany)

Meinen Freunden! Wie Gehts! Bewegung!

For tens of thousands of young people in America, protests against police violence and state terrorism is the order of the day. They take to the streets every day, no matter the weather, in dozens of cities across the United States: north, west, south and east.

No formal organization is directing this bold effort, and the role of traditional civil rights leaders is greatly diminished.

They are largely the response of social media and the youth themselves. They are unmediated and unfiltered by the political parties. They are independent of these parties, and thus able to frame their issues in their own voices, in their own words.

Thus we see and hear chants such as “Hands Up!” “Don’t shoot!”; “I Can’t Breathe!”; “Jail Killer Cops!”, and the like. No traditional political party, beholden to their funders and backers, would dare make such chants.

But none of this would be happening without Ferguson, Missouri. It was a stark, unblinking illustration of the repression of the armed state against the fury of unarmed Black youth. It showed us how sniper rifles and automatic weapons, and even armored personal carriers (urban tanks!) couldn’t stop people who were determined to march against police repression.

Those images flashed around the country and the world, igniting protests in nearly 200 cities!

It broke through the illusion that had been promoted by the media and the political classes: That America was a post-racial society.

It showed the impotence of Black politicians to make the lives of average Black people more free.

Ferguson may prove to be America’s Tahrir Square, the epicenter of resistance to great social injustice.

The continuing protests in Ferguson are a demonstration against how police kill with naked impunity, especially when their targets are Black.

When cops kill, the system rises up to protect the killer(s), by secret grand juries, prosecutorial discretion, and when all else fails, judicial appellate protection that virtually guarantees that any conviction will be reversed.

That's what Ferguson revealed, the dirty little secret of police immunity in American cities, in American ghettos.

To a German audience, with an historical memory of terms like untermenschen, the concept of state killing with impunity must be chilling.

But let us be clear; Black America, despite its glitter and pop, is an oppressed community. It is exploited economically, as in Ferguson, where a plethora of fees and fines threaten the people with debtors' prison, unless they pay exorbitant court costs.

These monies support a primarily white, yet woefully unrepresentative, local government; the very essence of what once supported an American Revolution: taxation without representation.

Nationally, Blacks are subject to unprecedented mass incarceration which, as law scholar Michelle Alexander has noted in her book, *The New Jim Crow*, closes the doors to every other entry into American life.

Thrown into nonfunctional public schools, denied jobs, harassed on the streets for Walking While Black, Driving While Black, and even Talking While Black, life for millions in Black America is often, far too often, a living hell.

That reality fueled Ferguson – and launched similar mass movements nationwide.

Those movements are still going strong.

May they only grow!

Thank you! (Danke Sehr!)

January 31st - Mike Who?

With news emerging that the FBI will not begin proceedings against killer cop Darren Wilson in the murder of Black teenager Mike Brown of Ferguson, Missouri, we wonder: how many people are surprised?

Were his civil rights violated?

Apparently not – except for his right to life, of course.

But for far too many Black youth, this doesn't matter.

Civil rights prosecution? Nope, not today.

Not ever.

The only thing that would've surprised us would be if there was a prosecution.

But we needn't have worried about that.

Recently, Sybrina Fulton, the grieving mother of Trayvon Martin, wrote a letter to the grieving mother of Mike Brown, Leslie. She wrote:

Further complicating this tragedy is the fact that the killer of your son is alive, known and currently free...your circle will necessarily close tighter because, the trust you once, if ever, had in 'the system' and its agents is forever changed...but with those changes come new challenges and opportunities. You will experience a swell of support from all corners of the world....if they refuse to hear us, we will make them feel us...we will no longer

be ignored.

Mother to mother.

Son to son.

Injustice to injustice.

“Black Lives Matter”?

Not yet they don't.

February 1st - Yemen: Resignation of State

With the resignations of Yemen's President, Abed Rabbo Mansour Hadi, the Prime Minister, and the presidential cabinet, Yemen shows the limits of U.S. support for its allies, and the gathering strength of rebels opposed to the central government.

The rebels, most from the Houthi clans, are primarily Shia's, and followers of a Yemen cleric named Hussein al-Houthi, said to have been killed by Yemeni government forces in June 2004.

They took control of the presidential residence and held Hadi captive for several days, until he agreed to Houthi demands.

Imprisoned at home, isolated, Hadi and his associates chose resignations, and ceded power.

Yemen, located in the southwestern corner of the Arabian Peninsula, has a fabled ancient history.

Remember the Queen of Sheba? Sheba was known to the ancient world as Saba – and Yemen was part of that ancient kingdom.

Yemen is the ancestral home of the Bin Laden clan, which hails from the holy city of Tarim, in the Hadramaut Valley.

It is also a central focus of the so-called U.S. 'War on Terror' ®, where American drones and bombs deliver death daily to Yemeni's regarded as 'radicals' by Americans.

According to the WikiLeaks revelations, former Yemeni President, Ali Abdullah Saleh told former U.S. General, David Petraus, regarding bombings of Yemenis, “we'll continue saying the bombs are ours, not yours.”

Soon, Yemen was engulfed in an Arab Spring that ended Saleh's career.

The kiss of death, it seems, is to be an American ally, for it stirs deep hatreds among the population.

21 Jan - Despite Prior Claims, FBI Records Show Coordination with Police, Spying on Occupy

The FBI spied on Occupy Chicago. It also coordinated with police departments, helping other law enforcement agencies keep tabs on Occupy protesters, according to documents obtained by independent journalist Yana Kunichoff.

MORE:

by Kevin Gosztola (*The Dissenter*)

The documents contradict a statement from the FBI in November 2011, where the agency declared, “Recent published blogs and news stories have reported the FBI has coordinated with local police departments on strategy and tactics to be employed in addressing Occupy Wall Street protestors.”

“These reports are false. At no time has the FBI engaged with local police in this capacity.”

But one document, published by In These Times, shows a special agent from the FBI’s Chicago Division interviewed a white male, who had hitchhiked from Atlanta to Rockford, Illinois, and then to Chicago, on November 3, 2011. He had attended multiple Occupy Chicago meetings.

FBI agents interviewed him at the Cook County Department of Corrections [PDF]. The interview was conducted for “Contact & Espionage.” In other words, this was part of a spying operation. Information gained was then shared with Chicago police.

Another document dated March 16, 2012, shows FBI coordinating with police in Naperville after a man caused a “disturbance aboard an Amtrak train en route to Lincoln, Nebraska from Chicago, Illinois.” He told police that he was planning to “return to Chicago to participate in Occupy Chicago and for the NATO summit.” [Chicago hosted a NATO summit on May 20-21 that year.]

The man had apparently been involved in Occupy Wall Street and was headed to Lincoln to help activists save a family from being evicted from their home. Or, as the FBI agent put it, he was going to “meet up with other like minded anarchists and assist them with their struggle involving a home eviction there.” He “refused to elaborate about who he was meeting in Lincoln and if he was planning to be involved in criminal activity.”

When FBI agents interviewed him, he said he was not going to return to Chicago for the NATO summit. The FBI’s Omaha Division was notified that the man was traveling to Lincoln and was provided with “local investigation and interview results.”

The document notes that agents obtained “positive terrorism” intelligence from the man, which means what was shared with the Omaha Division may have been considered evidence that he would possibly engage in “terrorism.” This is alarming since all the agents knew was that he wanted to join others in protests against a home eviction.

Returning to the document on an interview conducted with a hitchhiker, a troubling yet fabulously Orwellian explanation for why the agency thought it was acceptable for FBI agents to target a person engaged in First Amendment-protected activities appears.

The FBI admits this hitchhiker was targeted while he was engaged in First Amendment-protected activities. They don’t want citizens to get the wrong idea. Exercising one’s First Amendment rights does not make one a “threat to national security.” But, “based on known intelligence and/or specific historical observation,” the hitchhiker may suffer retaliation for exercising his constitutional rights and so information must be gathered from that activity in case violence occurs.

One might recall that someone or some group plotted to use snipers to assassinate “leaders” of Occupy Houston. The FBI had been aware of that plan but did not contact anyone in Occupy Houston to warn them they were in danger.

Ryan Shapiro, a historian on the policing of dissent who has sued the FBI for documents on the assassination plot against Occupy Houston, provided some context for the documents based off his own experience.

“The FBI contradicted its own position,” Shapiro stated. “In an attempt to prevent the release of FBI documents about this sniper plot, the FBI asserted that the documents cannot be released because they were ‘compiled as a result of assistance FBI rendered to various state and local law enforcement agencies which were investigating potential criminal activity by protestors [sic] involved with the ‘Occupy’ movement in Houston.’”

“And now these newly released documents about the FBI’s intimate coordination with local law enforcement in investigating Occupy Chicago further reveal the FBI to have plainly lied about the nature and extent of the

Bureau's anti-Occupy efforts.”

It is odd that the FBI would claim someone would retaliate against the hitchhiker for engaging in First Amendment-protected activity. According to the FBI, he was “attracted to the ‘Occupy Chicago’ rally because of the excitement and people playing musical instruments.” He did not “agree with anarchy stating it was a sin, does not belong to any anarchist groups or organizations and does not associate with individuals in the anarchist movement.”

Or, as Shapiro suggested, “The FBI makes the preposterous claim that the Bureau’s investigations of Occupy protesters’ First Amendment protected speech was done for those protesters’ own good. This obvious self-serving fiction is especially egregious in light of the fact that the FBI”—in both this case and his lawsuit for Occupy Houston documents—”explicitly classified Occupy protesters as representing terrorist threats to American national security.”

A bunch of personal information was collected on this person’s life, and it went into multiple FBI databases. But there was never any suspicion of wrongdoing. The FBI used his presence at an Occupy Chicago protest to justify questioning him and keeping information about him on file.

Finally, in a third document [PDF], the FBI had a member of law enforcement who infiltrated Occupy Chicago or a snitch who was providing the agency with information on activists.

The “Potential Activity Alert,” dated October 26, 2011, was sent out under the headline, “Anarchist Advocates Adopting the St. Paul Principles for Occupy Chicago.”

The FBI spied on the assembly and took note of which groups agreed to adopt the “St. Paul Principles”: the RNC Welcoming Committee, the Coalition to March on the RNC and Stop the War, the Anti-War Committee, Students for a Democratic Society – University of Minnesota, Communities United Against Police Brutality, the Welfare Rights Committee and Unconventional Action – Chicago.

Ahead of the Republican National Convention (RNC) in 2008, the FBI targeted activists in the RNC Welcoming Committee, deploying an informant named Andrew Darst to spy on “anarchists.” He helped the FBI make arrests of the “RNC 8” days before the RNC. They were initially charged with criminal conspiracy to riot in furtherance of terrorism. (Later, Darst faced charges of assault and burglary in a separate case after he allegedly broke into a house and attacked two men.)

The FBI also targeted activists in the Anti-War Committee and deployed an informant, who went by the name of “Karen Sullivan,” during the same time period. “Sullivan” infiltrated meetings and eventually helped provide the FBI with information to raid the office of the Anti-War Committee as well as the homes of activists, who had been involved in planning a march on the RNC. They were issued grand jury subpoenas and remain under a cloud of investigation by the Justice Department.

Anyone of the groups listed as approving the “St. Paul Principles” could have been infiltrated by the FBI during the run-up to the NATO summit simply because, as stated, the “Principles” were previously “adopted by individuals who were opposed to and attempted to use violence to disrupt the 2008 Republican National Convention.” Their adoption could very well have been a “signal” to the FBI that members would potentially engage in violence, especially because they were seen as “anarchist advocates.”

Whatever “anarchist advocates” happens to be is unclear. Yet, according to this document, one does not have to be an “anarchist” to be a target; one simply has to be seen as an “anarchist advocate,” and they open themselves and their group up to domestic spying. Plus, the FBI thought an “an individual involved in anarchist activity” was responsible for urging the groups to adopt the “Principles” in the first place.

What these documents collectively show is that there is much more to be learned in records, which the FBI is

concealing on their coordination with police and Homeland Security fusion centers against activists or individuals who associated with the Occupy movement.

Shapiro stated, “Not only has the FBI been deceptive in its public pronouncements regarding Bureau investigations of Occupy, the FBI has been equally disingenuous in its responses to [Freedom of Information Act] requests about these investigations.”

“The FBI is notorious for collecting vast mountains of documentation about even the most minor subjects of its investigations. Yet the FBI first denied having any documents at all regarding Occupy. Then more recently, in response to FOIA lawsuits brought by Jason Leopold, Jeffrey Light, and myself, among others, the FBI has begrudgingly admitted to having a tiny handful of documents.”

He concluded, “With this latest release of FBI documents about Occupy Chicago, we are coming ever closer to finally forcing the FBI to concede it actually possesses a large volume of documents about this FBI-coordinated nationwide investigation of political protesters as supposed terroristic threats to national security.”

21 Jan - Barrett Brown Mega-post

Barrett Brown was recently (finally) sentenced. The sentence: five years, three months. We're including Barrett's sentencing statement and other relevant writing about his case.

MORE:

January 21st - Barrett Brown's allocution/sentencing statement

Good afternoon, Your Honor.

The allocution I give today is going to be a bit different from the sort that usually concludes a sentencing hearing, because this is an unusual case touching upon unusual issues. It is also a very public case, not only in the sense that it has been followed closely by the public, but also in the sense that it has implications for the public, and even in the sense that the public has played a major role, because, of course, the great majority of the funds for my legal defense was donated by the public. And so now I have three duties that I must carry out. I must express my regret, but I must also express my gratitude. And I also have to take this opportunity to ensure that the public understands what has been at stake in this case, and why it has proceeded in the way that it has. Because, of course, the public didn't simply pay for my defense through its donations, they also paid for my prosecution through its tax dollars. And the public has a right to know what it is paying for. And Your Honor has a need to know what he is ruling on.

First I will speak of regret. Like nearly all federal defendants, I hope to convince Your Honor that I sincerely regret some of the things that I have done. I don't think anyone doubts that I regret quite a bit about my life including some of the things that brought me here today. Your Honor has the Acceptance of Responsibility document that my counsel submitted to you. Every word of it was sincere. The videos were idiotic, and although I made them in a manic state brought on by sudden withdrawal from Paxil and Suboxone, and while distraught over the threats to prosecute my mother, that's still me in those YouTube clips talking nonsense about how the FBI would never take me alive. Likewise, I didn't have the right to hide my files from the FBI during a lawful investigation, and I would've had a better chance of protecting my contacts in foreign countries if I had pursued the matter in the courts after the raid, rather than stupidly trying to hide those laptops in the kitchen cabinet as my mother and I did that morning. And with regard to the accessory after the fact charge relating to my efforts to redact sensitive emails after the Stratfor hack, I've explained to Your Honor that I do not want to be a hypocrite. If I criticize the government for breaking the law but then break the law myself in an effort to reveal their wrongdoing, I should expect to be punished just as I've called for the criminals at government-linked firms like HBGary and Palantir to be punished. When we start fighting crime by any means necessary we become guilty of the same hypocrisy as law enforcement agencies throughout history that break the rules to get the villains, and so become villains themselves.

I'm going to say a few more words about my regrets in a moment, but now I'm going to get to the unusual part of the allocution. I'm going to make some criticisms of the manner in which the government has pursued this

case. Normally this sort of thing is left to one's lawyers rather than the defendant, because to do otherwise runs the risk of making the defendant seem combative rather than contrite. But I think Your Honor can walk and chew bubble gum at the same time. I think Your Honor understands that one can regret the unjust things one has done, while also being concerned about the unjust things that have been done to him. And based on certain statements that Your Honor has made, as well as one particular ruling, I have cause to believe that Your Honor will understand and perhaps even sympathize with the unusual responsibility I have which makes it necessary that I point out some things very briefly.

I do so with respect to Your Honor. I also do it for selfish reasons, because I want to make absolutely certain that Your Honor is made aware that the picture the government has presented to you is a false one. But it is also my duty to make this clear as this case does not just affect me. Even aside from the several First Amendment issues that have already been widely discussed as a result of this case, there is also the matter of the dozens of people around the world who have contributed to my distributed think tank, Project PM, by writing for our public website, echelon2.org. Incredibly, the government has declared these contributors — some of them journalists — to be criminals, and participants in a criminal conspiracy. As such, the government sought from this court a subpoena by which to obtain the identities of all of our contributors. Your Honor denied that motion and I am very grateful to Your Honor for having done so. Unfortunately the government thereafter went around Your Honor and sought to obtain these records by other means. So now the dozens of people who have given their time and expertise to what has been hailed by journalists and advocacy groups as a crucial journalistic enterprise are now at risk of being indicted under the same sort of spurious charges that I was facing not long ago, when the government exposed me to decades of prison time for copying and pasting a link to a publicly available file that other journalists were also linking to without being prosecuted. The fact that the government has still asked you to punish me for that link is proof, if any more were needed, that those of us who advocate against secrecy are to be pursued without regard for the rule of law, or even common decency.

Your Honor, I understand that this is my sentencing hearing and not an inquiry into the government's conduct. This is not the place to go into the dozens of demonstrable errors and contradictions to be found in the government's documentation, and the testimony by the government. But it would be hypocritical of me to protest the government's conduct and not provide Your Honor with an example. I will do so very briefly. At the September 13th bond hearing, held in Magistrate Judge Stickney's court the day after my arrest, Special Agent Allyn Lynd took the stand and claimed under oath that in reviewing my laptops he had found discussions in which I admit having engaged in, quote, "SWATting", unquote, which he referred to as, quote, "violent activity", unquote. Your Honor may not be familiar with the term SWATting; as Mr. Lynd described it at the hearing it is, quote, "where they try to place a false 911 call to the residence of an individual in order to endanger that individual." He went on at elaborate length about this, presenting it as a key reason why I should not receive bond. Your Honor will have noted that this has never come up again. This is because Mr. Lynd's claims were entirely untrue. But that did not stop him from making that claim, any more than it stopped him from claiming that I have lived in the Middle East, a region I have never actually had the pleasure of visiting.

Your Honor, this is just one example from a single hearing. But if Your Honor can extrapolate from that, Your Honor can probably get a sense of how much value can be placed on the rest of the government's testimony in this case. Likewise, Your Honor can probably understand the concerns I have about what my contributors might be subjected to by the government if this sort of behavior proves effective today. Naturally I hope Your Honor will keep this in mind, and I hope that other judges in this district will as well, because, again, there remains great concern that my associates will be the next to be indicted.

I've tried to protect my contributors, Your Honor, and I've also tried to protect the public's right to link to source materials without being subject to misuse of the statutes. Last year, when the government offered me a plea bargain whereby I would plead to just one of the eleven fraud charges related to the linking, and told me it was final, I turned it down. To have accepted that plea, with a two-year sentence, would have been convenient. Your Honor will note that I actually did eventually plea to an accessory charge carrying potentially more prison time — but it would have been wrong. Even aside from the obvious fact that I did not commit fraud, and thus couldn't sign on to any such thing, to do so would have also constituted a dangerous precedent, and it would have endangered my colleagues each of whom could now have been depicted as a former associate of a convicted

fraudster. And it would have given the government, and particularly the FBI, one more tool by which to persecute journalists and activists whose views they find to be dangerous or undesirable.

Journalists are especially vulnerable right now, Your Honor, and they become more so when the FBI feels comfortable making false claims about them. And in response to our motion to dismiss the charges of obstruction of justice based on the hiding of my laptops, the government claimed that those laptops contained evidence of a plot I orchestrated to attack the Kingdom of Bahrain on the orders of Amber Lyon. Your Honor, Amber Lyon is a journalist and former CNN reporter, who I do know and respect, but I can assure Your Honor that I am not in the habit of attacking Gulf state monarchies on her behalf. But I think it's unjust of them to use this court to throw out that sort of claim about Miss Lyon in a public filing as they did if they're not prepared to back it up. And they're not prepared to back it up. But that won't stop the Kingdom of Bahrain from repeating this groundless assertion and perhaps even using it to keep Miss Lyon out of the country — because she has indeed reported on the Bahraini monarchy's violent crackdowns on pro-democracy protests in that country, and she has done so from that country. And if she ever returns to that country to continue that important work, she'll now be subject to arrest on the grounds that the United States Department of Justice itself has explicitly accused her of orchestrating an attack on that country's government.

Your Honor, this is extraordinary. Miss Lyon isn't the only journalist that's been made less secure legally by this prosecution. Every journalist in the United States is put at risk by the novel, and sometimes even radical, claims that the government has introduced in the course of the sentencing process. The government asserts that I am not a journalist and thus unable to claim the First Amendment protections guaranteed to those engaged in information-gathering activities. Your Honor, I've been employed as a journalist for much of my adult life, I've written for dozens of magazines and newspapers, and I'm the author of two published and critically-acclaimed books of expository non-fiction. Your Honor has received letters from editors who have published my journalistic work, as well as from award-winning journalists such as Glenn Greenwald, who note that they have used that work in their own articles. If I am not a journalist, then there are many, many people out there who are also not journalists, without being aware of it, and who are thus as much at risk as I am.

Your Honor, it would be one thing if the government were putting forth some sort of standard by which journalists could be defined. They have not put forth such a standard. Their assertion rests on the fact that despite having referred to myself as a journalist hundreds of times, I at one point rejected that term, much in the same way that someone running for office might reject the term "politician". Now, if the government is introducing a new standard whereby anyone who once denies being a particular thing is no longer that thing in any legal sense, then that would be at least a firm and knowable criteria. But that's not what the government is doing in this case. Consider, for instance, that I have denied being a spokesperson for Anonymous hundreds of times, both in public and private, ever since the press began calling me that in the beginning of 2011. So on a couple of occasions when I contacted executives of contracting firms like Booz Allen Hamilton in the wake of revelations that they'd been spying on my associates and me for reasons that we were naturally rather anxious to determine, I did indeed pretend to be such an actual official spokesman for Anonymous, because I wanted to encourage these people to talk to me. Which they did.

Of course, I have explained this many, many times, and the government itself knows this, even if they've since claimed otherwise. In the September 13th criminal complaint filed against me, the FBI itself acknowledges that I do not claim any official role within Anonymous. Likewise, in last month's hearing, the prosecutor accidentally slipped and referred to me as a journalist, even after having previously found it necessary to deny me that title. But, there you have it. Deny being a spokesperson for Anonymous hundreds of times, and you're still a spokesperson for Anonymous. Deny being a journalist once or twice, and you're not a journalist. What conclusion can one draw from this sort of reasoning other than that you are whatever the FBI finds it convenient for you to be at any given moment. This is not the "rule of law", Your Honor, it is the "rule of law enforcement", and it is very dangerous.

Your Honor, I am asking you to give me a time-served sentence of thirty months today because to do otherwise will have the effect of rewarding this sort of reckless conduct on the part of the government. I am also asking for that particular sentence because, as my lawyer Marlo Cadeddu, an acknowledged expert on the guidelines, has

pointed out, that's what the actual facts of the case would seem to warrant. And the public, to the extent that it has made its voice heard through letters and donations and even op-eds in major newspapers, also believes that the circumstances of this case warrant that I be released today. I would even argue that the government itself believes that the facts warrant my release today, because look at all the lies they decided they would have to tell to keep me in prison.

I thank you for your indulgence, Your Honor, and I want to conclude by thanking everyone who supported me over the last few years. I need to single out one person in particular, Kevin Gallagher, who contributed to my Project PM group, and who stepped up immediately after my arrest to build up a citizens' initiative by which to raise money for my defense, and to spread the word about what was at stake in this case. For the two and a half years of my incarceration, Kevin has literally spent the bulk of his free time in working to give me my life back. He is one of the extraordinary people who have given of themselves to make possible this great and beautiful movement of ours, this movement to protect activists and journalists from secretive and extra-legal retaliation by powerful corporate actors with ties to the state. Your Honor, Kevin Gallagher is not a relative of mine, or a childhood friend. This is only the third time I've been in the same room with him. Nonetheless, he has dedicated two years of his life to ensure that I had the best possible lawyers on this case, and to ensure that the press understood what was at stake here. Your Honor, he set up something on Amazon.com whereby I could ask for books on a particular subject and supporters could buy them and have them sent to me. And he spoke to my mother several times a week. During that early period when I was facing over a hundred years worth of charges, and it wasn't clear whether or not I would be coming home, he would offer support and reassurance to her, an effort that I will never be able to repay. He knows how much I regret the pain and heartbreak that my family has suffered throughout this ordeal.

A few weeks ago, Kevin got a job at the Freedom of The Press Foundation, one of the world's most justifiably respected advocacy organizations. And, according to the government, he is also a member of a criminal organization, because, like dozens of journalists and activists across the world, he has been a contributor to Project PM, and the government has declared Project PM to be a criminal enterprise. I think that the government is wrong about Kevin, Your Honor, but that is not why I've brought him up. And although I am very glad for the opportunity to express my gratitude to him in a public setting, there are some gifts for which conventional gratitude is an insufficient payment. One can only respond to such gifts by working to become the sort of person that actually deserves to receive them. A thank-you will not suffice, and so I am not bringing him up here merely to thank him. Instead, I am using him in my defense. Your Honor, this very noble person, this truly exemplary citizen of the republic who takes his citizenship seriously rather than taking it for granted, knows pretty much everything there is to know about me — my life, my past, my work, from the things I've done and the things I've left undone, to the things I should not have done to begin with — and he has given himself over to the cause of freeing me today. He is the exact sort of person I tried to recruit for the crucial work we do at Project PM. I am so proud to have someone like him doing so much for me.

Your Honor, the last thing I will say in my own defense is that so many people like Kevin Gallagher have worked so hard on my behalf. And having now said all those things that I felt the need to say, I respectfully accept Your Honor's decision in my sentencing.

Thank you.

January 22nd - Post-sentencing Statement

After receiving his sentence Barrett Brown released the following statement: "Good news! — The U.S. government decided today that because I did such a good job investigating the cyber-industrial complex, they're now going to send me to investigate the prison-industrial complex. For the next 35 months, I'll be provided with free food, clothes, and housing as I seek to expose wrongdoing by Bureau of Prisons officials and staff and otherwise report on news and culture in the world's greatest prison system. I want to thank the Department of Justice for having put so much time and energy into advocating on my behalf; rather than holding a grudge against me for the two years of work I put into in bringing attention to a DOJ-linked campaign to harass and discredit journalists like Glenn Greenwald, the agency instead labored tirelessly to ensure that I received this very prestigious assignment. — Wish me luck!"

January 22nd - How the sentencing guidelines were applied

Reprinted from *D Magazine's FrontBurner*, an e-mail from Barrett Brown's defense attorney Marlo Cadeddu to Tim Rogers:

Barrett pled guilty to three counts — internet threats, accessory after the fact to the unauthorized access to a protected computer and obstruction of a search warrant. The accessory after the fact conduct to which Barrett pled included offering to communicate with Stratfor for the purpose of redacting certain emails in order to conceal Hammond's identity. There were a number of counts charging trafficking in stolen credit cards and possession of stolen credit cards with which he was originally charged, as you know. Those eleven counts were dismissed last year by the government after the defense filed a motion to dismiss saying that those counts failed to state an offense.

The reason we couldn't just say "those charges were dropped" yesterday is because under federal law, a judge is technically allowed to sentence a defendant based on conduct that was uncharged, charged and dismissed or even charged and acquitted! That's because the standard of proof at trial is beyond a reasonable doubt while the standard of proof at sentencing is by a preponderance, i.e. more likely than not. Thus, a jury could find you not guilty of certain conduct because the government didn't prove beyond a reasonable doubt that you actually did what was charged, even if the jury believed that you probably did it. It's the same with dismissed conduct. The government can dismiss charges if it wishes, but if the court thinks you probably did it, you can still be sentenced based on those charges. That is a hard concept for non-lawyers to understand because it seems patently unfair. Essentially, the government loses but then gets to punish you anyway. That's what happened here, essentially. The government dismissed the trafficking charges and then successfully argued to the court that Barrett's sentence should be enhanced for trafficking for having linked to the Stratfor data.

So procedurally, here's how it worked yesterday. As you are aware, courts must consider the sentencing guideline range calculated under the United States Sentencing Guidelines. The Guidelines book essentially lays out formulae for calculating two numbers — one is the offense level, which is supposed to correspond to the seriousness of the crime, and the other is the criminal history of the defendant based upon his prior convictions and sentences. Then the court uses those numbers with the chart you reference in your email to come up with the applicable sentencing range in months.

Up until 2006, the guideline range was binding. That is, the court could not sentence outside of the applicable range as calculated under the Sentencing Guidelines except under very limited circumstances. In 2006 in a case called *Booker*, the Supreme Court decided that mandatory application of the Guidelines violated a defendant's right to a jury trial and the Court held that the Guidelines should thus be considered advisory only. Since 2006, judges have been free to sentence outside the applicable guideline range, bound only by the statutory minimum and maximum for the offense in question. As a practical matter though, in the vast majority of cases, judges still sentence within the applicable guideline range, so the calculation of the guideline range is often the big fight in any case, as it was here.

You heard the government argue that all three of the counts should be "grouped" under the Guidelines and then all possible enhancements added to the grouped counts. Determining the guideline range that way would have meant an applicable sentencing range of 151 to 188 months for Barrett, although his exposure would have been capped at the statutory maximum of 102 months (102 months is the statutory maximum total punishment allowable for all three crimes to which he pled, added together). In other words, the most the judge could have sentenced him to was 102 months even though the guidelines range was higher.

We argued and the court agreed that the proper procedure was to calculate the offense level for each count separately, then figure out which count had the highest offense level associated with it and only then apply the grouping rules. The grouping rules provide that when counts are considered separately, as was the case here, the court adds a certain number of additional points to the count with the highest offense level depending on how many offense level points the offense levels for the other counts are below the primary count offense level. In that way, all counts are taken into account in determining one single offense level and one applicable guideline

range.

In Barrett's case, the highest offense level was associated with the accessory after the fact to the unauthorized access to a protected computer count. Factors considered in determining this offense level for that offense included the loss to the victims (a figure agreed upon in the plea agreement which was between \$400,000 and \$1,000,000), use of sophisticated means, unauthorized distribution of personal information, 50 or more victims and an enhancement for trafficking in stolen credit card data. The court determined the offense level for that count and then applied the grouping rules. After doing so, the court determined that the applicable offense level for all three counts after grouping was 23.

As you will recall, the government argued that Barrett trafficked in stolen credit cards when he reposted a link to stolen data that was already in the public domain. We argued that the posting of a link could not constitute trafficking — that Barrett didn't share the actual data but only posted a link to a public internet location where it could be accessed. Moreover, the link was posted in the #Anonops IRC channel and then Barrett immediately reposted the link to the #Projectpm channel and did not have time to open the link himself to see what data could be accessed using the link. The court overruled our objection and added two points to the offense level for trafficking. Thus, the overall guideline range in this case would have been 21 and not 23 in the absence of that enhancement. For an offense level of 21 and criminal history category of II, the applicable guideline range for Barrett would have been 41-51 months instead of 51-63 months.

I hope this helps explain what happened. Bottom line, the two point enhancement for trafficking made a difference both in the offense level for the accessory after the fact count and in determining the final total offense level after grouping as well as the applicable guideline range.

January 23rd - Barrett Brown: "Maybe it is an act of civil disobedience—maybe it is a war"

by Jan Ludwig (*Krautreporter*)

Jan Ludwig (JL): Mister Brown, when I came here by plane, I was sitting between two ladies from Texas, probably 60 years old. They had never heard of Anonymous. How would you explain to them why you are here?

Barrett Brown (BB): I would not say anything to Texans. I do not respect the judgement of the average Texans. Look at what the FBI agents were looking for in the search warrant. Look at what I have been accused of: credit card fraud. And look at the transcript of the gag order hearing. The prosecutor tells the judge that the "tone" of my articles about the government is a problem. I am not a saint. I am not a hero. But I am living in a country that is screwed up and that is getting more screwed up every year. I have tried to engage that system.

JL: Did you consider yourself a journalist or an activist when you worked for Anonymous?

BB: I was in a very amorphous sort of position in which I was either praising, explaining, or criticizing various projects, some of which I was involved in as a researcher or promoter and some of which I wasn't involved in or even disapproved of. On some occasions, I was asked by participants in an operation to speak to the media on their behalf, but just as often I would just help journalists find their way to an IRC channel or give them an e-mail address so that they could talk to someone closer to the operation in question.

JL: Would you call your work "embedded journalism?"

BB: Part of my work with Anonymous was indeed reportage, but of course I was also involved directly in some of the operations, particularly those regarding Tunisia, Bahrain, and the investigation into the U.S. intelligence contracting sector, which was carried out both from Anonymous servers and Project PM. And, of course, I was often an advocate for Anonymous in general and certain operations in particular, rather than a neutral reporter, even though I was also sometimes a critic. All in all, I served a very ambiguous role, just as most of my other positions are ambiguous, as is my status in general.

JL: Long before Edward Snowden's leaks, you investigated the obscure work of private security firms and their cooperation with US authorities. Do you remember when you first heard about the Snowden leaks? How did you react?

BB: I first learned about the Snowden leaks from the television in the Mansfield jail unit, followed by a phone convo with the journalist Michael Hastings, who briefed me in general. Later I received print-out news reports

about the leaks. My initial reaction was shock that the public was now paying attention, and then admiration for Snowden and Greenwald for having done such a great job of getting it into the news and keeping it there. Snowden is obviously a highly competent leaker, and Greenwald has an unusually keen understanding of media dynamics in general.

JL: In a TV interview you said: “I always thought the bad guys were the bad guys.” Let us talk about your “bad guy episode.” You were not a hacker yourself. There was supposed to be a joke saying that Barrett Brown could not even hack himself out of a paper bag.

BB: There was fair criticism of me. It was very obvious to everyone that I wanted to control Anonymous. I absolutely wanted to effectively be the leader of Anonymous and turn it into an activist thing.

It was frowned upon by Anonymous when someone used his real name advocating for Anonymous.

I was a journalist and I had written some articles. Why should I call myself “SecretCyberCommander?” I mean, I am just Barrett Brown.

JL: In May 2011, you left Anonymous.

BB: That was a media stunt. I have been unsuccessful in detaching myself from this role that I had been given as “spokesperson for Anonymous.” Dozens of times I had publicly said that I am not a spokesperson for Anonymous, and privately done so in e-mails. I also did not like the direction it was going at that point. There were many people who had left Anonymous for Project PM. I also wanted to have the opportunity to speak on camera without being associated with Anonymous. A lot of Anonymous members got their information from the same places the Soccer Moms do, which is the media. So they saw me as the “self-proclaimed spokesperson for Anonymous.” I could not even walk into a chatroom for a while without 15 people who would say: Ah, look, there is our leader! And I would say: “Hey, this brand new shit about Booz Allen Hamilton...the former employer of Edward Snowden...this is very important.” I did not want to give up on this idea of encouraging Anonymous participants in mass to pursue the intelligence contracting issue. Anonymous is perfect for that. I saw Anonymous as something that it was not. I saw it as a collection of really erudite individuals. Of course it also came from 4chan, so it attracted these kinds of weird people. Anyway, I do not like computer people in general.

JL: What e-mails did you link to after the Stratfor hack?

BB: All articles asserting that the link was to an archive of millions of Stratfor e-mails are incorrect. I still don't know exactly what was in the file I actually linked to, as I never opened it after downloading.

JL: What did you do when there was a fresh hack? What did a Project PM workday look like?

BB: When there was a fresh hack, everyone was in the IRC channel. People were going through the e-mails. Each of us had our own list of subjects. There are certain search terms I would always use, like “persona management,” “FBI,” “NSA” and so on. One of the things we did was to offer stuff to journalists, saying “This could be your story!” One example is a piece that appeared in Bloomberg Businessweek. We provided them information on Endgame Systems. Endgame Systems had an unprecedented array of zero-day-exploits in Western Europe. I also contacted people like the CEO of HBGary, saying, Hey, what do you have to say to that? I always recorded that. Because they are liars, just like the FBI. It is much better to have someone lying on audio. Journalists like audio.

JL: Would you say that it should be legal for an investigative journalist to acquire documents through hacking?

BB: Absolutely it should; otherwise, dozens of the best journalists in the country would be subject to prosecution for referencing the HBGary or Stratfor e-mails. We were in a position where we have just pulled the tail of a dozen different shadowy companies that specialized in destroying peoples' lives, journalists and activists. It really became a race for us to ensure these things stay in the press.

JL: In the eyes of the authorities, you were part of a cyberwar. You once declared war on Pentagon yourself.

BB: Many people used this rhetoric, on both sides. And this is also appropriate. On the other hand, if the government calls something a war, it has to apply the rules of war. Maybe it is an act of civil disobedience—

maybe it is a war.

JL: The first generation of elite hackers of Anonymous is not that active anymore, also because Sabu, one of the most talented hackers of LulzSec, an offshoot of Anonymous, became an FBI informant. Who is Sabu to you?

BB: We knew each other, but we did not have that much contact. I talked to him a few times in 2011. He also did these other hacks that were totally unnecessary. I called him a degenerate traitor, and I stand by that.

JL: Sabu had to take care of two children. Having children is a responsibility, and a responsibility is a weakness. The FBI probably exploited that.

BB: Absolutely. The FBI definitely took advantage of that. People's wives and mothers are indicted all the time. And then they drop the indictments. It is not even unusual. On the other hand, when he got involved into this stuff and started his major hacks, he knew he had these children. Why not find somebody else? If he had fucked the FBI on this, if he had said: No, I am not going to betray my ideals, I am not going to help you commit crimes over the next year to help you destroy Anonymous—as he ended up doing —, anyone would have taken these kids for the rest of their lives.

JL: That seems to be very rational, but now you sound like a member of a guerrilla organization.

BB: Just like I do, Sabu used this rhetoric of warfare. If you are going to use that rhetoric, you better actually do those things. People do it all the time in regular warfare.

My mom was threatened as well. The FBI wanted me to cooperate. But I did not cooperate. It means that your family is more worth than other people's families. And what damage are you going to do to the rest of the world if you are going on a crime spree under the FBI's control?

JL: What is life without the internet like?

BB: Oh, it is good for me. The Internet takes something from you. In my case in particular, the internet was a very powerful tool, but I am very happy with having a break from it. Being off the internet fundamentally changes the structure of your mind. I feel like I am more capable right now than I was a few years ago. I am a better writer. I am a better tactical thinker, and I am a better strategical thinker. I have to be, because when I get out, this is all going to resume.

JL: Did you work during the day or during the night?

BB: I did not have a regular schedule. It was just depending on what drugs I was on. I have also spent a good portion of my life doing drugs, shooting up Heroin, and drinking. Even in the last couple of years when I was engaged in very high-stakes activities with Anonymous, Wikileaks, my own group Project PM, I did not give 100 percent. Not even 70 percent. In all the years of my great accomplishments, in the great majority of that time, I spent smoking cigarettes and playing computer games while high. I mean, I was a junkie. I could have done a lot better of a job.

JL: Now you are writing articles from out of prison. How does that work?

BB: I used to send my handwritten work to my mother to be typed up and then e-mailed to my lawyers, who had to approve them before they would be sent on to D Magazine or Vice or The Guardian. But finally I decided that I'm not really worried about the judge giving me additional prison time over something I write for the public. Also, after 6 months or so of being under a gag order, I was tired of being censored.

JL: In your articles for the D Magazine, you describe the everyday procedure in prison in a satirical way. What did you do today until we met?

BB: Today I got up at 8. In general I would heat up water in a microwave and check my emails. Then I would go to the library and make sure there are no books sitting on top of the shelves. Sometimes we get books back with the cover torn off, so I take them to my room and use some tape to fix the cover back on. I have read several hundred books in the last two and a half years, probably 300 books, a book every two days or so. Especially when I was at Mansfield, the prison I have been to before. There are no windows, there is no space. They have eight man cells.

JL: Do you think your character has changed in prison?

BB: Oh yes, quite a bit. I mean, for one thing I am not on drugs anymore for the first time since adolescence. I was on Heroin for two years. I am sober for two and a half years. In addition to that, I had a lot of time to think. Also, I am technically the leader of what is regarded as a gang. It is a predominantly white prison gang. We also have a sign when we meet each other (meows and purrs).

JL: Apparently you have a problem with institutionalized authority, but you are climbing up the hierarchy ladder quite easily. When did that start?

BB: In school, very early on. When I was 13, I started reading books from anarchists. Very early on I inhaled this sort of ethos of a lone individual challenging authority and then giving a speech about why I did that. Even if everyone else disagrees, even if no-one is going along with me, it is my job to at least serve as an example. (Knocks on the table with his fingers)

JL: What do you miss most in prison?

BB: Cigarettes.

JL: And what will be the first thing you do when you come out of prison?

BB: I am going to smoke cigarettes. I am going to play computer games. And then I will get back to what I was doing before. Journalism and all that.

January 25th - Barrett Brown comments following his sentencing

This is a rough, partial transcript of a phone call placed by Brown to a group of supporters and reporters on the night of his sentencing hearing.

Talked to my mom a little while ago. Whats the media's direction? I've seen the statement, the cute little statement go into play.

[Well, your name is trending big time on Facebook and Twitter, it's...]

Sorry to interrupt you. I understand that you make faces, and you were duly punished for this, and I want you to understand that you're going down a bad road, son. You're going to end up in prison. Like me. You need to get your life together, man... [cracks up]

Obviously I wanted to get out and smoke cigarettes and all of that bullshit, but, I mean, there was always the worry that maybe they'd only fuck me over a little bit. And this way, you may notice the phrase in revolutionary jargon of the late 60s, the phrase [inaudible] contraindication... They have done that today by applying the four points for the credit cards and the 2 points for trafficking in authentication features, and then ignoring our objections regarding those and ignoring our objections in regards to this credit card spreadsheet, which is still sealed but is an extraordinary document. There are a lot of legal issues that he just ignored. Which, I was really actually taken aback.

I mean, hey, I'll list them. There are just so many, I mean, really, the lawyers were stunned.

We pointed out that these victims, these credit card victims, this has no foundation in the court system. They can't just present a spreadsheet that says some thing. And even the spreadsheet they presented, as we pointed out...one of the charges, the total charges on the credit card, is 0 dollars and zero cents. So that means I have to pay back to this person zero dollars and zero cents. Which I'm happy to do. I'm happy to do it. I have a check, an out-of-state check for that. But another person that is listed as living, he lives in, "British Columbia, comma, Greece." So we gotta find that guy somewhere and I'll... pay him back whatever fucking money that somebody, Jeremy Hammond's friend, paid to the Red Cross, so I can pay that back.

I'm in indentured servitude now to Stratfor now for the rest of my life, which is very novel. Very cyberpunk. It's very cyberpunk. The corporation owns half my assets.

Well, you know, I've had a lot of creditors over the years, and they can tell you that it's a dry rock that they're squeezing.

[Did Agent Smith ever make an affidavit to support the fact that he felt threatened?]

No, not that I've ever seen, no. But there are a lot of things that we haven't seen, including this transcript of AntiSec plotting to set me up on credit card fraud charges. We didn't see those either. So just because I haven't seen it doesn't mean that it doesn't exist. [Smith] doesn't like to commit perjury, unlike Allyn Lynd. I mean, the fact that they cut off the end of the sentence. Of my sentence about him: "Because that's what Aaron Barr did." They know for a fact what I really said, what I really meant. That's why they cut off the end of the sentence. If I had said, [inaudible], that would have stayed in. So the fact that they cut off the end of the sentence shows that they all know that I wasn't threatening anybody. That I was talking about... something Aaron Barr did. To make a point. A stupid point while I was in a manic state, but a point nonetheless. And we pointed out to the judge, the judge is not the brightest flower in the flower box of American law. He is not, unfortunately. And, again, more will come out about that.

There's a lot of consternation in the legal community, I heard, about this. [inaudible] at Georgetown Law right now. A lot of people are stunned. There are just so many things. We didn't even expect all of the incredible maneuvers that he made.

[They made you a martyr...]

He did, and he did a very good job if it. That's the one thing that he did right.

And just like the one thing that cost me [inaudible] is that I have no respect for the law. They had a lot of money on that... Presumably I'm going to spend another year with a bunch of criminals and I'll have more respect for the law. That's how that works. It's just so much. It's just so incredible. It was an extraordinary hearing. One of the greatest sentencing hearings I've ever been subjected to, participated in. It was a blockbuster!

[What about appealing?]

We can't. We gave up our right to appeal. The grounds to appeal are really narrow. Only the sentencing guidelines and shit. So we can't. We got tricked into that. So that is all of that... That you can't link to things or you'll get arrested, so there you go.

When we signed, we gave up our right to appeal. So this is funny because if we hadn't... This judge has been overturned on Marlo's cases before... she knows what she's doing, he doesn't... so that was lucky for him.

The evidence in question, I actually do not know. I'm not aware of... I don't know what we encompass when we say that in terms of everything contributing to that / does that mean all testimony that supported to those guidelines being enhanced? I really don't know. I'm actually curious to know that.

I just don't know what that entails. I just don't know how narrow or how broad that definition of guideline calculations, as in, can we therefore argue about, he kept saying, the judge kept saying before realizing he was wrong, we could appeal it on everything. He didn't understand that we had actually signed away our appeal.

I'm not a good person to ask about the law, apparently. I'm always getting arrested for things I didn't think I'd be arrested for.

I'm free to talk now for the first time in 2 and ½ years, so anyone who wants quotes from me can get them.

[To Dell Cameron]

I fucking appreciate the story you wrote about the transcript that we didn't get. I think that's a really incredible

story. I'm glad Greenwald tweeted it and it got attention. It obviously really helps to show how this system works.

[Misconduct?]

There's a lot of it. Some of it I got documented. But that has to wait for things to be unsealed so I can point to them in a way that will put out [inaudible]. In the meantime, the things that I can point you to that are available, people can actually look and investigate, are insurmountable. The Amber Lyon thing, her ordering me to attack Bahrain, which I mentioned in the allocution, is obviously very crazy. The thing about me giving a statement by a Fox news commentator...calling for Assange's murder and attributing to me. Obviously very bizarre. One of my real favorites, actually, and one of Assange's favorites as well.

The lies have been so incredible, as to resound around the world. That's very unusual for a federal case. Those are just a couple samples of things that are available. And in the allocution I mentioned some things that [inaudible] transcript but are still sealed. The bond hearing, Allyn Lynd, who was the FBI sitting at the end of the table, he spoke; he's a notorious perjurer. I mentioned two examples of the perjury he committed right there. There are two others. And then I have this PSR, this pre-sentencing report, that's written by the probation office which is very heavily involved by the FBI.

I have a list of 46 not just "he said, she said" excuses, but insurmountable errors and contradictions in that document and in the sentencing document that's still sealed. That's in addition to the great number of things in there containing the motions to our responses that were dismissed last year. There are a lot of very strange assertions that are made and the reasons they make them, as we saw today, is because they work. You may have seen that the judge was still saying at the end, well you know, it was very serious that he threatened to harm his children. Well, I mean, everyone in the world except this judge knows that I didn't do anything of this sort. Everyone else knows that... but they take out part of a sentence... they know that I didn't.

We pointed this out to the judge in our filings. We pointed out a lot of things. It just doesn't work. Their strategy is throw a whole lot of lies at them. And you assume that some of them might be correct. It doesn't matter how many things we have to point out. It doesn't matter how many things they have to withdraw in terms of withdrawing their own indictments. In terms of the 11 counts of fraud that they had to...

It just doesn't sink in to them. And really, from a standpoint of that philosophy, they don't want it to sink in. They don't want to address the extraordinary epidemic of perjury that occurs in this system. And that is something I can talk about later on when I have spent more time in the system and have more access to the transcripts of other people's trials.

There is a lot of incredible stuff in this system that I haven't spoken about yet. And of my course, my case will be a great wellspring of that.

So many things are still sealed. Hopefully they will be unsealed soon so I can point to them in a more meticulous way. When people see them all together... When people see the sheer amount of things. Let me just give you an example, the PSR, it has my age wrong. They say I was nine years old instead of four. Said I was a heroin addict for ten years when it was actually two years, this is documented. They could not confirm that I write for The Guardian, even though the government itself has complained about my Guardian articles in the gag order hearing. It's shit like that.

On the other hand, they used testimony given to the FBI from executives at HBGary, a firm which, of course, is best known for trying to set up activists. So there are a lot of extraordinary things...

I'll be dining off of this for a long time. I've been working on versions of this for an article for a while and talking to different magazines about who is gonna publish it. Also a book that will encompass not just this case but also the intelligence contractor stuff. Just a lot of everything in the last several years, it's all connected issues on a fundamental basis.

I'm totally free to start writing about things... But I'm writing a science fiction story right now...

I should be at the location within the next month or so. You never know. You don't find out until you get there. They put you on a bus. I don't think I'm allowed back at Seagoville. I think they kicked me out. It'll be somewhere in Texas most likely.

January 31st - My Post Cyberpunk Indentured Servitude

by Barrett Brown (*The Daily Beast*)

Not long ago I was a mild-mannered freelance journalist, activist, and satirist, contributing to outlets like the Guardian and Vanity Fair. But last Thursday I was sentenced to 63 months in federal prison in a case that Reporters Without Borders cited as a key factor in its reduction of America's press freedom rankings from 33 to 46. As inconvenient as this is for me, the upside is that for the first time in the two and a half years since I was arrested, I am at last able to speak freely about what has been happening to me and why—and what it means for the press and the republic as a whole.

A portion of my sentence stems from an attempt I made to conceal from the government the identities of certain contacts of mine: pro-democracy activists living under Middle Eastern dictatorships such as Bahrain, with which the U.S. is known to share intelligence on such things. Another large chunk is due to an admittedly ill-conceived public threat I made—in the midst of opiate withdrawal and what court psychologists say was a manic state brought on by medication issues—to investigate and humiliate an F.B.I. agent, who had himself threatened to indict my mother in an attempt to get me to cooperate against individuals associated with the Anonymous movement (my mother was indeed charged). Though I clearly stated that my intent was not violent, the prosecution claimed that my “victim,” Dallas-based Special Agent Robert Smith, had reason to fear that I might physically harm him and even his children—in which case it is not immediately obvious why the prosecution felt the need to alter the end of the sentence in question when quoting it on the indictment. (My complete statement, (PDF) in which I make a point of noting that I was merely going to proceed along lines spelled out by the FBI-linked contractor C.E.O. Aaron Barr while he was investigating activists on behalf of his corporate clients, and that I was doing so perfunctorily, and merely in order to make a point about the F.B.I.'s traditional reluctance to investigate its allies, has been viewed on YouTube by well over 100,000 people, including the dozens of reporters who have covered the story; none of them seem to agree with the Department of Justice contention that a journalist's threat to “look into” someone in an explicitly non-violent manner necessarily entails violence.) A separate declaration I made to the effect that I'd defend my family from any illegal armed raids by the government, while silly and bombastic, was not actually illegal under the threats statutes. To judge from similar comments made by Senator Joni Ernst, it would not even have necessarily precluded me from delivering the G.O.P.'s recent response to the State of the Union address.

But the charges that prompted the most international outrage were those alleging fraud. In late 2011, I copied and pasted a link to a publicly-available file, which chat transcripts introduced in court showed that I initially believed to contain the same leaked corporate emails I'd long been in the habit of reviewing for my Guardian articles. The file turned out to contain customer data, including credit card numbers. Although the government's own forensics showed that I never opened the file, the D.O.J. contended (PDF) that I had thereby engaged in 11 counts of aggravated identity theft, punishable by a mandatory minimum sentence of 22 years in federal prison.

The feds were eventually forced to drop these precedent-setting charges, after which I agreed to plea to the spurious make-believe crimes described above, so as to avoid the perils of a Texas jury. (As the government itself warned in a 2013 public filing, (PDF) my status as an atheist would have seriously damaged my ability to get a fair trial here in Dallas—although one might wonder how a jury would know I'm an atheist unless the government made a point of bringing it up, as they did, say, in that 2013 public filing.)

I also had to plea to an Accessory After the Fact charge for having contacted the corporate espionage outfit Stratfor after some Anonymous-affiliated hackers stole several million of the firm's emails and vowed to publish them online; I offered to arrange with the hackers to redact any of those communications that could potentially have endangered any foreign contacts if made public. For this, I will not only serve additional prison time, but

have also been ordered to pay the company over \$800,000—which is to say that I will spend the rest of my life in a strange state of post-cyberpunk indentured servitude to an amoral private intelligence firm that’s perhaps best known for having spied on Bhopal activists on behalf of Dow Chemical. That the prosecution did not quite manage to articulate how I did any damage to this particular company did not seem to dissuade U.S. District Judge Sam A. Lindsay in this matter. Likewise, His Honor did not express any visible interest in the fact that the F.B.I. itself has acknowledged having actually overseen the hack on Stratfor via its confidential informant, Hector “Sabu” Monsegur, who recently appeared in a national television interview with Charlie Rose to discuss his role in these matters.

Quite understandably, most media coverage of last week’s sentencing hearing has focused on the exciting twist ending. Despite having dropped the notorious “linking” charges, the government still managed to convince Judge Lindsay to hold me responsible for the act of copying and pasting a link—a link that was already public, and which led to a file which was already itself public, and to which other journalists had also linked without being prosecuted for it—by way of a sentencing mechanism known as “relevant conduct.” In doing so, Judge Lindsay stated that this would not actually cause any concern among journalists—an exquisitely bizarre claim inasmuch as countless journalists have been expressing concern over this very matter since the charges were first brought in 2012, with Wired’s Quinn Norton even having testified at a prior hearing that she herself would have been subject to such prosecution not only in the Stratfor affair, but throughout much of her career reporting on online security. In the wake of last week’s sentencing, Norton announced she could no longer report on security breaches and advised her colleagues to refrain as well.

I will leave it to Judge Lindsay to explain to the concerned members of the press that they are not actually concerned; based on the commentary that’s now coming out of outlets ranging from the U.S. News & World Report to The Intercept and the Columbia Journalism Review, His Honor has a big job ahead of him. Instead, I will merely point out the other major scandal inherent to this case, one which has so far gone largely unreported—that in addition to having lost the “right to link” journalists have also now lost the “right to quote.” In trying to make the case that I was a violent threat to Agent Smith, the prosecution attributed to me the following statement: “Dead men can’t leak stuff ... illegally shoot the son of a bitch.” I will admit that this is clearly an outright call for murder, and thus would certainly seem to warrant an F.B.I. investigation. The problem is that it wasn’t I who uttered this, but rather Fox News commentator Bob Beckel, who said it on national television in the course of a no-doubt productive discussion about Wikileaks founder Julian Assange. I had merely quoted the statement on my Twitter feed—in disapproval, of course, as I happen to admire Assange, and he, himself, has put out a statement expressing astonishment that the U.S. government would attribute to me a call for his murder made by someone else on a major cable news network. Now, it would be one thing if this had simply been a misunderstanding on the part of the D.O.J., which, in all fairness, was clearly in a rush to flesh out its fabricated case against me. But when my attorneys pointed this out in a motion to dismiss the charge, the prosecutor, Candina Heath, actually stuck to her guns, arguing that, by quoting this, I had “promoted” the idea. Among many other things, this leaves open the question of why Bob Beckel has not been indicted. The answer is that, unlike me, Beckel did not spend much of 2011 investigating the full extent of the Team Themis conspiracy, in which F.B.I.-linked contracting firms prepared a covert and criminal scheme by which to launch cyber-attacks in a campaign of intimidation against activists and journalists deemed supportive of Wikileaks—a conspiracy that, as the press and even some members of Congress noted at the time that it was foiled and made public by Anonymous, had been put in motion by none other than the D.O.J. itself.

The dozen or so Americans who still have faith in the essential decency of the D.O.J., despite the assorted scandals of the last 15 years, might find it hard to believe that the charges against me were actually prompted by my efforts to bring attention to the agency’s own wrong-doing. It’s a fine thing, then, that the late journalist Michael Hastings saw fit to publish a copy of the original search warrants in my case, which list Themis firms HBGary Federal and Endgame Systems as subjects to be searched among my files, along with echelon2.org, the website on which my colleagues and I posted our research on the matter. Stratfor, the firm I allegedly cost almost a million dollars via a single phone call, is left unmentioned.

But what should worry Americans most is not that the various frightening aspects of this case can fill a rather wordy article. What should worry them is that this is not even that article. The great bulk of the government’s

demonstrable lies, contradictions, and instances of perjury are still sealed and thus unavailable to the public. Other matters are just now coming to light, such as the revelation, two days before my sentencing, that the D.O.J. had withheld from my defense team sealed chat transcripts from the Jeremy Hammond hacking case which contradicted its key claim that I was a co-conspirator in the Stratfor hack. And there are still other aspects of all this, such as the F.B.I.'s seizure of my copy of the Declaration of Independence as evidence of my criminal activity, that I blush to even commit to print, lest I not be believed, even despite the F.B.I. itself having now confirmed it.

Suffice to say that I shall produce a far more comprehensive account of this whole affair later this year, even if I have few illusions that it will make much difference; a state that had reason to fear the press would not have acted as openly as it has, for as long as it has, and to such ends as it has. If anyone needs me in the meantime, I'll be in prison.

21 Jan - Wisconsin Eco-Activist Krow Sentenced to 9 Months for 2013 Mining Disruption

Krow, an environmental and Native American activist, was sentenced to serve nine months in Iron County jail after agreeing to a non-cooperating plea of "no contest" to two charges— robbery with use of force and party to a crime criminal property damage. Her Sentencing statement is below.

MORE:

My sentence to nine months in jail in conjunction with a withheld felony sentence equating to 15 years in prison if I "step out of line" in the eyes of the "state", was harsh and a classist attack on my beliefs and lifestyle. Judge Fox strives to kill my spirit by burying me in a dying urban hole and desires that I refrain from involvement in the anti-resource extraction struggle; I refuse to be "killed," and I refuse the idea of coerced complacency.

The "lifestyle enforcement" aspect of my five year probation mandate (post-jail time) with full-time employment stipulation, is culturist, and out-of-touch with today's employment landscape. Innumerable individuals work seasonal jobs for life in a responsible manner, thus Judge Fox's ruling is based on the disappearing myth of the white American Dream that supports and enforces a destructive capitalist regime. In conjunction, Judge Fox exploited my sentencing hearing to serve as a symbolic trial for my identity as an anarchist, my appearance, and my ongoing affiliation with indigenous communities, extending to my adamant stance against industrial resource extraction- this is unacceptable, yet predictable. The judge seemingly desires to stifle dissent from all things wild and free, and may as well have based his sentence off a hypothetical book in progress entitled, "White Pride and Prejudice," as the words fell from his mouth in a narrow, out-dated, and white-male privileged world perspective, and does not support or embrace hunting, fishing, or gathering.

Though I am not indigenous and have never claimed to be, I am grateful and touched to have been welcomed into some of those communities, and maintain that G-TAC and their pro-mine affiliates are waging extreme racist resource colonialism on the land and connected peoples and creatures with the proposed Penokee Mine, potentially the largest iron-mine world-wide, as it would negatively affect front-line indigenous communities of the northwoods bioregion, in conjunction with their traditional ways.

Though I wish no harm on Stacey Saari, a geologist hired on G-TAC's dollar, it saddens me that she continues to despise the fiber of my being, and continues to support industrial resource extraction that in turn supports death to the poorest of peoples in rural/wilderness landscapes. The cliché of "just doing your job" is no excuse to participate in colonial violence via corporate resource extraction.

Exploitation of the land by rich corporate entities continues to persist whilst perpetuating persecution of dissent to such negative acts across the globe, so resistance to these destructive activities must continue to proliferate world-wide. Various incarnations of creative resistance must be embraced to succeed in the struggle against the ongoing violence against our only home, Earth.

Consequently, colonization is everywhere, so decolonization must happen everywhere.

We must "know our rights," and practice good security culture if we are to support our comrades, and succeed in

struggle.

It will do us all good to prioritize organizing as communities and individuals that value consensus and the destruction of exclusionary hierarchies, holding ourselves accountable to our own standards.

It is also important to remember who are allies are, as well as who the real enemies are... a Supreme Court recently ruled that it is NOT a police officer's job to "protect and serve," only to uphold the law... the law is written by the predominantly white, colonized, elite 1% ruling class, and that is who the "law" protects- not you, not the land, not people of the LGBTQ community, female-bodied folks, or minorities of any kind. Thus, the law protects G-TAC and their affiliates, and police remain the first line of enforcement against community resistance.

We must negate state repression by protecting ourselves and land-bases therein; we must not give our people up, and recognize that to be in solidarity with one another is more akin to the idea of "harmony" than "unity". Harmony implies that we can all do different things within the same song, and still find conclusion together.

We must let go of the liberal idea and notion of "hope"; hope is a passive wish; I would rather assert myself and strive toward self determination, leaving fascist hands and ideals behind.

The message must be sent that public dissent will NOT be stifled, as we are living in the 11th hour, the seventh fire, the last grab for fossil-fuel resources... We will not live in the wake of corporate destruction and greed... the anti-police brutality struggles that originated in Ferguson demonstrate inspiring community organizing and resistance we can all learn from, in conjunction with the indigenous people's struggles at the Unis'tot'en Camp 1,000 kilometers north of modern day "British Columbia"- they never ceded their lands to the Canadian government and kicked out large-scale resource extractors by building a traditional village in the way of a pipeline... five years strong and steady.

In closing, direct action is important, and we must all continue to organize creatively; stay aware of the harms and dangers that surveillance and social media can bring. The internet is both a blessing and a curse; spend less time obsessing over government conspiracies, be safe, and organize around tangible issues that are pertinent to your communities.

In addition, for those who are interested in following the law to the tee until they die, you are a hypocrite, and you are not free; slavery was once legal, electro-shock therapy was once legal, and the nature of the proposed Penokee Mine was once illegal... be on the side of loving common-sense, as tough love takes many forms, not the side of money and fascism.

Ultimately, the Penokee Mine will never be built as it is genocide upon stolen Ojibwe land, its' indigenous peoples and creatures, and their traditional ways. We should continue to use the land as if it does not belong to RGGS, leased to G-TAC, as it does not belong to them. Treaties aside, if we kill the land, we kill ourselves.

22 Jan - Jason Hammond Pleads Guilty To Tinley Park Action

On January 22, 2015, Jason Hammond, political prisoner Jeremy Hammond's twin brother, was sentenced to 41 months in prison after accepting a non-cooperating guilty plea for his role in a militant direct action directed at white supremacists in the suburb of Tinley Park. Below is his sentencing statement and related writings.

MORE:

I write this statement after pleading guilty to state charges against me for my participation in an organized direct action taken against a group of white supremacists in May of 2012. I would like to share my thoughts about this action. First, major thanks and love to my friends and family who have supported me, for my amazing partner who kept me sane, my band for letting loose and my lawyer Sara Garber who has been ridiculously helpful in fighting this case with me.

While Chicago was in rebellion against the western military super-alliance NATO summit in 2012, a small group of racists organized their own 'white nationalist economic summit' in the nearby suburb of Tinley Park. They

booked a restaurant to hold a luncheon under the guise of the "Illinois European Heritage Association." For over six months this event was promoted on Stormfront.org, a very popular online forum where racists and neo-nazis converse. Being in a prolonged state of resistance against racism, this summit became known to organized anti-fascists throughout the Midwest. Through research, they had ascertained the time, location, and even some identities of the attendees of this meeting, some of whom were already known as being members of white supremacist groups such as the KKK, National Socialist Movement and Council of Conservative Citizens. Upon becoming aware of this information, myself and others decided to confront the fascists at their meeting. A righteous melee ensued, many of the ten white supremacists were injured, and we left the scene in less than two minutes.

In the aftermath, the police was called and two of the fascist attendees were arrested one for being a fugitive of pedophilia charges in another state and the other for illegal possession of firearms in their car onsite. Unfortunately after leaving the restaurant, five comrades from Hoosier Anti Racist Movement were also arrested for their involvement by an off duty cop. They are known as the Tinley Park 5, all of whom spent time in Illinois prisons after taking a non-cooperative plea, and have since been released on parole. Please read about their struggles at their wordpress.

A year after the action, in July 2013, I was arrested outside my home by the FBI and Tinley Park Police. I was charged with armed violence and mob action, the same as the other 5 anti-fascists. My indictment states the Tinley Park Police were given a report from the FBI stating that they had identified me from DNA gathered at the scene and a surveillance video from the restaurant where the meeting was shut down. I was held in Cook County Jail for two months but was fortunate to have friends who raised enough money to release me on bond. I have since been fighting these charges. The wheels of the bureaucratic judicial system moves deliberately slow and another whole year and a half passes. Now, even with the privilege of being able to examine all the evidence and evaluate all of my options while out on bond, I must accept the judge's offer of 3.5 years. My chances of winning the case were very low, and if I lost, it could potentially mean a significantly higher sentence.

It is difficult to decide whether to plea or not when faced with gambling years of your life in prison, but I also completely detest the narrative of the state and their courtrooms. Their story is that they rightfully apprehended the criminal, tried, and put them away in prison; where they will learn not to do it again while separated from society where they cannot spread their infectious ideas. That system does not work and it never will. I abhor this monopoly of justice and violence; the reality is that the state wants people in their prisons especially people whose political interest are in conflict to the "business as usual" violence that their police and armies perpetrate. My crime is standing up against the flag of hate and the violence against people of color that it represents. The state, in a petty act, went out of their way years later to prosecute me.

Furthermore, the state has always supported a white supremacist power structure. Even after the endless series of racist wars and hundreds of years of oppression on this soil, they don't see it as a problem when neo-nazis get together and in fact grant permits and have lines of police to protect their free speech. In Ferguson, New York, Chicago and beyond, we see police use military grade equipment in conjunction with the National Guard to combat people protesting the unjust murders of Mike Brown and Eric Garner at the hands of law enforcement. These are not isolated incidents, but rather symptomatic and indicative of a deliberate move to uphold the pillars of white supremacy in this country, which will not change unless we fight against it.

I went into this action following the principles of anarchy, equality and freedom which have guided my life. For many years I have been involved in different projects engaging social justice, from volunteering at social centers, community public libraries and food distribution programs. I have also supported and participated in anti-war, environmental and immigrant rights movements. Through these experiences I became more aware of how the system that governs this society depends on the mass exploitation of large parts of the population and in fact the Earth itself for the profit of the rich and powerful. I was inspired and motivated by the people I met in the movement to strive to make change at the root of the problem, even if it meant possibly sacrificing my own personal freedom. Throughout history, any movement that struggled to change this system was considered dangerous by the government and was met with immense repression and state violence. But there were successful moments within these movements not only because they were justified, but because people fought for

them and despite how history is presented like a Disney movie, not all of their actions were non-violent.

Today there still is police brutality, a massive prison industrial complex, there are presidents waging endless wars for profit and power, and there is violence, alienation and marginalization at the crossroads of gender, sexuality, race and class. It would be naive to think that all of these problems could only be solved through pacifism; working with or within the system, following dogmatic and assimilative reformist agendas that take over and sell out movements; the answer lies in creative resistance that utilizes a wide diversity of tactics. I think some people have always known this but more need to reject the privileged tendency to reject destruction of property, or of the bodies protecting the state as taboo violence instead of as a legitimate form of resistance. As our collective patience is constantly being worn away by failures of government to address people's actual needs, it is up to our own communities and individuals to decide for themselves what is an appropriate form of self-defense

But I would also like to note that the hyper-spectacularization and priority of violence amongst folks in the movement might also be folly, because I believe it in itself is not sufficient for a real radical transformation of society. People need to look within to make the change they want to see in the world as well as raise hell in the streets. People are improving their communities through their own support, healing circles, discussion groups, rallies, speak-outs, prisoner support, popular education, community health projects and asking hard questions and challenging oppressive thoughts however they manifest.

The ideas and actions that these white supremacists are pushing are dangerous and poisonous and is unfortunately still deeply rooted within the fabric of this society. Racism manifests itself in a number of ways and none can be ignored; from the blatant and overt bigots like those at the meeting in Tinley Park but also the subtle micro-aggressions that people experience on a daily basis. We are all obligated to confront the dead old ways of these oppressive ideologies using every means possible. My actions were in the spirit of continued resistance against racism and fascism and for the rights of people to live without fear of racist attacks. Those in struggle know the risk of jail, pain or death when trying to radically change the structure of society but it is a struggle we cannot ignore and we intend to win!

After the interruption of the meeting in Tinley Park, the organizing group for their economic summit disbanded and the individual who booked the event said that they were "stepping away from white nationalist organizing." When a comrade is arrested the movement bears a high cost but actions like these can prove affective as they dissuade people from joining hate groups and preventing the work that they do. I feel these tactics could also apply to different avenues of struggle, directed towards exploitative bosses, racist cops, gentrifying landlords, sexists anywhere, and fascist politicians.

Some people have speculated my arrest was part of some revenge plot of the FBI because of the hacking and whistle-blowing my brother Jeremy Hammond has done against various sectors of the government and the private intelligent corporations they work with. While I love and support my brother and his actions 1000% and condemn the FBI and the US government for their own cyber wars they wage, I think it is unlikely that was the reason why I was held in custody. As stated earlier, the FBI did provide a report to the local police putting some of their pieces together which raises questions to why they would consider a bunch of neo-nazis getting beat up a matter of national security. Regardless, my brother and I were both apprehended because our actions were not carried out with absolute precision and every precaution made to disguise our identities and ensure we would not be busted.

However, it is absolutely true that we live in a vulnerable society with extreme governmental overreach, where anyone could be subject to surveillance, entrapment, targeted prosecutions and trumped up treason and terrorism charges purely for ideological reasons. It is a context deliberately cooked up by politicians and the national security complex to create fear and distrust amongst activist circles, as we can see looking at the huge number of dissidents who have been jailed or killed. Again, I'll state my respect for political prisoners in any country who are staying strong and struggling to fight the power. I would encourage anyone who considers taking direct action to know why they are doing it and do so carefully as to not jeopardize themselves, their comrades, or the movement itself. A person in prison is another person we have to free.

To those whose worlds were shaken and who are angry or displeased at my actions, remind yourselves humbly of the atrocious history of violence that white supremacy has done and continues to do so to this society and ask yourself, do I support it? Do I benefit from it? Will this be my legacy? Or do I want to change it?

I have set up a blog where I will post updates regularly that will also include my mailing address and visiting hours. Also I will have set up an Amazon Wish List where people can send me some love through books. This will be set up once I arrive at the state prison where I will likely carry out the majority of my sentence. While I am here I intend to make the most of my time staying positive and motivated through reading, working out, and meditating. I am interested in continuing communication and having discussions with people through letters, so please write me when you have the chance!

Yours for the struggle!

With love and rage,
Jason Hammond

January 22nd - Jeremy Hammond's statement on the plea and sentencing of his brother, Jason Hammond

I am heart-broken that my twin brother Jason Hammond will have to do years in prison for his participation in the 2012 attack on a white supremacist gathering in Tinley Park.

I love my brother. Anyone who has ever met him knows he is the most charming, caring and passionate guy around. You would often catch him at street protests playing the trombone in the marching band, cooking food for the homeless, or teaching guitar to children.

For some, it may come as a shock to think he could have been involved in an armed attack against neo-nazis. But it's a troubled world we live in – sometimes you pick up the trombone and picket sign, other times you gotta pick up the baseball bat and Molotov cocktail.

The prosecutors, police, and mayor of Tinley Park were so vindictive and eager to defend the nazis that despite already having sentenced the Tinley Park 5 to prison, they arrested my brother for the same action a year later. Setting a no-10% bail higher than Trayvon Martin's murderer George Zimmerman, they would not settle for anything less than years imprisonment.

At the same time, prosecutors intentionally threw the case during grand jury proceedings against the cops who killed Michael Brown and Eric Garner – police literally getting away with murder, again and again.

These are not isolated tragedies but more evidence of the inherently corrupt and racist nature of the prison industrial complex. The connections are obvious, from the police who armed the Klan for the Greensboro massacre, to the “New Jim Crow” of mandatory minimums, crack/cocaine sentencing disparities, and felony second-class citizen status. This system has no future for people of color and the impoverished: it's a lifetime of starvation-wage servitude, imprisonment, or death.

The protests “must be peaceful” says Obama and other so-called “community leader” sellouts and establishment apologists. It's a sick irony to hear the “hope and change” president call for non-violence while he escalates U.S. imperialist wars in the middle east and refuses to prosecute CIA torturers and Bush Administration officials who signed off on it. His phony promises to “end racial profiling” and “demilitarize the police” should be rejected as attempts to channel our anger into predictable, controllable, and ultimately ineffective reforms, when what we need is abolition and revolution.

The system's got to go, and we have to be prepared to use any and all tactics to overthrow it. Burning, looting, flipping over cop cars. hacking websites, and beating up nazis.

I fully support my brother and those who engage in militant direct action to build a more free and equal society. I

urge everybody to check out my brother's statement explaining his motivations for participating in the Tinley Park action. Like Jason says, "these tactics could also apply to different avenues of struggle, directed towards exploitative bosses, racist cops, gentrifying landlords, sexist institutions, and fascist politicians".

Even though I am saddened it has resulted in his imprisonment, I am proud that he was willing to fight for his beliefs. We went to school together, played in bands together, protested together, and now both of us are incarcerated. We may be in different prisons, facing different charges, but we will always be together in the spirit of defiance.

22 Jan - Federal Prison Sentence Begins for Anti-Drone Activist

On January 23, Kathy Kelly, co-coordinator of Voices for Creative Nonviolence, a campaign to end U.S. military and economic warfare, will begin a three-month jail sentence in federal prison for a protest against drones (also known as "unmanned aerial vehicles") at Whiteman Air Force Base in Missouri. Here's an interview with her.

MORE:

by Medea Benjamin (*Common Dreams*)

Medea Benjamin (MB): Can you just say why you have been particularly moved to take action against drone strikes?

Kathy Kelly (KK): I think 21st-century militarism is very frightening when you combine the military's Joint Special Operations Forces with drone and air strike capabilities. The military doesn't need sprawling bases anymore because they can use these new technologies to control populations and instill tremendous fear. But the use of drones creates resentment and antagonism, and continues to kill civilians.

Wars have been killing civilians for a long time, but with the help of drones, 90 percent of the people killed in wars these days are civilians. The British organization Reprieve reports that for every one person who is selected as a target for assassination by drones, 28 civilians are killed.

The weaponized drones are operated here in the United States in Air National Guard bases and Air Force bases, and with the press of a button they are killing people thousands of miles away in places like Afghanistan. Many people are enamored with being able to send an unmanned aerial vehicle to kill people in another country without a soldier in this country being harmed. But we find that the people operating these drones are experiencing trauma and stress just like soldiers in war zones.

I'm also very worried about drone proliferation, with other countries acquiring these weapons systems. In 1945, only one country possessed a nuclear weapon, and look at the world now. I think the same thing is going to happen with drone proliferation.

I also think that with the activist focus on drones, we can have tangible successes. We have a good possibility of persuading the public that this is a wrongful way to move ahead. It violates international law and makes other people near the bases here in the United States vulnerable as targets themselves.

We've already seen considerable progress on this issue. The bases that were getting the drones systems, like the Air National Guard Base in Battle Creek, Michigan, used to be so proud they were popping champagne. Now the commanders at the Battle Creek base, where the Guard is being trained to operate weaponized drones, are reluctant to talk about the drone program.

MB: Can you tell us about Whiteman Air Force Base and what you did that resulted in this three-month sentence?

KK: A squadron at Whiteman, which is in Knob Noster, Missouri, operates weaponized drones over Afghanistan, which has been an epicenter of drone warfare. Whiteman Air Force Base won't disclose information about the results of these drone strikes, but we, as American citizens, should have the right to know what is being done in our name.

I have spent a lot of time in Afghanistan, living with young people who have been victimized by our drones, young people who fled to Kabul and are too frightened to go back home to visit their own relatives, young people who see a future filled with prolonged and agonizing warfare.

We wanted to bring their grievances to the commander at Whiteman. So I crossed a line onto the base. A symbolic action for people in Afghanistan is breaking bread together, so I carried a loaf of bread and a letter to the commander asking how many people were killed by Whiteman Air Force Base on that day.

I took one or two steps over a line. Then I was arrested.

When I went to trial, the military prosecutor told the judge, "Your Honor, Ms. Kelly is in grave need of rehabilitation." But I think it's our policy that's in grave need of rehabilitation. We've already spent \$1 trillion on warfare in Afghanistan and will be spending another \$120 billion. The Pentagon wants \$57 billion for this year alone. We're squandering resources that are sorely needed at home and abroad to solve extremely serious problems our world is facing, problems like the climate crisis and global poverty.

MB: When you crossed the line into the Whiteman Base, did you know that you would be facing such a long sentence? Crossing the line at some bases, and even CIA Headquarters, has resulted in a small fine.

KK: My colleague Brian Terrell had previously crossed onto Whiteman Air Force Base and received a six-month sentence. I faced the same judge so I was pretty sure that I would get six months as well. When he only gave me three months, I was actually surprised. I certainly don't think I did anything criminal; I'm proud of what I did. But I expected the penalty would be higher, and wondered if the judge wanted to look good for a change.

MB: So I take it that means you would do it again?

KK: Oh surely, yes. I think it's important to take these issues directly to the place where the grievance is occurring, and that's certainly these military bases.

I also think it's important to take these issues to all three branches of government. I love it when CODEPINK goes into the halls of Congress or challenges President Obama, because it's crucial to pressure the executive and legislative branches. But we have to target the judicial branch as well. We have to try every lever and keep on insisting that the Constitution protects our right to express our grievances.

MB: In early January, you fasted and protested with Witness Against Torture to call for the closing of the Guantanamo prison, including a protest at the home of former vice president Dick Cheney. How do you feel knowing that the people making these policies aren't held accountable, but you're heading off to jail?

KK: I actually don't want to see anyone in prison because I don't believe in the prison system. I don't want to see people locked up. I believe in rehabilitation. How do you rehabilitate people who have been so murderous and greedy in their war-profiteering and cronyism, and so willing to sacrifice huge numbers of lives? It's very hard to know. I'd like to continue in a Quakerly fashion to see decency and goodness and potential in people like Cheney, Rice and Bush. It may be that somehow the examples they set will serve to persuade future leaders not to be that way. So who knows what will come of what they've created.

MB: It's interesting that you're against prisons, yet you voluntarily put yourself in a position where you know you'll be in prison for a significant time. How many times have you been in prison for protesting war?

KK: This will be my fourth time in a federal prison. And I've been jailed in various county jails and other kinds of lockups more times than I can count.

MB: Why do you continue to go to jail when there are so many other ways to protest?

KK: I think it's important for peace activists to go inside the prisons and have a vivid sense of how hurtful and punitive this system is. I can read about the realities that prisoners face and the really horrific sentencing procedures but if I'm not sitting in the bunk next to the person pouring out their story, it doesn't grab my heart and mind in the same way. I've been to prison many times before, and I know that when I walk out of a prison, I feel like shouting from the rooftops, "Do you see what's going on inside these gates?"

MB: What can people do to support you while you're in prison? And what about writing to you or sending you books?

KK: I love novels, especially novels written by people from other countries. People can contact Voices for Creative Nonviolence in Chicago to find out where to send books and letters.

And people can help Voices for Creative Nonviolence. We're organizing a walk related to the environment and militarism; we're sending volunteers to Jeju Island in South Korea to join the movement against militarizing the island; we're working with the youth in the Afghan Peace Volunteers in Kabul.

A good way to show support would be to join the Afghan Peace Volunteers in their duvet project--a project to make warm blankets for people in need. One winter in Kabul, 26 people froze to death in just one month, eight of them children. It was impossible to read those statistics and not think of something to do. So we helped start the duvet project. The Afghan Peace Volunteers invite women from the different tribal ethnicities, 60 in all, to pick up materials, like wool, coverlets, and thread. They go home and sew these very heavy blankets that can make the difference between life and death. Then the youth distribute the duvets to people in the greatest need. I so admire the young people because they act like social workers, going out to find out who are the neediest in their area. And very generous people in the US and the UK have donated the money. Each duvet costs about \$17, and it's now about a \$40,000 project that distributes thousands of blankets each year. So people could help out by contributing to this project.

23 Jan - Book Wish Lists

As many of you may know, NYC ABC has been compiling all known book wish lists for the imprisoned comrades we support. The list is viewable at <https://nycabc.wordpress.com/book-wish-lists>

MORE:

We've also taken on writing letters to many of the folks who do not have existing wish lists to offer to set up a list for each of them. We've had success in getting both replies and books purchased. We just received requests from Ed Poindexter and Robert Seth Hayes.

Seth's wish list is at

<http://www.amazon.com/gp/registry/wishlist/34DDFN74AVQN5>

Ed's wish list is at

<https://www.amazon.com/gp/registry/wishlist/2DGFCKSGMMLLOU>

Please help us promote these wish lists and get books into our comrades.

23 Jan - Eric McDavid Deserves Answers From Feds Who Kept Information From Him at Trial

On January 8, 2015, a federal judge in Sacramento, California granted a joint request by the United States and defense attorneys to release Eric McDavid from prison with an eleven year reduction of a 20-year sentence because prosecutors withheld key documents from him at trial.

MORE:

by Ben Rosenfeld (*Huffington Post*)

Rather than explain what happened, though, federal officials are trying to skate away with the hollow press statement that "a mistake was made." They contend they promptly turned over the missing documents upon discovering them, and that they were not important to the defense anyway. Both claims are patently untrue.

McDavid has always asserted that he and his two co-defendants were entrapped by an overzealous FBI and its then 19-year old informant, "Anna." Anna literally herded the group together, plying them with free transportation, food, and lodging. When they distanced themselves, she delivered them to one another's doorsteps. When they failed to muster enthusiasm for her schemes, she threw fits, mocked them, and bought them more stuff, including the household chemicals they mixed together to follow her fake incendiary recipe at a cabin wired by the FBI for sound and video. It didn't work, and the group never agreed to do anything, so there was never any specific conspiracy, save for Anna's and the FBI's plot to frame the trio and strut about it. They

were all just trying to placate Anna, and McDavid most of all, because he was in love with her.

Contrary to the government's public relations spin, the documents it withheld were central to Mr. McDavid's entrapment defense. Clearly, the government recognizes their importance too or it would not have negotiated McDavid's release. They include love letters to Anna, and evidence she pretended to reciprocate his feelings to keep him on the hook, writing to him, for example, "I think you and I could be great, but we have LOTS of little kinks to work out," and, "I hope in Indiana we can spend more quality time together, and really chat about life and our things."

The government's repeated insistence that it simply overlooked this correspondence strains credulity. Correspondence between an informant and a target is rudimentary evidence in a criminal case. Mr. McDavid's trial attorney Mark Reichel made it a centerpiece of his cross-examination of the informant, getting her to admit only grudgingly that McDavid had sent her romantic epistles, which she downplayed as containing only a "slight indication that he might have been interested in me." In point of fact, he opened his heart to her, declaring, for example, "all the endorphins shoot off in my head when ever I think of u." Prosecutors did nothing to correct the informant's misleading testimony.

Wittingly or unwittingly, prosecutors pressed their unfair advantage by repeatedly denying there was ever any evidence of romance. In seeking to bar Mr. McDavid's entrapment defense outright, Assistant U.S. Attorney Ellen Endrizzi told the Judge in 2007: "[T]he defendant has throughout his papers said there was a romantic relationship [but] he has provided no facts of that." In closing, she told jurors: "There are supposedly love letters. We've got evidence of one. Supposedly Mr. McDavid is falling all over himself for Anna. But you have testimony that Anna rebuffed him."

This falsehood was not a technical foul but a grossly prejudicial error which infected the entire trial and produced a wrongful conviction.

Prosecutors kept up the charade well after Mr. McDavid filed his habeas petition. In October 2012, former Assistant U.S. Attorney Stephen Lapham, now a Sacramento Superior Court judge, stated in papers submitted to the Court: "Although McDavid insinuated throughout the trial that there was a romantic relationship between himself and Anna, the evidence was to the contrary." In the meantime, Mr. McDavid sat in prison for two more years.

The government also withheld evidence that the FBI ordered, then mysteriously canceled, a polygraph examination of Anna the informant, suggesting both that the FBI had doubts about her credibility and that it wanted to bury those doubts at a critical junction in the case, just before Anna roped all of the co-defendants together from around the country for a meeting at Mr. McDavid's house. It was at that meeting, the government alleged, that the group agreed to do something.

Like the missing correspondence, the polygraph order remained concealed throughout trial. It surfaced only in response to a Freedom of Information Act request which McDavid's supporters submitted 2-3 years after his conviction. In response, the government produced roughly 2,500 heavily redacted pages while holding back nearly 900 others on various grounds. Among the items redacted in the polygraph order is the mere name of the Assistant U.S. Attorney who signed off on it, concealed for alleged privacy reasons.

Far from turning over the withheld information promptly upon discovering it, as officials claim, the government still has not produced the nearly 900 pages it held back from the FOIA production. Among these, the defense believes, are other emails from Anna the informant to Mr. McDavid, as well as any information underlying the polygraph request, including who ordered it, who cancelled it, and why. Anna's credibility was everything at trial. She made numerous inflammatory allegations against Mr. McDavid which were uncorroborated by any recordings in the heavily wired case or any other witness. Sandbagged, there was little Mr. McDavid's trial attorney could do to impeach her. Prosecutors pressed this advantage too, telling the jury in closing: "Your mission is to decide if Anna is telling the truth. ... [t]he question, the reason you are here in the first place is to decide whether or not she's telling the truth."

The government has also downplayed a declaration by Mr. McDavid's co-defendant, Zachary Jenson, who cooperated with the prosecution in exchange for leniency. In a letter to the Sacramento Bee, U.S. Attorney for the Eastern District of California Benjamin B. Wagner parrots what the government wrote in its filed response, that Mr. Jenson's declaration does not contradict anything he testified to at trial. On the contrary, Mr. Jenson's declaration details how prosecutors pressured him to shade the truth on the stand and squelch what he wanted to say, namely that Anna entrapped Mr. McDavid. (See discussion in Mr. McDavid's filed habeas reply.)

The U.S. Attorney is correct about one thing: As a condition for being released from prison, Mr. McDavid pleaded guilty to a new felony charge of general conspiracy which carries a maximum penalty of five years in prison, half the time he had already served. But if McDavid was entrapped, as the evidence overwhelmingly shows, he is in a real sense innocent. Before the FBI fastened Anna the informant onto him and pursued him relentlessly with dirty tricks, he had no predisposition whatsoever to commit the charged offense. Whatever conspiracy he may have joined was a pure artifice of the FBI's and Anna's from the start.

The U.S. Attorneys who negotiated Mr. McDavid's release are not responsible for his entrapment or unfair prosecution. They inherited the case after the fact and acted honorably by helping to correct a grievous injustice. But they need to stop vouching for their predecessors and start conducting an inquiry. Ninth Circuit Chief Judge Alex Kozinski recently warned of "an epidemic of Brady [evidence withholding] violations abroad in the land." Unless and until prosecutors explain their so-called mistake, the public should doubt that's all it was.

26 Jan - Nebraska Supreme Court refuses Black Panther appeal and won't say why

Another outrage of injustice from the Nebraska Supreme Court. They denied Mondo we Langa's post-conviction appeal because Mondo supposedly failed to adequately claim his innocence and they refuse to say what was wrong!

MORE:

by Michael Richardson (*The Examiner*)

The Nebraska Supreme Court has refused to explain why it rejected a claim of innocence by Mondo we Langa, former David Rice. The court simply said "overruled" on Jan. 14, denying Mondo an explanation what was wrong with his innocence plea. Mondo and co-defendant Edward Poindexter were convicted in April 1971 for the murder of an Omaha policeman after a controversial trial that sent the two Black Panther leaders to prison for life.

In September 2014, the Nebraska Supreme Court denied Mondo we Langa's request for post-conviction relief without issuing a written decision. Timothy Ashford, Mondo's attorney, then responded by asking for a written opinion on three key points. The issues which Mondo sought a written explanation from the court were COINTELPRO tampering with his case, the ruling by Judge James Gleason that Mondo did not make an adequate claim of innocence, and a constitutional challenge to the composition of the Nebraska Board of Pardons.

A claim of innocence is a necessary requirement for Mondo we Langa's appeal. The Douglas County judge ruled that Mondo failed to claim actual innocence in his post-conviction appeal despite a numbered paragraph making what seems to be a pretty clear claim of innocence.

Ashford wrote: "Defendant Rice [Mondo] is entitled to a new trial because he did not commit the crime charged and he is not guilty of the crime leading to the death of Officer Minard in 1970, and further, the defendant's presumption of innocence was lost as a result of the errors alleged herein."

Gleason did not explain what was deficient with the pleading and now the Nebraska Supreme Court has also twice refused to elaborate. Mondo is left to guess what was wrong with his denial of guilt, a bitter irony to a prisoner that has steadfastly maintained his innocence for forty-four years.

Mondo and Poindexter, now known as the Omaha Two, were targeted by J. Edgar Hoover, director of the

Federal Bureau of Investigation under a clandestine and illegal counterintelligence program code-named COINTELPRO. Hoover issued COINTELPRO orders to the FBI Laboratory to withhold a report on the identity of an anonymous caller who lured police to a deadly bomb ambush in order to make a case against the Omaha Two.

The Nebraska Supreme Court failed to acknowledge the COINTELPRO tampering with critical evidence and refused to comment on allegations that federal agents had interfered with a fair trial. The court also ignored a constitutional challenge to the Nebraska Attorney General's membership on the Board of Pardons and failed to explain while the Board of Pardons is not in violation of a constitutional barrier to the Attorney General's membership on the Board.

The next avenue of appeal is the federal court system. The ruling by the Nebraska high court also sets the stage for a review of the case by the United Nations this spring when the United States undergoes a periodic review of human rights treaty compliance. Monitors at the UN have already been alerted to the COINTELPRO practice of using state courts to prosecute targets of COINTELPRO operations and then claim there is no federal role in correcting the abuse of justice by counterintelligence actions.

Mondo we Langa and Edward Poindexter remain imprisoned at the maximum-security Nebraska State Penitentiary doing hard time. Both men have repeatedly been denied a new trial and both continue to uphold their claim of innocence.

27 Jan - Court date set for AETA arguments

In the case of Kevin Olliff and Tyler Lang, and after months of motions, a court date has finally been set to hear arguments on Motion to Dismiss based on the Constitutionality of the Animal Enterprise Terrorism Act (AETA).

MORE:

This will be a landmark court battle for both activists and the US Constitution.

This hearing is especially historic because it is the first time a judge will be ruling on the portion of the AETA that makes it a crime to cause a loss of property/profit.

Arguments will be heard at 10am on February 19th, 2015 at 219 South Dearborn Street, Chicago Illinois.

All supporters wearing court-appropriate attire are encouraged to attend.

27 Jan - Marissa Alexander Released from Prison; Supporters Celebrate, Demand Full Freedom

Supporters of Marissa Alexander in Jacksonville, across the US, and all around the world are overjoyed that Alexander has been released from jail after serving 3 years behind bars for defending her life.

MORE:

In 2010, Alexander, a black mother of three from Jacksonville, Florida, was forced to defend her life from a life-threatening attack by her estranged husband by firing a single warning shot that caused no injuries. State Prosecutor Angela Corey prosecuted Alexander, pursuing a 60 year mandatory minimum sentence. On November 24, 2014, Alexander accepted a plea deal that included time served of nearly 3 years in prison, 65 additional days in the Duval County jail, and 2 years of probation while under home detention. Today marks the end of her time behind bars.

“We are thrilled that Marissa will finally be reunited with her children, her family, and her community,” said Sumayya Coleman, co-lead of the Free Marissa Now Mobilization Campaign. “Today’s hearing revealed that Marissa intends to attend school to become a paralegal and she is a wonderful mother to her children who urgently need her. Amazingly, the State continued their campaign of punishment by trying to add two more years of probation on top of the two years of house detention included in the plea. Fortunately, they failed. Marissa and her family will need time to begin recovering from this arduous and traumatic experience. It’s been a long and painful journey and, though her release from jail is definitely a win -- no 60 years -- the journey of

seeking ultimate freedom is not over. Marissa will be forced to be on strict home detention while being under surveillance for two years. This is by no means freedom in the sense we feel she deserves. Our next agenda is to seek full restoration for Marissa and her family, including the expunging of her so-called criminal record, and a systemic transformation that prevents black women and all survivors of domestic violence from experiencing the hostile and brutal treatment from policing, prosecution, and prison systems that Marissa has endured. We will push for improved legislation and monitoring of systems that penalize victims of domestic violence who choose to save their lives by force. This is by no means a conclusion.”

Alexander will be forced to wear and pay for a surveillance ankle monitor, and forbidden from leaving her home with the exception of attending work, church, her children’s school, and appointments with doctors or the court. This will effectively “prisonize” her home, as noted by journalist, Maya Schenwar. This practice of extending a prison culture of surveillance, punishment, and confinement into people’s homes and communities has significantly increased in the U.S., creating what Prof. Beth Richie has described as a “prison nation,” especially for black women. Coercing probationers to pay for surveillance monitors is also part of the increasing privatization of punishment in the U.S.

Since 2012, the Free Marissa Now Mobilization Campaign has organized to free Alexander from the punishing experience of being prosecuted for self-defense. Supporters have organized in Jacksonville, across the United States in dozens of cities, and around the world to demand Alexander’s freedom. Aleta Alston Toure’, co-lead of Free Marissa Now said, “For almost three years, this campaign has raised critical awareness about Alexander’s case, raised much needed donations for her legal defense fund, and raised a movement that takes a stand against mass incarceration and domestic violence. If this targeting of Marissa had unfolded behind closed doors and without powerful pushback from people who believe in justice, we believe she would still be in prison today. Organizing matters.”

Organizers are hosting a number of direct actions in support of Alexander’s freedom. In Jacksonville, organizers will hold a press conference today at 12pm on the Duval County Courthouse steps. They will also welcome a display of The Monument Quilt, 350 quilt squares containing stories from survivors of domestic violence and sexual assault in solidarity with Marissa Alexander. The quilt will blanket the Duval County Courthouse lawn on January 27th, 8 am – 2pm.

Local organizers will convene a televised People’s Movement Assembly to be held on January 28th, 1pm at WJCT/ PBS, 100 Festival Park Ave. The assembly discussion will focus on state violence against women and will include Dr. Kimberle Crenshaw, Columbia University, UCLA, & the African American Policy Forum; Kerry McLean, National Lawyers Guild, Dr. Faye Williams, National Congress of Black Women; Dr. Rose Brewer, University of Minnesota; and Dr. Beth Richie, University of Illinois, Chicago and INCITE!. The assembly will be hosted by local Free Marissa Now member, Denyce Gartrell.

The Chicago Alliance to Free Marissa Alexander led a recent major fundraising push that raised \$11,000 to help Alexander cover the cost of her ankle monitor for the two year period of home detention. They are organizing a January 27th discussion about how to talk to children with imprisoned family members about incarceration, which will occur at 6pm at 637 Dearborn St. in Chicago.

The Free Marissa Now Bay Area collective also organized a caravan that traveled from Oakland, CA to Jacksonville, FL, raising awareness about Alexander’s case in cities along the way. Details about all of these events can be found at freemarissanow.org.

“It’s hard to summarize the incredible outpouring of rage, love, and commitment to freedom that has arrived from all around the world in solidarity with Marissa Alexander,” said Alisa Bierria, also from Free Marissa Now. “Hundreds of people have donated, created art and media, and organized direct actions, letter writing sessions, and teach-ins in Jacksonville, Chicago, Berkeley, Los Angeles, New York, Pittsburgh, DC, New Orleans, St. Louis, Seattle, Denver, Miami, Canada, Australia, and many other locations. The dozens of projects that Marissa’s supporters have organized have been creative, brilliant, and impactful. Together, we have not only helped to ensure Marissa’s release from prison, we have hopefully shown why we must keep addressing the

connections between domestic violence, reproductive violence, and state violence. We warmly thank and honor every person who has contributed to this historic freedom movement."

Free Marissa Now notes that Alexander has asked supporters to use her case to bring more attention to women in similar circumstances, such as Tondalo Hall and Charmaine Pfender.

Organizers will publish a report about the Free Marissa Now Mobilization Campaign on their website, freemarissanow.org, in the coming weeks.

28 Jan - Another Kind of Isolation

The Bureau of Prisons tightens the rules at its secretive "Communication Management Units."

MORE:

by Christie Thompson (*The Marshall Project*)

In 2006 and 2008, the Bureau of Prisons quietly created new restrictive units for terrorists or other inmates they feared might coordinate crimes from behind bars. The Communication Management Units (CMUs) were designed to more tightly monitor and restrict inmates' communication with the outside world. The units, at Terre Haute, Indiana and Marion, Illinois, operated largely in secret, without any formal policies or procedures in place — until last week.

On January 22, the Bureau of Prisons finalized rules that had been nearly five years in the making regarding who can be sent to the CMUs and how the facilities should operate. But prisoner advocates claim the new rules impose even stricter limits on contact without providing a legitimate way for inmates to appeal being placed under such restrictions.

"What this rule does is codify the harsh communication restrictions in place," said Alexis Agathocleous, senior staff attorney at the Center for Constitutional Rights and lead counsel in a federal lawsuit over the units. "What [it] doesn't do is correct numerous procedural violations. When you draw your designation criteria so broadly and you don't have robust processes for prisoners to protest, you create a situation that's ripe for abuse."

The Bureau of Prisons did not respond to a request for comment.

Under the new policy, prisoners may be limited to as few as three 15-minute calls a month, down from the current two calls a week. The Bureau can also cut the time inmates spend with visiting loved ones from the current eight hours to four hours a month. (All visits are strictly no-contact.) Prison officials can now limit those calls and visits to immediate family. And for the first time, the Bureau has given itself the option of limiting the volume of mail to six, double-sided pages a week. These limits are less severe than what the Bureau proposed in 2010, but more limiting than what inmates currently receive.

"Reducing the volume of communications helps ensure the Bureau's ability to provide heightened scrutiny in reviewing communications," the Bureau wrote in their release of the new policy.

Inmates and their lawyers have criticized the units — now known to many as "Little Guantanamo" — for targeting Muslims. Data compiled by the Center for Constitutional Rights found that roughly 60 percent of all inmates placed in the CMUs are Muslim (including many convicted of crimes unrelated to terrorism), compared to six percent of the overall federal prison population.

When issuing the new rules, prison officials responded to allegations of profiling. "The Bureau does not use religion or political affiliation as a criterion for designation to CMUs," they wrote. "The Bureau, acting on a case-by-case basis, may designate an inmate to a CMU for heightened monitoring for any of the reasons articulated...This valid legitimate penological purpose negates a claim of a Bureau-wide conspiracy to discriminate against Muslims."

Other inmates claim they were sent there for being too politically active within prison, or serving as "jailhouse

lawyers” by giving other inmates legal advice. The final criteria for who should be transferred to these units includes anyone with “substantiated/credible evidence of a potential threat to the safe, secure, and orderly operation of prison facilities...as a result of the inmate’s communication with persons in the community.”

Compared to other high-security federal prisons, inmates being sent to the CMUs have far fewer opportunities to protest their placement. Prisoners who are transferred to the federal supermax prison in Florence, Colo., for example, are given advance notice and a pre-transfer hearing during which they can present evidence and call witnesses on their behalf.

Meanwhile, inmates moving to the CMUs are given no advance warning, and officials don’t have to explain the transfers. Inmates who want to appeal must do so through the prison’s administrative remedy program, the standard procedure to file any written complaint.

In the new rules, prison officials reasoned that the units aren’t restrictive enough to require the same due process, and that the administrative appeal is an adequate way for prisoners to petition their placement.

No inmate has ever successfully earned release from the CMU through this process.

28 Jan - “A Victory For One Is A Victory For All” – A Letter From Anarchist Prisoner Eric King

The following letter was written to comrades in Sacramento Prisoner Support following the release of Eric McDavid.

MORE:

What a feeling of victory and vindication that must be flowing through your ranks, as well as through all those who have offered prisoner support. The news of Eric’s release reached me Friday afternoon and it felt as if I myself had been set free. What a long, difficult road he has had to travel upon to finally reach freedom’s exit sign. As unjust as the sentencing was, is as sweet the release must feel! Just imagining the Joy his comrades, partner, family must all be feeling fills me with the same joy. A victory for one is a victory for all. Please send my kindest congratulatory message to Eric and everyone involved in his support team.

I have heard that his support team (many of you) has done well to make sure his rehabilitation into freedom will go as smoothly as possible. No one can undo the injustices suffered but many can make sure the transition goes as smoothly as possible and I have a good feeling that the people around him will take full care of that. I am curious what, if any at this point, plans Eric has for the future? Work for prisoner support, continued environmental fight? I hope the suffering the state has put him through hasn’t diminished his belief in the causes he once (currently?) took solace in.

Most importantly though is the now, and the now is that our comrade is free, not just free but free substantially sooner than the state would have preferred. With the amount of comrades being released early, hopefully the tone will be set to prevent such vicious inhumane sentencing in any future cases. May this victory lead the way baring the torch of freedom, lighting the darkened path many of us still must tread. I am grateful that Eric had such brilliant support, that no one gave up hope. I am thankful that groups exist to be there for those of us who need it desperately. So congratulations to everyone involved, and to our beautiful cause as a whole. Please keep up the fight. Until All are Free.

28 Jan - Fortieth anniversary of Church Committee reminds of political prisoners still in jail

Political prisoners still remain imprisoned, it is time for justice.

MORE:

by Michael Richardson (*The Examiner*)

The fortieth anniversary of the Church Committee on Jan. 27 triggered a call for new Congressional hearings on America’s intelligence agencies by seventeen former committee staff members. The United States Senate created the Select Committee to Study Governmental Operations which became known as the Church Committee after its chairman, Senator Frank Church. The Church Committee hearings and reports provided the

only genuine Congressional oversight of the intelligence apparatus of the United States during the twentieth century but its work was cut short after fourteen reports were issued.

The Church Committee tackled the assassination of President John Kennedy, a myriad of abuses by the Central Intelligence Agency, Watergate misdeeds, and COINTELPRO crimes by the Federal Bureau of Investigation. J. Edgar Hoover died in 1972 and did not have to face public disclosure before the committee of the FBI's massive, clandestine counterintelligence program.

President Gerald Ford tried to derail the Church Committee by establishing his own Rockefeller Commission but Ford's ploy did not stop determined legislators. The Church Committee's final report was issued on April 29, 1976 and closed its door on further public inquiry into the government's dirty secrets. The committee lost momentum for disclosure after the Dec. 25, 1975 murder of CIA agent Richard Welch, whose death some blamed on the committee's exposes.

Most of the information now known about COINTELPRO comes from two sources, the Freedom of Information Act and the Church Committee. The scope and magnitude of COINTELPRO far exceeded other abuses, such as Watergate, which gained more public attention.

The former Church Committee staff members have now issued a report through the Brennan Center for Justice calling for Congress to conduct a "comprehensive evaluation" of American spying. "Congress needs to demonstrate its ability to check executive branch overreach across the multiple programs and agencies, re-establish democratic controls over intelligence policies and ensure public accountability of intelligence practices," said the report.

The former committee staff complain about current excesses by the intelligence community and focus their call for a new oversight panel on events since the Church Committee adjourned. However, little has been said in Washington, D.C. about the unfinished business of the original committee, which includes political prisoners convicted in COINTELPRO-tainted state court trials.

A prime example of a state trial manipulated by federal agents is the case of the Omaha Two, Edward Poindexter and Mondo we Langa, formerly David Rice. The men were leaders of a Black Panther affiliate group in Omaha and convicted after a controversial trial for the murder of a policeman. Both the Federal Bureau of Investigation and the Alcohol, Tobacco and Firearms Division were involved in the case.

The FBI misdeeds in the Omaha Two case included withholding a laboratory report on the identity of an anonymous caller who lured the policeman to his death. The role of ATF is less well documented, however, based on a newspaper photo it appears as though someone within ATF dusted Mondo's pants with dynamite particles after he surrendered.

If Congress fails to take up the issue of COINTELPRO prisoners, imprisoned for over four decades, and if President Barack Obama continues to ignore the inmates' plight, then the United Nations will have much to examine later this year when United States compliance with human rights treaties comes under periodic review.

28 Jan - Update from Eco-Prisoner Brian Vaillancourt

In a letter dated 12 January 2015, eco-prisoner Brian Vaillancourt, convicted of an alleged attempted arson at a McDonald's, says that although he was formerly seeking an appeal he is now "at peace with [his] sentence."

MORE:

He was arrested in February of 2013 in Chicago and is serving a 9-year sentence. He is now in minimum-security prison and may soon have the opportunity to work in a prison program that adopts out rescued dogs.

Please send him your love! Lastly, he wanted us to publish a message of his:

"It is not enough to be compassionate. We must act! Action out of compassion—when something needs to be

done in the world to rectify the wrongs, if one is really concerned with helping our voiceless & planet, one needs to be engaged, involved.”

8 Feb - Irish Queers letter writing to prisoners

WHAT: Letter and Card writing to prisoners.

WHEN: 3:00-5:00 pm, Sunday February 8th

WHERE: 23 East 124th Street, #6B (between 5th and Madison Avenues)

COST: FREE

MORE:

Please join Irish Queers second Sunday of the month prisoner writing group and pass along info to others.

(The apartment has an old codger of a dog for those that might have a dog allergy.)

13 Feb - "If A Tree Falls" Benefit Screening for Kevin Olliff and Tyler Lang

WHAT: Benefit for AETA defendants Kevin Olliff and Tyler Lang

WHEN: 8pm sharp, Friday, February 13th, 2015

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

NOTE: The Base is on the ground floor, is wheelchair accessible, and has a gender neutral toilet.

COST: Entrance is free but we will be requesting donations for Kevin and Tyler’s legal defense fund.

MORE:

Tyler Lang and Kevin Olliff are two animal rights activists who, in 2014, were arrested in Illinois for “possession of burglary tools.” After a traffic stop, cops allegedly found bolt cutters, muriatic acid, ski masks, and camouflage clothing in the car. Tyler pleaded to 3 months time served while Kevin received a 30 month sentence in state prison. In July 2014, both were indicted under the Animal Enterprise Terrorism Act (AETA) and are accused of liberating animals from fur farms in 3 different states. They face up to 10 years in prison.

We will be screening *If A Tree Falls: A Story of the Earth Liberation Front*, a film that focuses on our friend and New Yorker, Daniel McGowan. He was arrested in 2005 by federal agents in a nationwide sweep of radical environmentalists involved with the Earth Liberation Front-- a group the FBI has called America's "number one domestic terrorism threat." The ELF operates in separate anonymous cells without any central leadership and launched spectacular actions against dozens of environmentally destructive businesses: timber companies, SUV dealerships, wild horse slaughterhouses, and a \$12 million ski lodge in Vail, Colorado.

After the film, there will be time for questions and answers with special guests, including Rachel Meeropol (Center for Constitutional Rights attorney on Kevin and Tyler’s legal team) and Jenny Synan. NYC ABC will have a table with information and merchandise on political prisoners.

For more information, go to supportkevinandtyler.com

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.