

Updates for March 3rd

15 Feb - Help Eric McDavid Adjust to His Post-Prison Life, After Being Entrapped by the FBI

Will Potter (Green Is The New Red) recently wrote about the post-release campaign for Eric McDavid.

MORE:

Eric McDavid was released after nine years in prison as an “eco-terrorist” after the government acknowledged withholding evidence during his trial. It was a major legal victory, but there’s a long road ahead adjusting to post-prison life.

His supporters have created an online fundraising campaign to help him get on his feet. They say:

“This incredible victory occurred because we all refused to give up the struggle to set him free. Thank you to all of you who have supported Eric during these last 9 years. Despite the heavy-handed repression of the state, Eric refused to compromise his politics or his integrity, just as all of us who supported him refused to abandon the struggle to see him free. But the struggle is not over.

Though Eric is no longer held in a prison cell he is faced with the difficult task of rebuilding his life after a lengthy period of incarceration. We are hoping to aid him by raising money so that he can go to school, get a job and begin the process of physical and emotional healing from his time in prison. Below is a list of Eric’s estimated expenses for the next 6 months. Your donations are critical to helping Eric get back on his feet. Thank you for your continued solidarity with Eric in his struggle to survive and thrive in the face of injustice.”

I can’t speak to McDavid’s personal experience, but I will say that in my work I have seen far too many people adjust to life after prison, and it is always accompanied by trauma and pain. There is not much we can do to help ease that, because for most of us it’s something we can’t even begin to understand. But what we **can** do is help with these necessities and lighten that burden.

They are asking very little: the campaign goal is only \$3,500. Please visit youcaring.com/ericmcdavid and chip in whatever you can to not only meet, but exceed this (perhaps we can double it?).

February 27th - How an FBI Informant Sent a Radical Environmentalist to Prison, and How He Got Out Again

by CJ Ciaramella (VICE)

An extraordinary thing happened last month: US prosecutors admitted the government messed up.

Well, technically they admitted that a judge could conceivably decide that the government might have possibly messed up enough to warrant a new trial. But still.

As part of a unusual deal brokered between his defense team and chagrined US attorneys, Eric McDavid, who in 2007 was sentenced to nearly 20 years in prison on domestic terrorism charges, walked free on January 8 after the government told a judge it had “inadvertently” failed to hand over thousands of pages of FBI documents to his defense counsel in his original trial.

McDavid, 37, served three days short of nine years in custody before US District Judge Morrison England agreed to reduce his sentence to a lone count of conspiracy and released him on time served.

“This is one of the most unusual things I’ve had to deal with, if not the most unusual, since I started on the bench

in 1996 and on this court since 2002," England said, according to court transcripts. "I've never heard or seen of anything like this."

As part of his deal, McDavid waived his right to sue the government. He is now a free man, but the conclusion of his case is an embarrassing coda to the Bush-era surveillance of radical environmentalists and anti-capitalists in the years following the 9/11 attacks.

McDavid and two other radical environmentalists, Zach Jenson and Lauren Weiner, were convicted in 2007 of conspiring to blow up a dam, cellphone towers, and a US Forest Service lab after a paid FBI informant—an unassuming 18-year-old known only as "Anna"—infiltrated their group, egged them on, and exposed them.

That would have likely been the end of McDavid's story, but a Freedom of Information Act (FOIA) request by two of his supporters dredged up nearly 2,500 pages of FBI documents that prosecutors had previously insisted did not exist.

The tranche of files led the US attorneys office in Sacramento to turn over even more documents that it had—according to a letter to McDavid's lawyers—"inadvertently not disclosed during discovery." Among the documents were flirty notes between McDavid and Anna, as well as a request from an FBI agent for a polygraph exam on Anna to test the veracity of her statements. All of which McDavid's attorneys say would have been crucial in bolstering McDavid's entrapment defense.

"[Anna] fomented the alleged conspiracy, literally herding defendants together from around the country for meetings, badgering them to form a plan, and mocking and berating them when they showed disinterest," McDavid's lawyers Ben Rosenfeld and Mark Vermeulen wrote in a motion last year.

The Sacramento Bee described England, who presided over McDavid's original ten-day trial, as "clearly exasperated" and "sometimes stopping to hold his head in his left hand" during last month's hearing.

"I know he's not necessarily a choirboy, but he doesn't deserve to go through this, either," England said. "It's not fair."

Prosecutors and top brass from the US Attorney's office, none of whom were involved in the original trial, had little to offer for explanation.

"We don't know exactly why they weren't turned over," John Vincent, chief of the US Attorney's criminal division, told England. According to the US Attorney's office, the documents were sitting in an FBI file in Sacramento.

In a statement released following the hearing, the US Attorney's Office of Eastern California said that "although those documents do not directly bear upon whether the defendant committed the underlying acts... the United States agreed that it is conceivable that a court could conclude that the failure to produce them required a retrial."

This is a master class in ass-covering, impressive even by government standards. Note how it starts by reaffirming McDavid's guilt, and then avoids admitting any wrongdoing by saying that the government agreed, in its great magnanimity, that others might come to the conclusion that it had seriously screwed the pooch

Some prosecutors were a bit more forthright.

"We absolutely admit that we made a mistake, but there was no deliberate, knowing withholding of any documents," said First Assistant US Attorney Philip A. Ferrari in January.

But the notion that the FBI and prosecutors simply misplaced thousands of pages of documents from a highly touted anti-terror investigation and then rediscovered them years later is hard to swallow for many who watched

McDavid's case unfold.

"It's somewhere along the continuum of mistake, malfeasance, and malevolence," McDavid's lawyer Rosenfeld said in a phone interview. "The point is that only the government can explain what level of mistake this was, and the public should demand that explanation."

In an interview, Will Potter, an independent journalist who has written extensively about the government's surveillance of radical environmental groups, called the government's claim that it accidentally failed to hand over the documents "complete nonsense."

"The FBI and prosecutors have been intimately aware of how many boundaries have been pushed and crossed along the way, and they've relentlessly defended it," Potter said. "Jurors came afterward and said they thought they were misled. In recordings, the court heard [Anna] constantly berating McDavid for not taking action. Every step of the way the government pushed and pushed to get the conviction at any cost."

The Green Scare

McDavid first met Anna in 2004 at an invitation-only anarchist gathering in Des Moines, Iowa. It was a heady time for both radical leftists and federal law enforcement, which had been given broad discretion and nearly unlimited resources to root out terrorism threats. Love was in the air.

McDavid, 26 at the time, was an on-again, off-again college student from Auburn, California, with a muddled interest in anarchism and environmentalism.

Anna was a no-nonsense girl with pink hair, a short camo skirt, and a keffiyeh around her neck. She told McDavid she had hitchhiked to the gathering. In reality, she had flown out on the FBI's dime.

She had gotten a taste for informant work after infiltrating an anti-globalization protest group for a paper for her community college class. Impressed by her initiative, a police officer in her class put her in touch with the Miami Police Department, which in turn referred her to the FBI. In a flattering 2008 profile in Elle magazine, Anna said she was a patriotic hawk who wanted to do something for her country after 9/11.

She was a godsend for the FBI. Radicals seemed to be able to sniff out professional undercover officers before they even stepped through the door. But Anna was a natural—quick-thinking, reliable, and able to move through activist circles with ease. She didn't walk like a cop or otherwise exude cop-ness.

McDavid didn't know it when he first laid his smitten eyes on Anna in Iowa, but he had just been snared in what activists would later dub the "green scare," an allusion to the anti-communist red scare of the 1950s.

"The only reason they got on the radar was because they had a political viewpoint," Mark Reichel, McDavid's lawyer at his original trial, said in an interview. "At the same time, the head of the Justice Department was testifying before Congress, saying, 'No, we don't do that. We don't spy on people because of political reasons.'"

Indeed, here's former FBI director Robert Mueller speaking at a press conference announcing the 2006 indictment of 11 "eco-terrorists" responsible for an estimated \$80 million in property damages: "The FBI becomes involved, as it did in this case, only when volatile talk crosses the line into violence and criminal activity."

This is a key point in McDavid's entrapment defense. Contrary to Mueller's reassurances, McDavid and Jensen's rhetoric when Anna first met them in '04 was about as violent as the average Rage Against the Machine album.

Anna caught up with McDavid again in '05 in Philadelphia, where he was staying with two friends, Jensen and Weiner. Anna reported back to the FBI that McDavid had become thoroughly radicalized since their first

meeting.

Anna's FBI handlers put her on McDavid, Jenson, and Weiner full-time and outfitted her with the finest in spy gear: a bugged '96 Chevy Lumina that she used to drive the group around. The FBI also provided Anna with a small cabin in the Sierra Nevada foothills that was to act as the quartet's base of operations. She paid for groceries and even doled out spending money to the group, sometimes in \$100 bills. She wasn't old enough to buy beer yet, but Anna was passing along fake bomb recipes from the FBI to the trio.

Anna's recordings of late-night bull sessions showed the trio talking about bombing targets like cell phone towers and fish hatcheries. Later in court, the three activists would try to play off the conversations as purely hypothetical, the musings of some stoned anarchists with delusions of grandeur.

"Anarchists usually just talk shit," Jenson said in a 2012 *Outside* story on the case, "but they never really do that much."

But one day, the group drove to a Kmart in Auburn to pick up ingredients for a bomb test. McDavid was sitting on the back of Anna's car in the parking lot, waiting for Jenson and Weiner to return, when he heard the automatic locks on the car doors click shut. He looked in. Anna was on her cell phone. Moments later, black SUVs screeched into the parking lot, and he was surrounded by heavily armed agents from the Joint Terrorism Task Force. In an interview with *Democracy Now!*—his first after being released from prison—McDavid said that that was the moment he realized Anna was a snitch.

McDavid, Jenson, and Weiner were charged with conspiracy based on their recorded conversations, their purchase of a book that included bomb-making instructions, their scouting of potential targets, and their purchase of bomb-making materials at Kmart.

For the government's prosecution of radical environmentalists, Potter said that the McDavid case "represented a turning point in a couple of ways.

"Around September 11, the actions by the radical environmental movement had really subsided significantly," Potter said. "There were not a lot of crimes by the Animal Liberation Front or Earth Liberation Front. There were very heavy prosecutions of a few cases, but the climate as a whole, there wasn't a lot happening. The McDavid case represented a shift. They manufactured terrorism plots, and that's precisely what McDavid's case was all about."

The Trial

In court, the bumbling anarchists became cold, calculating terrorists. US Attorney McGregor Scott claimed the group's plot to bomb the Nimbus dam, had it not been thwarted by Anna, would have made "what happened in New Orleans after Hurricane Katrina look like a Sunday pancake breakfast." (A spokesman for the dam later said that blowing up the gates would just cause water to "trickle" down the American and Sacramento rivers.)

Anna testified that she woke up in the cabin one night with McDavid looming above her holding an eight-inch hunting knife. Meanwhile, Jenson and Weiner both flipped and agreed to testify against McDavid in return for lighter sentences. Years later, Jenson would provide McDavid's lawyer with a sworn declaration saying he was pressured to contort his testimony to agree with the government's version of events.

"I became very aware that if I did not testify to the facts that the government felt occurred, which I did not believe occurred, that my plea bargain would be taken away and I would be charged with the major federal charge and would very likely receive a 20-year sentence," Jenson said. "This was a lot of pressure for me to handle."

The jury also received confusing, sometimes contradictory instructions. They were told entrapment required a

government "agent," and Judge England told the jurors from the bench that Anna was an agent, but then later sent a written note to the jury that she was not one.

The jury was also told, when considering McDavid's predisposition for violence, to limit the timeframe to June 2005 and onward, not from when Anna first began reporting on him in 2004.

Of the 12 jurors, ten would later go on the record to various publications expressing serious doubts about the government's case against McDavid. "I hope he gets a new trial," Diane Bennett, one of the jurors, told Elle in 2008. "I'm not happy with the one he got."

England sentenced McDavid to 235 months in prison on an enhanced terrorism charge. He spent the first 28 months of his sentence in solitary confinement. Jenson and Weiner served six months and two weeks in prison, respectively. Anna consulted for the FBI for a bit longer before giving up the spy game and trying to move on with her life.

But perhaps more interesting than the vagaries of the case is what never made it to the jury's ears. During the trial, Reichel filed dozens of motions to suppress, dismiss, and otherwise muck up the government's case against McDavid. Among those were numerous motions for discovery for the FBI files on McDavid and Anna.

"The FBI filed responses in writing saying none of this stuff exists. No cell phone records, no polygraphs, no internal FBI reports, no letters," Reichel said. "So I did a FOIA and it came back with not much, maybe 20 pages, items of discovery I already had."

Reichel also filed a motion to dismiss the case based on McDavid's infatuation with Anna. The prosecution's response to Reichel's motion: "The defendant's claim of a romantic relationship between him and the informant is categorically untrue."

"I Think You and I Could Be Great"

McDavid lost an appeal before the Ninth Circuit, and the Supreme Court refused to hear his case. He would have languished in prison for the rest of his long sentence had it not been for the dogged work of two of his supporters, Jenny Esquivel and Evan Tucker.

Tucker, now living in Spain, had started a group called Sacramento Prisoner Support in 2004 to help activists who had been targeted by the federal government. In 2008, Esquivel and Tucker filed a FOIA request for McDavid's FBI file.

"Jenny and I always felt that the government was hiding evidence from the defense," Tucker said. "How could a person who was investigated by the FBI for one and a half years and then convicted of a federal crime not have an FBI file? So we decided to do our own request. Originally they told us there was nothing, but we kept pushing and finally, one day, several thousand pages of documents showed up in our PO box."

Tucker says the FOIA sleuthing revealed the FBI was also interested in him.

"They interviewed people about me, sat outside my house, and followed me around," Tucker said. "They sent informants to our fundraisers and had them report back on me as well. There is a lot I still don't know about the investigation because they would only give me half my file and even that was heavily redacted."

With a batch of fresh evidence in hand, McDavid's lawyers filed a writ for habeas corpus in 2010. The government continued to fight the appeal, but in November 2014 it handed over even more files that should have been given to McDavid's defense counsel in his original trial. The new documents included mushy notes from McDavid professing his interest in Anna, as well as never-before-seen responses from Anna leading him on.

In a 2005 email six months before McDavid's arrest, Anna wrote, "I think you and I could be great, but we have LOTS of little kinks to work out. I hope in Indiana we can spend more quality time together, and really chat about life and our things."

McDavid replied three days later in his idiosyncratic syntax: "hey cheeka, so far as us B'n great, that i think is an understatement... along w/the 'LOTS of little kinks 2 wk out'... but if u aint learning, u aint live'n... & I do think we could learn a lot from each other."

It's fair to say they learned a lot from each other, although Anna and McDavid both clarified that their relationship was never physical. For the most part, it seemed one-sided, with Anna brushing McDavid off and telling him to wait until after their "mission."

The US Attorney's Office also handed over a request for a polygraph test on Anna. The request form said the polygraph was to "confirm veracity of [Anna's] reporting prior to the expenditure of substantial efforts and money based on source's reporting."

But the polygraph test never took place. No documents provided by the FBI or the US Attorney's Office explain why, and the name of the US prosecutor who signed off on the polygraph request was redacted for "privacy" reasons.

I asked Reichel if he was surprised at the contents of the documents, considering the FBI had insisted they didn't exist. He replied with the typical bravado of a criminal defense attorney who's been proven right.

"You remember that Johnny Carson bit, Carnac the Magnificent, where he would hold the letter up to his head and predict what was inside?" Reichel said. "I knew exactly what was in those documents."

But McDavid's release was far from certain. Even after securing a deal with the US attorneys office, no one was sure how Judge England, who had previously thrown the book at McDavid, would react to such a bizarre request.

"The hell that we had been through for so long, we knew we had to pursue it, but it was like, 'God is this even going to work?'" Esquivel said in an interview. "It was nine years of struggle and fighting and hoping against hope. A lot of hard work and luck came together."

There are lingering questions surrounding McDavid's case. According to Esquivel, the FBI is still withholding 900 pages of documents. And although McDavid cannot sue under the terms of his plea agreement to a single conspiracy charge, a lawyer for Weiner told the Guardian she is considering suing to get her own conviction lifted.

There is also the case of Steve Lapham, the assistant US attorney in McDavid's case. Lapham fought McDavid's Habeas appeal tooth and nail.

"The government concedes that a relatively small amount of information pertaining to the case was apparently not disclosed to the defense," Lapham wrote in response to the appeal. "However, the omitted material was either inculpatory or benign. None of the omitted material was exculpatory."

It was only after Lapham departed the US Attorney's Office, according to Tucker, that the government showed any interest in releasing the withheld documents. Lapham is now a judge for the Sacramento County Superior Court.

15 Feb - New writings by Mumia Abu-Jamal

We're including the transcript of Mumia's latest commentaries.

MORE:

February 15th - Obama & Black History Month

As the Obama Administration winds down, what is its relationship to Black History Month – 2015?

Of course, the election of an African –American was indeed an historic event, and history books will record this fact.

But it was also an attempt by the Democratic Party to lock in a constituency that would fuel its political ascendancy for generations.

In symbol, the election of President Barack Obama was a shock to the system. In substance, it was a lot less so, for beside this symbol stood a reality that Black life was under siege.

In 2014, summer broke with Black protest from coast to coast, led by youth; young people who knew in their heart-of-hearts, the White House could not protect them from a peculiar American practice of police terrorism, when cops could harass, intimidate, beat, choke, kick, stomp – and kill kids, boys and men – with perfect impunity.

Symbol, shining and bright; met substance, of blood and tears, and one shattered the other.

Tens of thousands stormed the streets in over 200 cities, to howl at injustice, and to demand – now – finally – ‘justice’.

For them, Ferguson became their Selma – and they faced automatic weapons and mad cops, with courage and fury.

Symbols are powerful things, yes; but Reality is more powerful still.

February 21st - Frankenstein’s Monster

Every generation for the past 200 years can vividly picture the Frankenstein monster.

Tall imposing, usually mute, this creature is alive and not alive; mobile, but haltingly so, that we, the more nimble can escape his perilous embrace.

Yet, who is the real monster; the one who designed and constructed this being? – or the one who was built?

One wonders of such things when we see the sudden slaughters, bombings and beheadings – happening in many parts of the cities of Europe and the Middle East – and beyond.

We hear of ISIS – and of Nigeria’s “Boko Haram.”

But guess where it all began?

In the 1970s – 1979, in fact – an Afghan warlord, Gulbuddin Hekmatyar, was hired by Pakistani intelligence as a gift to the U.S. CIA. Hekmatyar was a ruthless dude, who hated both the U.S. and the Soviets.

His Pakistani backers told him his job was to kill Russians – Communists actually – who want to back Najibullah, the Afghan president. While the CIA was quietly calling the guy a “fascist” and “scary”, then President Ronald Reagan called them “freedom fighters,” and invited them to the White House.

Hekmatyar, then head of something he called the Islamic Party, built a military machine he called Mujahiddin.

This would be the seed of the Taliban, al Qaeda, now ISIS, and hundreds more across the world: trained, armed and aimed at Western targets and now –aimed at the West itself.

Mary Shelly Wollstonecraft, the author of the 1818 science fiction novel, Frankenstein, had the scientist say the following words: “I beheld the wretch – the miserable monster whom I had created.”

Who was the real monster – the maker – or the made?

16 Feb - Court denies motions from Palestinian activist Rasmae Odeh

Chicago’s 67-year-old Palestinian community leader, Rasmae Odeh, is set to appear in a Detroit federal court for sentencing on March 12, following her conviction on a single charge of Unlawful Procurement of Naturalization.

MORE:

by Sue Udry (*Defending Dissent*)

Three days ago, Judge Gershwin Drain issued an order denying two motions by Odeh’s defense team. One motion called for a new trial because of a number of legal errors in the court’s rulings in her November trial; another called for the judge to set aside the jury’s decision altogether.

“Since both defense motions challenged how Drain conducted the trial, it came as no surprise when he ruled against Rasmae, and in support of his own decisions,” said Hatem Abudayyeh of the Rasmae Defense Committee. “We know that the conviction was a travesty of justice, and that Judge Drain’s rulings made it impossible for the jury to give Rasmae a fair shake. She survived brutal torture by the Israelis, but the jury never got to hear that.”

Odeh’s attorneys are asking Drain to take her age and poor health into consideration and be lenient in his sentencing, but also plan to appeal her conviction, so will request the granting of an appeal bond no matter the sentence, which could be up to 10 years in prison, heavy fines, and deportation.

Unfazed by this latest ruling, the defense committee is redoubling efforts to win justice. Communities across the country are organizing protests, fundraisers, and several events with Rasmae speaking via live stream. A national week of action mobilized hundreds of supporters, with further actions planned for the coming week in at least 7 more cities.

“We will not give up in our defense and support of Rasmae as she moves forward to challenge this unjust conviction. She was prosecuted by the U.S. government because she is Palestinian, and because for decades, she has organized for Palestinian liberation and self-determination,” said Jess Sundin of the Committee to Stop FBI Repression. “We are already making transportation and housing plans to ensure that we fill Judge Drain’s court room in Detroit on March 12, and hopefully an overflow room as well. Hundreds stood with Rasmae during her trial, and we’re prepared to stand with her again and again until justice is won.”

For more information and background on Rasmae Odeh’s case, go to <http://justice4rasmea.org>.

18 Feb - Tsutomu Shiroasaki Update

Former U.S. political prisoner Tsutomu Shiroasaki has been deported to Japan. We’re including collected news items below. NOTE: Shiroasaki has always maintained that he was not a member of the Japanese Red Army.

MORE:

February 18th - U.S. to deport Japanese Red Army member wanted for 1986 Jakarta attack

Japan Times

The United States has begun procedures to deport a Japanese Red Army member following his release from prison there last month, U.S. government sources said Wednesday.

The Metropolitan Police Department in Tokyo plans to arrest Tsutomu Shiroasaki, 67, upon his arrival in Japan, on charges of attempted arson in connection with his alleged involvement in a mortar attack on Japan’s Embassy in Jakarta on May 14, 1986, informed sources said.

His transfer could come on Thursday at the earliest, the sources said.

The MPD believes he attempted to set a hotel on fire after firing a mortar shell from it toward the Embassy, in order to destroy evidence.

He was convicted in the United States of crimes including attempted murder in a mortar attack on the U.S. Embassy in the Indonesian capital on the same day. He was sentenced to 30 years in prison.

He was released from a Mississippi prison last month after serving a reduced term and has since been at a facility run by the U.S. Immigration and Customs Enforcement.

Shirosaki was arrested in Japan in March 1971 for post-office and bank robbery and was sentenced to 10 years in prison.

But he was freed together with five other prisoners in 1977 after the Japanese Red Army hijacked a Japan Airlines flight from Paris to Tokyo, forced the plane to land in the Bangladeshi capital of Dhaka and demanded the release of nine prisoners including Shirosaki.

The Japanese government also paid \$6 million in ransom.

Upon his release, Shirosaki was believed to have played a key role in establishing new bases for the group in Asia.

He was seized in Nepal in 1996 and extradited to the United States for trial over the attack on the U.S. Embassy.

February 20th - Japanese Red Army member arrested upon return from U.S.

Japan Times

Tokyo police arrested a Japanese Red Army member for attempted arson associated with a 1986 mortar attack in Indonesia as he returned to Japan on Friday afternoon following his release from a U.S. prison in January.

Tsutomu Shirosaki, 67, was freed Jan. 16 and the U.S. Justice Department had been taking procedures to deport him to Japan, which has long had him on the international wanted list.

Shirosaki is suspected of attempting to set fire to a hotel room in Jakarta in May 1986.

Investigators believe the attempted arson was aimed at destroying evidence of his alleged mortar attack on the Japanese Embassy in Jakarta.

Shirosaki was arrested in 1996 in Nepal and handed over to U.S. law enforcement authorities for his alleged mortar attack on the U.S. Embassy in Indonesia in 1986.

In 1998, a U.S. court sentenced him to 30 years in prison for attempted murder and other crimes in connection with the mortar attack.

A native of Toyama Prefecture, Shirosaki joined the Japanese Red Army, a leftist group, after dropping out of the University of Tokushima.

He was arrested in Japan for attempted bank robbery and sentenced to a 10-year term in 1971.

Shirosaki was released in 1977 along with other radicals in exchange for hostages taken by the group in the hijacking of a Japan Airlines jetliner in the Bangladesh capital of Dhaka.

19 Feb - Smash HLS Activist Convicted

Freedom of speech, self-defense, terrorism – and monkeys. The trial of Christian Minaya had many compelling

story lines.

MORE:

by David Ovalle (*Miami Herald*)

He lost.

Miami jurors on Thursday convicted the animal-rights activist of attacking a van owned by Worldwide Primates — a controversial West Miami-Dade company that imports primates for biomedical research — during a spirited protest in October 2013.

Thursday's trial was yet another legal skirmish between the aggressive protest group Smash HLS and Worldwide, which last year filed suit claiming it was targeted by a campaign to "intimidate, stalk and terrorize" employees.

Minaya, 34, an unemployed landscaper from Palm Beach County, was convicted of misdemeanor criminal mischief and disorderly conduct.

While the criminal charges were relatively minor, each side framed the incident in lofty terms. Prosecutors said rock-chucking protestors engaged in a "terrorist attack."

"You have the right to say what you want in this country. It's a right our forefathers fought for," Miami-Dade prosecutor Justin Guido told jurors. "What you don't have right to do is to terrorize people. You don't have the right to destroy property whenever you want."

Said defense lawyer Patrick Wilson: "The police was trying to incite, to escalate. They were trying to make arrests. They were trying to get rid of a nuisance. They were trying to suppress First Amendment speech."

Jurors deliberated a little more than one hour. Minaya did not go to jail – Judge Dawn Denaro sentenced him to one year of probation and he must complete 100 hours of community service.

Minaya must also stay away from Worldwide and its employees.

"This verdict should send a clear message to all that the First Amendment allows peaceful protests. It does not allow the violent acts that were committed by the Smash protestors," the company said in a statement.

Because monkeys and apes are so similar to humans, they have been used for research as far back as the 1950s, when primates played a crucial role in developing a vaccine for polio.

Worldwide is one of only two Florida facilities licensed by the U.S. Centers for Disease Control and Prevention for use as a "quarantine facility" for primates used in biomedical research. The CDC requires all monkeys be quarantined for 30 days before they are shipped to laboratories.

But animal-rights groups — saying primates are subjected to agonizing and inhumane medical tests — have long mounted aggressive campaigns against the facilities. Some have gone to prison for illegal threats and over-the-top protests.

In the case of Smash HLS, the group often protested outside Worldwide's West Miami-Dade facility and homes of employees, insisting they were law abiding events. Company workers' identities, photos, home addresses and even divorce records were plastered online, while one veterinarian reported hundreds of harassing phone calls.

The company's lawsuit seeking a permanent restraining order was recently dropped, though lawyers can refile if they believe protests resume getting out of hand.

The October 2013 protest outside their facility became a major focus in the lawsuit against Smash HLS

members.

Nine people were arrested that day. All but Minaya accepted “pretrial” diversion programs for first-time offenders; their charges were dropped in exchange for fines and community service.

That day, a company van – with an undercover Miami-Dade detective in the passenger seat – slowly left the facility as a couple dozen protestors waved signs and chanted outside. Police video captured the encounter. As though it were the Zapruder film, lawyers on Thursday played the footage back and forth, analyzing frame after frame. The van veered somewhat left, then right. Minaya got in front of the vehicle.

Protestors began banging on the van. One protestor got atop the hood. Minaya claimed he began banging on the window to get the attention of the driver.

“I was scared. There is this vehicle coming at me,” Minaya testified on Thursday. “I couldn’t understand why they were driving into a crowd of people.”

The van’s passenger, undercover Miami-Dade Detective Shad Mezghet, was “laughing and smiling,” Minaya claimed.

In the slow-moving ruckus, Minaya grabbed the passenger-side mirror – which broke off. He hurled it at the van, the footage showed. “I threw it out of frustration,” he admitted. Minaya even chased the van. He insisted it was out of concern for “my friend Todd” stuck on the hood.

Jurors disagreed.

19 Feb - An Update on Albert Woodfox of the Angola 3

Until he knows if he will be released on bail, Albert is being held in isolation at West Feliciana Parish Detention Center, a small city jail with only a few dozen prisoners at any one time.

MORE:

February 24th - Judicial system's treatment of two Angola inmates resembles a lottery

by James Gill (*The Advocate*)

Two Angola lifers have gotten big news over the last couple of weeks.

After one of them, George Toca, admitted he had indeed killed a man, prosecutors decided he should go free. The other, Albert Woodfox, has always insisted he is innocent, and federal courts have twice thrown out his conviction. Prosecutors are nevertheless determined he will die in prison.

Justice sure resembles a lottery sometimes.

Maybe a sudden access of soft-heartedness played a part in Toca’s release, but it has every appearance of a tactical ploy. The U.S. Supreme Court was preparing to rule on his case, which had alarming implications for prosecutors here and in several other states. Now the issues raised by Toca, who got mandatory life when he was 17, will remain unconsidered, at least for now.

Meanwhile, Attorney General Buddy Caldwell has indicted Woodfox for a third time. Woodfox, who remains in solitary confinement after more than 40 years at “The Farm,” had his conviction vacated again late last year because of racial discrimination in West Feliciana grand jury selection. It is inconceivable any jury could find Woodfox guilty at this late stage, and he is too old to pose a threat to public safety, but Caldwell is clearly not afflicted with a soft heart. He doesn’t care either how much it costs to keep Woodfox locked up.

Caldwell is convinced that Woodfox, who was doing time for armed robbery, was justly convicted of murdering a prison guard, although no blood stains or fingerprints matched and the state’s star witnesses were inmates who changed their stories and were granted favors for their co-operation. Regardless, Louisiana well deserves the

obloquy it has received in this country and abroad for the mindless cruelty of Woodfox's years in solitary.

The system has been kinder, albeit belatedly, to Toca. He is enjoying liberty for the first time in 30 years after New Orleans DA Leon Cannizzaro's office vacated his murder conviction and let him plead guilty to manslaughter.

Toca and his attorneys insist it was all a fake, but it was either confess to a crime he didn't commit, or stay in prison. The choice was an obvious one for him, but it means that countless other lifers convicted as juveniles will be denied their own shot at freedom, unless one of them can attract the Supreme Court's attention. Otherwise prosecutors in such states as Louisiana will be spared the inconvenience of justifying life sentences, many of which go back decades.

The Supreme Court ruled a couple of years ago that automatic life for killers aged under 18 constitutes cruel and unusual punishment because youth is impetuous and incapable of weighing consequences. The young, moreover, have considerable scope for reform, the court noted, although it did not rule out life sentences for them entirely. It merely invalidated state laws that made them mandatory.

The court, however, made sure that confusion reigned by declining to decide whether its decision applied merely to future cases or also required reconsideration of old ones. Several states assumed it was retroactive, but Louisiana was one of several that didn't. Toca was one of many lifers who argued they were wrong, and the Supreme Court plucked his petition from the hat.

He was an obvious candidate for the court's consideration. A high-school dropout, Toca was awarded a college degree in Bible studies while in prison, where he also earned a diploma from an "intensive carpentry" program. Whatever that it is, it sounds impressive.

Toca had no disciplinary record to speak of, and certainly proved that inmates can better themselves, although he and his attorneys have always insisted he was in no need of reform, having been fingered by unreliable witnesses and convicted on flimsy evidence.

Well, it wouldn't be the first time that happened. Other witnesses backed up Toca's claim that he was elsewhere when he was supposed to have shot his accomplice by accident in the course of an armed robbery attempt, but his conviction held up. The victim's family has long campaigned on Toca's behalf.

Before Toca was released, Cannizzaro argued in a Supreme Court brief that making its decision retroactive would impose an undue burden on prosecutors.

The official line is that Toca's release followed lengthy negotiations between Cannizzaro's office and the Innocence Project in New Orleans, and had nothing to do with the pending Supreme Court ruling. That assurance seemed every bit as sincere as the confession prosecutors cooked up for Toca.

February 27th - Bail Hearing for Albert Woodfox on Monday, March 2

We've just received word that Albert's bail hearing will proceed on Monday, March 2nd at 9:30am in Courtroom 6 of the US Middle District Court in Baton Rouge (777 Florida Street). Albert will be present; and though we know it is short notice, local supporters are urged to attend if at all possible.

19 Feb - Animal rights 'terrorists'? Legality of industry-friendly law to be challenged

Two men will plead for dismissal of federal charges under obscure 2006 law for which damaging property or profit line of animal businesses can carry terrorism conviction despite absence of violence.

MORE:

by Ed Pilkington (*The Guardian*)

Two animal rights activists who have served prison terms for releasing mink and foxes from fur farms in the US midwest are facing federal charges that could see them sentenced to a further 10 years and branded for life as

terrorists.

The two activists, Kevin Johnson, 27, and Tyler Lang, 25, will appear in a federal district court in Chicago on Thursday to plead for the federal charges to be dismissed. Lawyers for the defendants will argue that the counts, brought under an obscure 2006 law, are an inappropriate use of the concept of terrorism that threatens to stop free speech across the animal rights movement.

The hearing marks the first time that the law, the Animal Enterprise Terrorism Act (AETA), will be legally challenged as a violation of the US constitution.

Congress passed the AETA eight years ago under heavy lobbying from the pharmaceutical, fur and farming industries. Under its terms, anyone who damages the property or the profit line of an animal business and who uses “interstate commerce” such as a cellphone or the internet to carry out the action can be convicted of terrorism even though no violence is involved.

That applies to the two defendants, who were served the federal charges last July even though they have never been accused of any act of violence.

“These charges demean the definition of terrorism. They not only violate the defendants’ individual rights, but also serve to chill the first amendment rights of an entire movement,” said Rachel Meeropol, a staff attorney with the Center for Constitutional Rights who is representing the men.

The two Los Angeles-based activists have already served sentences under state law of up to 30 months after their car was searched in a routine traffic stop in Illinois. Police found bolt and wire cutters, ski masks and camouflage clothing.

The equipment was deemed to be “burglary tools” and they were prosecuted. Lang was released from prison on a plea deal in November and is out on bond, while Johnson remains in custody awaiting the federal trial. They have both pleaded not guilty to the terrorism charges.

In Thursday’s hearing at the US district court for the northern district of Illinois, the defendants will argue that the AETA is a violation of constitutional due process because it applies the term “terrorism” to the nonviolent theft of private property. Their motion to dismiss the charges points out that though there is no single definition of terrorism agreed in international or domestic law, a common feature of all accepted classifications is the wielding or threat of violence.

It is not known how many people have been prosecuted under the AETA, though the numbers are small. The first prosecution in 2008 was of four Californian animal rights activists – Joseph Buddenberg, Maryam Khajavi, Nathan Pope and Adriana Stumpo – who were charged as terrorists having chalked the sidewalk, chanted and leafleted outside the homes of biomedical scientists who had conducted animal testing.

Those charges were thrown out in 2010 on grounds that they lacked “factual specificity”.

In 2011, in *Blum v Holder*, five animal rights activists challenged the AETA as an unconstitutional infringement of their free speech. Their lawsuit was dismissed last year after federal judges ruled that the activists had no standing to bring the case.

In the terrorism indictments of Johnson and Lang, the duo are accused of driving across Iowa, Wisconsin and Illinois in August 2013 and “interfering with the operations” of a mink farm and a fox farm. They were alleged to have “intentionally damaged and caused the loss of real and personal property” resulting in “economic damage exceeding \$10,000”.

They released about 2,000 mink from cages and painted the slogan “liberation is love” in red paint over a barn, according to press reports.

In a statement released by their support group soon after the federal charges were pressed, Lang said: “The government’s ‘terrorist’ targeting of two friends with a history of speaking out against injustice is an affront to the meaning of what violence really is, and a slap in the face to a public that sadly knows what terrorism actually looks like.”

February 22nd - Wrap up: Thursday’s court hearing on the Animal Enterprise Terrorism Act

After the Thursday’s landmark hearing in which the court heard arguments on the Constitutionality of the Animal Enterprise Terrorism Act, Kevin wrote this summary of the day:

“It was been incredibly inspiring in the past week to see so many people inspired to stand up and demonstrate their refusal to be silenced – in this way, we show that laws like AETA will have an effect directly opposite to their intent.

As for court, I have been asked to offer a brief summary of my perspective. Rachel Meeropol, of the Center for Constitutional Rights, argued on our behalf against the AETA. Rachel owned the courtroom, coming across as scholarly, appealing, painfully intelligent, and as knowing the cases and issues seemingly by memory. AUSA Biesenthal, despite a bizarrely and inappropriately competitive style of elocution (“they lose”), was also very prepared. The Honorable Judge Amy St. Eve appears to be considering the matter in a genuinely balanced and thorough manner. It seems that she does not find terrorism to be an operative concept to describe the actions in this case. However, that is no indication that she will determine that AETA is unconstitutional. Statutes are rarely stricken down as unconstitutional at this district level within the federal court system.

For those seeking further detail as to the legal issues at hand, I refer them to the briefs available on the CCR website. Thanks to the talent and genius of our attorneys, argumentation on this law is touching on and testing long-established legal concepts in new and interesting ways. Highlights Thursday included Government assertions that throwing a rock at a Whole Foods is reasonably deemed terrorism; that liberating mink is “dangerous to human life” (some very vicious mink, indeed); and that “Animal Enterprise Terrorism Act” is not technically the title of the statute – the statute merely states that it shall be referred to in this way – and so the Government is not calling us terrorists. A friend summarized the Government’s substantive due process argument as such: “We won’t call them terrorists, but the BOP will, but just for the record they kind of seem like terrorists anyway.” Many people showed up to hear the arguments – it was so packed that some were forced to wait outside. I cannot tell you how much this means to someone in my position. Thank you all.

Never let them scare you.”

The judge stated she would reach a decision by March 25th.

19 Feb - Chelsea Manning’s appellate attorneys on the Espionage Act, the appeals process

On Tuesday, February 17th, Chelsea Manning’s appellate attorneys Nancy Hollander and Vincent Ward joined Trevor Timm (Exec. Dir., Freedom of the Press Foundation) for a panel discussion at Hastings College of Law in San Francisco.

MORE:

The panel focused on the expansion of the Espionage Act under the Obama Administration, the threat to journalists and future whistleblowers provided by the government’s continually modified position on national security, the selective prosecution of individuals for government leaks, and more.

Hastings Law Professor Ghappour moderated the discussion, sponsored by the American Constitution Society for Law and Policy.

Excerpts from Nancy Hollander:

“This is a law that was poorly written in the beginning and is clearly becoming more and more abused. It was meant to

punish spies and saboteurs during the war in 1917, during the World War. But the way the courts have interpreted the law, it's really become little more than a trap to ensnare those that embarrass the government and that's exactly how it was used in this case.

We have to appeal this on Chelsea's behalf. And we have to appeal this for all of our sake, and that's because there is no public interest defense. Chelsea wasn't even allowed to put on the defense of why she felt it important for the public to know about these human rights abuses. That she could only put it on during her sentencing and not during the case. And this is not the first time this has happened. This has happened in federal court and in other cases, and we really have to stop this because it is illegal for the government of the United States to classify info that embarrasses the government. That's a violation of the law and yet that's what we're seeing. That's what we saw in this case, that's what we saw in other cases, we see it in the Guantanamo cases where the us has classified the thoughts, memories, and observations of people who were tortured by the United States.

So, the problem for Chelsea and for any whistleblower like Chelsea is one that we really have to attack. And this of course... really could involve journalists. And it makes it difficult for people to report on what the US is doing. And one of the other ways that this becomes a problem is that it becomes illegal, it is illegal for someone to expose national security information.

But the question is, "what is national security information?" It's the government that decides that and I can give you an example of why this is a problem. You all recall that recently the US traded 5 Guantanamo prisoners that were allegedly Taliban with a prisoner of war. Before those prisoners were moved out of Guantanamo we were all told, oh they're forever prisoners, we can never let them go because it would harm the national security of the us and then all of a sudden well, it's really okay- our national security will be okay if these 5 men are released so what that tells us is the concept of national security itself is a moving target and the government gets to decide how big it is and how small it is."

Excerpts from Trevor Timm:

"The government classifies whole subjects of classified material, whether we're talking about foreign policy or national security, where it's almost impossible to do national security reporting without touching on classified information. You know, we hear about these giant leaks, we were talking about Chelsea Manning and Edward Snowden, but if you open up the Washington Post or the New York Times or the Wall Street Journal or basically any national newspaper on any given day, you're likely to find classified information on the front page. This has been true not just in the last decade, but for decades, centuries even. And with the- especially with the Obama administration's approach to prosecuting leaks the amount of information the public is used to knowing about foreign policy subjects is under threat.

We have seen, under the Obama administration, that they have prosecuted more sources of journalists than all administrations before it combined. There was actually only three prosecutions under the Espionage Act, as horrible as the law was, during the WW1 era and just after.

...Another thing that defendants are not allowed to talk about in Espionage Act trials is harm to national security. This happened in Chelsea Manning's case as well. You know, the government was screaming from the rooftops at first when the Wikileaks cables first started coming out that Julian Assange and Wikileaks had blood on their hands, that this was going to cause catastrophic damage to national security. It came out that no one died because of Chelsea Manning's leaks and they couldn't prove any harm, yet this was inadmissible during her trial. It was only until after she was found guilty during the sentencing this was allowed to be brought up.

You know, this has happened over and over again in Espionage Act trials and it makes it easier for the government... The government has such a low burden to get a guilty verdict in these cases that it's almost impossible for the defendant to overcome. That in turn makes it easier for them to bring prosecutions which then makes it much more chilling on the journalists that are trying to talk to sources even about innocuous information that's not classified. And so it's kind of a vicious circle that ends up not only harming the government employees that are trying to expose wrongdoing, but it harms the journalists that are spied on as a result, and then the public that loses out on the information that they should be knowing from the start"

Excerpts from Vincent Ward:

"I think one of the issues that people don't think about as much... are do service members get a fair shake in the court-martial system and did Chelsea get a fair shake? One of the issues in Chelsea's trial is, if you look at Chelsea's sentence in

comparision with other Espionage Act cases it isn't even in the same stratosphere. So I think it leads to an appropriate discussion of whether that's the product of an unfair military system.

..The kinds of issues you should all be aware of that the appeal will deal with are things like- Chelsea sat in a military brig for over a year awaiting charges... In our legal system people are entitled to a speedy trial, and proponents of the military justice system often argue that one of the benefits of the military justice system is that people can get a trial faster than if they were in federal or state court system. But if you look at Chelsea's case, she sat there for a really long time awaiting charges- is that fair? Did the court deal with it appropriately? That will be one of the issues on the appeal.

One of the issues that Nancy spoke about, the way Chelsea was treated, when she was in pre-trial confinement... As Nancy describes it, it was torture. Is that appropriate for a service member who wasn't at that time wasn't found guilty of anything, to be treated like she was? That's an issue that will be addressed on appeal."

February 20th - Military won't refer to Chelsea as female in appeals, Manning lawyers file reply

Chelsea Manning's appellate attorneys, Nancy Hollander and Vincent Ward, have filed a motion requesting the use of Chelsea's legal name, Chelsea Elizabeth Manning, and appropriate female pronouns during her upcoming appeals process. Surprisingly, as hormone therapy has recently been approved for Chelsea, the military has refused this motion.

Hollander and Ward have followed up with an official reply, stating the military's refusal to use Chelsea's legal name and female pronouns is inconsistent with the government's own medical professionals. "Importantly, the government's own medical professionals refer to appellant as female and use female pronouns when referring to her... Under these circumstances it is wrong and contradictory for the government to insist that the court and parties use masculine pronouns when referring to appellant during the course of this appeal. Appellant is female, a fact acknowledged by the government's own medical professionals."

19 Feb - White People Aren't Called Terrorists Unless They Liberate Animals, Apparently

It has been clear for years that the US government and mass media's application of the word "terrorism" is highly subjective. If the US kills civilians in drone attacks it is, according to the White House, not terrorism; it's self-defense. If a white male gun enthusiast kills three Muslim students, it's not terrorism; it's a dispute over parking.

MORE:

by Mark Karlin (*Truthout*)

The examples of how violent acts committed by nation-states or white males are not terrorism are virtually endless. That doesn't just apply to the United States, of course. It is the prerogative of white eurocentric culture to attribute violent acts - even on a large scale - of members of the dominant classes to individual pathology rather than "terrorism." BuzzFlash at Truthout is hardly the first site to point out that Anders Behring Breivik, who killed 77 children and adults in Norway in 2011, is generally described as an extremist, radical or mass murderer, but not a terrorist. On the other hand, the term is often used automatically when a Muslim commits an act of violence.

Breivik's acts, however, actually mirror those of the killers in Paris and Copenhagen, who were immediately branded as terrorists because of their Islamic association. According to an article on the Australian Broadcasting Company (ABC) website, "At the time of the massacre, Breivik said his actions were 'cruel but necessary' to save Europe from Islam and multiculturalism." In short, he had an agenda to "terrorize" Norway and Europe based on his notions of Aryan supremacy. Yet, no government, to our knowledge, warned its citizens of the terrorist threat of Aryan supremacists after Breivik's carnage, even though he slaughtered nearly 80 people - mostly children at a camp on an island.

This double standard about who is labeled a terrorist and who is not is indicative of the malleable use of the term by Western nations in order to manipulate public opinion.

The wielding of the word "terrorism" as a government tool to instill fear in the public in order to achieve

military, economic and empire-based objectives was discussed yesterday in a BuzzFlash commentary.

That strategy of bypassing reason to stir up a primal fear doesn't only apply to violent acts committed by non-Western people; it also applies to political dissidents. Within the US, for example, persons advocating nonviolently for animal rights are now officially terrorists by law if they trespass, destroy any property or negatively impact the profits of companies making money off of abusing animals. No act of violence need occur for an advocate for animals to be transformed, by federal law, into a "terrorist," according to a recent article in The Guardian:

Two animal rights activists who have served prison terms for releasing mink and foxes from fur farms in the US midwest are facing federal charges that could see them sentenced to a further 10 years and branded for life as terrorists.

The two activists, Kevin Johnson, 27, and Tyler Lang, 25, will appear in a federal district court in Chicago on Thursday to plead for the federal charges to be dismissed. Lawyers for the defendants will argue that the counts, brought under an obscure 2006 law, are an inappropriate use of the concept of terrorism that threatens to stop free speech across the animal rights movement.

The hearing marks the first time that the law, the Animal Enterprise Terrorism Act (AETA), will be legally challenged as a violation of the US constitution.

Congress passed the AETA eight years ago under heavy lobbying from the pharmaceutical, fur and farming industries. Under its terms, anyone who damages the property or the profit line of an animal business and who uses "interstate commerce" such as a cellphone or the internet to carry out the action can be convicted of terrorism even though no violence is involved.

This law - AETA - epitomizes the meaninglessness of the government and mass media's use of the word terrorism. Remember all those militia members who were ready to fire on federal agents and the police to keep them from arresting the racist, deadbeat Cliven Bundy? Did the White House or the head of the FBI call these armed white men "terrorists"? No, the federal and local police forces backed down. If the gun guys ready to fire on law enforcement agents had been Muslim, there would likely have been hysterical alarm over a massive "terrorist" threat, and the militia members would have been militarily attacked. If they had been animal rights activists – whose aim is to free animals, not shoot people - they would also have been likely to be branded "terrorists." As for Bundy, a 2014 Associated Press headline says it all about his stance as a terrorist: "Cliven Bundy: God Told Me To Fight 'Civil War' Against Feds."

The word "terrorism" is itself a public relations weapon. Who gets branded a terrorist and who doesn't is a decision made within a political and cultural context. And in the case of animal rights activists, it's also a question of profit and loss.

22 Feb - New Writing By Jalil Muntaqim

We have a new blog entry and poem by our comrade Jalil Muntaqim.

MORE:

February 22nd - PAIN

The absence of Joy, void of contentment
when feelings only feel loss, and ideas
are absorbed in delusion.

It speaks in monosyllables, if at
all, in the tone of E-flat, neither
screeching or beseeching, bleaching
anguish from a wound discovered
from the inside-out.

Inside-out, outside bombarbed by racist radiation enveloping one's being in a bubble of white ambivalence, pushing the envelope to a point of irrelevance when what matters does not matter.

Black Lives Matter! Our Collective Humanity Matters!

Solitary confinement, an antiseptic whitewashed reality caused by the imposition of nullification as people of color are relegated to a Prison Nation.

Denied purpose
Denied reason
Denied hope
Denied JUSTICE.

The hypocrisy of democracy
We Will Not Be Denied!
We proclaim
No Justice No Peace!
That's No Lie!

Part Two:

Living Black in a white world
but taught to not be racist,
contradictions of a paradox
wrapped in an enigma the
mystery lost in history not
taught why the first is now
last.

Not racist but pro-Black
not Anti-Israel but
pro-Palestine liberation
(they too are semitic)
building a future for the poor
when the rich want more, the
poor loving freedom like
the rich love their billions.

Reconciliation through Revolution???

Part Three:

Anti-Capitalist, Anti-Imperialist,
Anti-Exploitation, Anti-Racism,
Anti-Hegemony, Anti-Class Divisions,
Anti-Colonialism, Anti-Oppression,

Anti-Repression, Anti-Sexism,
Anti-Chauvinism, Anti-Plutocracy ...

These are progenitors of PAIN!!!

Now labeled as Anti-American?

No! I AM ANTI-PAIN!!!

March 1st - Focus

In seven years, by 2023, the U.S. will be 40 percent minority, and 50 percent of the entire population will be under 40 years old. These are the demographics that cannot be ignored as progressives move forward building opposition to institutional racism and plutocratic governing.

In my thinking, it is incumbent on today's activists to take into account what America will look like in ten years, so we will be better positioned to ensure the future will not be governed by deniers of change. In this regard, I am raising dialogue toward building a National Coalition for a Changed America (NCCA) comprised of social, economic and political activists who are prepared to build a future-focused America based on equitable distribution of wealth. It is important that progressives seek the means to organize greater unity and uniformity in ideological and political objectives toward the construction of a mass and popular movement. It is well established that the most pressing issues confronting the poor and oppressed peoples are wage inequities, housing displacement, dysfunctional public schools and student debt, climate change, the criminalization of the poor, mass incarceration, and the militarization of the police. In each are negative racial and economic implications creating social conflicts and confrontations.

However, the most pervasive and devastating cause for all of these issues is the unequal distribution of wealth. It is well researched and recorded that the wealth disparity, income gap between whites and blacks is 40% greater today than in 1967, with the average black household's net worth at \$6,314 and the average white household's at \$110,500 (New York Times, "When Whites Just Don't Get It," by Nicholas Kristof). When we account for how such economic disparity impacts educational opportunities or criminal behavior in the black community, we are better able to identify the overall pernicious problem. The Brookings Institute reported last July that: "As poverty increased and spread during the 2000s, the number of distressed neighborhoods in the United States--defined as census tracts with poverty rates of 40% or more--climbed by nearly three-quarters." The report continued: "The population living in such neighborhoods grew by similar margins (76%, or 5 million people) to reach 11.6 million by 2008-2012." (New York Times, "Crime and Punishment," by Charles M. Blow).

Obviously, America is in increasing economic crisis, especially when considering ... "According to a recent paper by the economists Emmanuel Saez of the University of California, Berkeley, and Gabriel Zucman of the London School of Economics, almost all of the increase in American inequality over the last 30 years is attributable to the "rise of the share of wealth owned by the 0.1% richest families." And much of that rise is driven by the top 0.01%. "The wealth of the top 1% grew an average of 3.9% a year from 1986 to 2012, though the top one-hundredth of that 1% saw its wealth grow about twice as fast. The 16,000 families in the tiptop category--those with fortunes of at least \$111 million--have seen their share of national wealth nearly double since 2002, to 11.2%." (New York Times, "Another Widening Gap: The Haves vs. the Have-Mores," by Robert Frank).

Can there be any serious disputing the reality that this so-called democracy is actually a plutocracy, and the governing plutocrats have us all hustling and scraping for the crumbs, demanding a minimum wage increase, when we should be demanding control of production? Hence, it is necessary for progressives to realize the future of our struggle must be based on participatory democracy, direct-action engagement. It is important for the more educated and experienced activists to teach the younger activists, and young people in general need to know the future belongs to them, and we are concerned about what that future will look like and how to make it productive. It is essential we figure ways to bridge differences between the evolving demographics and growing minority population.

For instance, I am heartened to see young people taking to the streets challenging the common impunity of police repression and violence. Indeed, Black Lives Matter! However, I am not confident these protests will result in anything substantial in terms of institutional changes or build a sustainable movement. We remember Occupy Wall Street (OWS) had created similar national attention, but void a national organization, leadership or agenda (demands), it was a matter of time before OWS would dissipate and disappear after police removed the public nuisances.

In this regard, I am asking activists to post on their Facebook pages and other online sites these musings, for open discussion and dialogue. Specifically, I suggest that young people across the country enter open debate about the future of specific issues that have captured national attention. Obviously, it is necessary to build a mass and popular movement to effectuate real institutional change in this country. This was a vital lesson from the civil rights movement challenging the institution of Jim Crow. Therefore, I am urging young activists to consider organizing toward a "Million Youth Independence Day March" (MY-ID March) for July 4, 2016, in Washington, D.C., making the following demands:

1. De-Militarization and De-Centralization of the Police, Demand Community Control of Police;
2. Debt Relief for College Students, Lower Tuition Cost for College Education;
3. Support the Manifestation of the Dreamers Act--Stop Deportations and the Splitting of Families.

These three issues, as they become part of the national dialogue and challenge to the plutocratic government, are able to unite a universal national determination. A one-issue protest/campaign is not sustainable when confronting an oppressive/repressive government policy supported by right-wing corporate interests. However, these interwoven issues reach three demographics of young people, each directly challenging institutions of government. Again, it is important to use the current unrest to forge a unified and uniform national youth movement.

Secondly, politically, we need to consider how best to ensure these issues become a major factor in the national debate, possibly imposing them into the national election of 2016. In this way, inspiring and encouraging a mass and popular youth movement organized during the election year of 2016, we empower the youth to be future focused. It is well established that it was the youth who were instrumental in getting Obama elected as President. Despite our collective disappointment with his presidency, the lesson learned is the power of the youth when united and determined to accomplish a task. Again, recognizing that in 7 years the electoral demographics will be drastically changed, it is time to prepare for that eventuality, even if some do not believe in the electoral process. Therefore, during the election year of 2016, not a single candidate will be permitted to conduct a public forum without being challenged by these issues. These would be acts of participatory democracy and direct-action engagement. Obviously, to hold a national rally and march in Washington, D.C. during the July 4, 2016 weekend tells the entire country that young people will divorce themselves from the status quo, becoming independent of the Republican/Democratic party politics.

In closing, it is anticipated this proposal will raise questions concerning the potential for the development of a National Coalition for a Changed America (NCCA). Permit me to say that this proposed organization is only a suggestion. I firmly believe that building a national coalition is necessary to establish a mass and popular movement capable of forcing institutional changes, including the ultimate goal of redistribution of America's wealth. I request this paper be widely distributed and discussed. I am prepared to enter discussion with anyone interested in the potential development of a National Coalition for a Changed America. Lastly, I humbly request activists to review what I wrote in "Toward a New American Revolution."
<<http://www.freejalil.com/JalilSubmission.pdf>>

"Our First Line of Defense IS Power to the People!"

Remember: We Are Our Own Liberators!

22 Feb - A message from the editor of 4strugglemag

Dear 4sm readers, old and new, fellow political prisoners, revolutionaries, activists, allies, friends and supporters, 2015, will be a year of some necessary changes for www.4strugglemag.org.

MORE:

From its beginning 11 years ago, 4sm set out to publish 3 hardcopy issues a year. We also publish each edition online. Until about a year ago we were mostly successful in coming out 3 times a year. At this point we have put out 24 issues (all back issues remain online). As you know prisoners receive 4sm for no charge and the online edition is also free. The large majority of hardcopies are mailed to prisoners across the USA. We do receive some donations and are always ready to accept paid subscriptions and donations. The reality is, 4strugglemag is the primary voice of political prisoners in the United States. 4sm is a small and totally volunteer operation. We are dedicated and committed to putting out this unique, independent, and we feel, necessary revolutionary voice of political prisoners. In order to continue putting out 4sm, we will cut back to 2 hardcopy issues a year. They will be published in July and December. These two issues will also still be published online. In addition, 4sm will put up monthly updates, features and news articles online. In total 4sm will be putting out more information, but only 2 paper magazine issues.

Keep sending us your feedback, insight and information. And certainly, we always need your financial support too. You can subscribe and donate at 4strugglemag.org/subscribe.

For Freedom, Justice, Peace and the Revolutionary future our Planet and so many of its people need.

23 Feb - From Lynne Stewart: A Valentine Remembrance — Past and for the future

It was a bitter cold night outside on East 54th Street and Lexington Avenue but the temperature inside Saint Peters Church began to rise with the first arrivals at around 5 for an evening of historic remembrance and love.

MORE:

We were there to celebrate and re-commit ourselves to the heroic men and women who sacrificed and continue to be at the mercy of the most barbaric prison systems in this world. “Bring Them All Home” was the rallying cry, repeated many times during the course of the evening and re-enforced by prison veteran Laura Whitehorn when she reminded us that these heroes do not “languish”, they are a vital part of the force that will ultimately free them.

After the crowd gathered we were serenaded, exhorted, made to laugh out loud and weep by the various persons who had come to the Valentine. And that was the right name because this was all about love. Not the sickeningly sentimental Hollywood or TV editions but the kind that is strong in recognizing that heroes and sheroes. The kind that understands that freedom is sometimes sacrifice but must never descend to cynicism. That righteous anger is truth, an honest response to an intolerable situation. And that “By Any Means Necessary” is not just a slogan but the way forward to reach our goals.

We were favored by the physical presence of ex-Political Prisoners Kazi Toure, Joel Meyers, Sekou Odinga, Cisco Torres, Laura Whitehorn, Kathy Boudin, myself.

We were exhorted and challenged by speakers Pam Africa, Larry Hamm, Ralph Poynter and Glenn Ford to carry the fight forward. no matter how discouraging or repressive conditions may be. We were serenaded by the Grannies (Lynne included) and Lucy Murphy, Janine Otis, Seraphina Brown. The spoken word was given to us by actress extraordinaire Vinie Burrows and First Class Rhymer Comic Professor Louis. Vinie inspired with the words spoken at the execution of Sacco and Vanzetti. The good professor reminded us that that working class always get kicked in the A— and what to do about it.

This fabulous evening was punctuated by remarks of our MCs Mimi Rosenberg and Nelle Bailey. We had messages read from comrades Jeff Mackler, and political prisoners Jalil Muntaqim and David Gilbert. We had skypes with former political prisoner Larry Giddings, Ralph Shoenman, and from Minnesota Jess Sundin

representing one of twenty three grand jury resisters. I personally want to reach out and embrace all the comrades and supporters who worked and contributed to make this event the joyous scene it was. More than I can mention and I don't want to slight anyone but we had wonderful food before the main event and a red (emphasis on red) velvet cake to make the final celebration at 10 oclock at the close of festivities.

We left in the teeth of a winter wind and below freezing temperatures but our hearts and minds were warm and dedicated once again...At least this warrior woman who was rescued by the People from the vile system and who is still fighting her death warrant was re-invigorated.

23 Feb - NYC ABC Fund Raiser For Jason Hammond

We just found a handful of the Tinley Park Five t-shirts NYC ABC designed and printed as a fund raiser for those five antifa comrades. There are very few t-shirts left and we find it fitting to use them to support another comrade arrested and imprisoned as part of the Tinley Park action. So, we are offering these shirts to raise funds for Jason Hammond. Get your shirt at gum.co/JasonHammond

MORE:

Supporting antifascists sends the message that white nationalists, neo-Nazis, and other white supremacists won't be allowed to organize without facing opposition. By supporting Jason, you are not simply buying a t-shirt, you are placing yourself in a community of individuals committed to upending organized white supremacy. So even if there is not a shirt in your size, you can still make a donation and have the t-shirt as a reminder of Jason, the Tinley Park Five, and all the unnamed folks willing to risk their freedom to stand against fascism. Hang it on a wall, give it as a gift, cut it up and make it a patch, banner, or flag.

Jason Hammond pleaded guilty, while refusing to provide information on others, to state charges against him for participation in an organized direct action taken against a group of white supremacists in May 2012 in Tinley Park, Illinois. Jason is currently serving a sentence of nearly three and a half years in an Illinois state prison.

23 Feb - Fire to the Prisons #12 is Available Now!

The new issue of Fire to the Prisons is now completed and available online, with the print edition currently being shipped. Check out the magazine, print your own copies, and view past issues at the new website—firetotheprisons.org.

MORE:

Fire to the Prisons is an insurrectionary periodical. It focuses on promoting a revolutionary solidarity between different struggles, prisoners, and existing social tensions that challenge capitalism and the state.

We made 10,000 copies of this issue because we wanted to get them as far and wide as possible. In order to create a publication for free to comrades and the general discontented public, we have forfeited our traditional magazine form and went with a less costly newspaper. We hope to spread this as far as it can go. A lot of blood, sweat, and tears went into this project and we hope that it shows.

If you would like to order bulk copies of the newspaper, please order from Little Black Cart at their website. LBC will send out issues for only the cost of postage.

All direct inquiries, ranging from questions, feedback, to requests for copies can be sent to: firetotheprisons@riseup.net

Prisoner support groups such as the NYC Anarchist Black Cross (nycabc.wordpress.com) and East Bay Prisoner Support (eastbayprisonersupport.wordpress.com) have stepped up to help with distribution for prisoners via snail mail. Drop us a line if you are a prisoner support group looking do the same.

We are still looking to make back the over \$2,000 dollars that was spent printing the publication, so if you are interested throwing us some money – or better yet, organizing a benefit event, please get at us!

We'd also like to thank everyone who made this project possible – and all who have supported us in the past. Everyone that spent long hours looking at PDFs, those that built our new website, the friends that helped us print and distribute this paper, all those that contributed to the publication, and everyone that has given us encouragement along the way. Without you, this project would not have been possible.

For a borderless affinity,
For those that truly know the meaning of silence,
For all our comrades yet to be made free from the horrors of the State,
Fire to the Prisons

firetotheprisons.org
firetotheprisons@riseup.net

23 Feb - Campaign to Welcome Home Brent Betterly!

Brent Betterly of the "NATO 3" is scheduled to be released in late April or early May so his support crew launched a campaign to raise money for his release! Donate at youcaring.com/BrentBetterly to help welcome Brent home!

MORE:

On May 16th, 2012, just prior to the NATO summit in Chicago, three Occupy activists were arrested and eventually charged with 11 felony counts, including four under the never-before-used Illinois terrorism statute. Brian "Jacob" Church, Brent Betterly, and Maya Chase (formerly Jared Chase) came to be known as the NATO 3. The case went to trial in January of 2014, and the NATO 3 were acquitted of all of the terrorism charges. Unfortunately, the jury found them guilty of two felonies each—possession of an incendiary device with the intent to commit arson and possession of an incendiary device with the knowledge that another intended to commit arson. They were given sentences ranging from 5 to 8 years.

Brent Betterly is the second of the three to be released. He is scheduled to rejoin us in late April or early May. Please donate to his release fund to help ease the transition after 3 years behind bars. Donations are needed to help pay for Brent's living expenses while he works to get back on his feet during the immediate aftermath of his incarceration. Brent is also the father of a small child who lives several states away and needs funds to help remain in contact with him.

24 Feb - Herman Bell is Appealing the Denial of Parole

Be aware going into this article that it is reactionary, corporate news drivel...

MORE:

by Barbara Ross (*New York Daily News*)

A former Black Panther who killed two cops in 1971 at a Harlem housing project has gone to court seeking his freedom.

Herman Bell, 67, said in papers filed in Manhattan Supreme Court that the city Board of Parole's 2014 decision to deny him parole for the sixth time should be overturned because board members were biased when they insisted he has no remorse.

Bell insisted that he has expressed remorse for the shooting deaths of Officers Joseph Piagentini and Waverly Jones and has been a model prisoner with no disciplinary infractions for the last 20 years while he has earned a master's degree in sociology, learned to play the flute and mentored young inmates to avoid violence.

He conceded that in his early days in prison, he thought their deaths were necessary for the cause but gradually, he changed his mind and he said he really understood how wrong he'd been after the Jones family reached out to him in 2004.

"(They) put a 'face' on the suffering that I have cause to both officers' families," he said.

And now those supporting his release include the son of one of the officers, Waverly Jones Jr., 42,.

Bell was convicted with two other members of the Black Liberation Party — Anthony Bottom and Albert Washington — of the fatal ambush.

Jones died of a gunshot to his head and Piagentini was shot 22 times while begging to be spared for his wife and two children. Piagentini's family opposes Bell's release.

In a statement to the parole board, Bell said the racial, civil rights and political turmoil of the 1960s pushed him as a college student into the Panther party because he believed that "non violence would never bring about real change" but "that decision ... was horribly wrong and had tragic consequences."

Parole Board member James Ferguson is cited in court papers as suggesting that Bell's statement was "self serving" and showed no remorse.

Bell's lawyer, Robert Boyle, said his client has filed an administrative appeal of the parole board's decision but he's asking the court to order a new hearing before 2016 when Bell is next due to go before the board.

24 Feb - 1 Year Anniversary of Maroon in General Population

February 23rd marked the one-year anniversary of Russell Maroon Shoatz's release from solitary confinement into the general prison population at State Correctional Institution (SCI) Graterford.

MORE:

by Russell the III

This long-sought move ended over 22 consecutive years in solitary confinement. It also marked the first time that Maroon had been in the general prison population in the state of Pennsylvania since 1983, when he was placed in solitary confinement due to his work with the Pennsylvania Association of Lifers to abolish life-without-parole sentences. For a 17-month period between 1989-1991, Maroon was held in the general prison population at the federal penitentiary at Leavenworth, Kansas.

Maroon brought suit in May, 2013, on the grounds that he had been subjected to cruel and unusual punishment in violation of the Eighth Amendment to the U.S. Constitution, and that prison officials had deprived him of his procedural and substantive due process rights for keeping him in solitary confinement without meaningful review and on insufficient grounds. He is represented by Reed Smith attorneys Rick Etter and Stefanie L. Burt; Bret Grote and Dustin McDaniel of the Abolitionist Law Center; Daniel Kovalik of the United Steelworkers; and retired Reed Smith partner, Hal Engel.

On Monday, January 27, 2014, United States District Magistrate for the Western District of Pennsylvania, Cynthia Reed Eddy, issued a decision denying defendants' motion to dismiss in the case of Shoatz v. Wetzel. The ruling allowed Maroon to move forward with the legal challenge to his more than 22 consecutive years in solitary confinement.

The campaign to release Shoatz from solitary confinement has also been gathering increasing international attention, including the support of five Nobel Peace Prize Laureates: Jose Ramos-Horta of East Timor, Mairead Corrigan Maguire of Northern Ireland, Archbishop Desmond Tutu of South Africa, Jody Williams from the United States, and Adolfo Perez Esquivel of Argentina. Several U.S. civil and human rights organizations endorsed his release from isolation, as well as growing number of clergy. In March, 2013, United Nations Special Rapporteur on Torture and Other Cruel, Inhuman, and Degrading Treatment and Punishment, Juan Mendez, called on the government "to cease the prolonged isolation of Mr. Shoatz."

While Maroon's release from solitary confinement proved a significant step forward in the campaign to free him from prison altogether, our work to bring him home continues. As many of you know, Maroon was recently diagnosed with prostate cancer, and was being denied adequate medical care. An emergency phone and letter-

writing campaign directed at the Pennsylvania Department of Corrections resulted in the onset of an aggressive course of cancer treatment.

The Shoatz family wishes to thank all those supporters who answered the call and advocated for Maroon. We'll be keeping you abreast of developments in his treatment, and ask that you remain vigilant should the need to further advocate regarding his medical care in the coming weeks and months reemerge.

25 Feb - Luke O'Donovan Update

At our last letter-writing dinner, we sent a birthday card to Luke and have a brief update on how he is doing.

MORE:

As far as an update on Luke he is still doing well and in good spirits at Washington State Prison. He has been getting regular visitors, and all his mail and care packages are being delivered fine. He has a regular schedule and spends a lot of time working out.

He has not had a parole date set, so his current tentative release date is July 2016. It also looks like the banishment conditions of his release will stand, at least for a while. More on this later.

25 Feb - David Gilbert's Valentine to Lynne

Lynne wanted to share this letter from political prisoner David Gilbert with everyone.

MORE:

To me, Lynne Stewart is warmth and courage, all wrapped in one, personified.

When I was busted on 10/20/81, and the court limited Susan Tipograph to representing just one of us, we couldn't find a lawyer to take my case. It wasn't just that the case seemed "unwinnable" legally and that I had no way to pay an attorney, even more we were surrounded by a roaring inferno of anger and hatred. An effort to take funds for the struggle from a Brinks truck had gone terribly wrong, leading to a shoot-out in which a guard and two police officers were killed, and three days later our own Mtayari Sundiata was killed by police. Any lawyer who represented us would face intense disdain and hatred.

Yet the need was tremendous— not for some legal technicality but rather to have a defender whose involvement could provide some protection from further physical attacks in jail and to help us find a way, through the deafening roar, to have a voice to talk about underlying, fundamental political issues that had led up to that costly confrontation. Lynne stepped into that breach, and was amazing: an unflappable, down-to-earth, sensible, and a great personal as well as legal counselor. As I've written elsewhere, "she was like a sturdy tree for me to hold onto while being buffeted by hurricane winds." When we first met, I was reassured by her history of activism, including a librarian in the 1968 Ocean Hill-Brownsville struggle for community control of schools that I found inspiring back then. But even that righteous history didn't prepare me for how staunch and together Lynne proved to be, a magnificent example of full-hearted solidarity with the Black liberation struggle which blazes the way toward freedom for all humankind. Lynne, I revere how you stood by me and even more your colossal contribution to our common struggle. With tremendous admiration and love...

25 Feb - De Blasio Prevails In Fight To Mass Arrest Peaceful Protesters

Two months ago, as peaceful Black Lives Matter protests blocked bridges across the city, a group of federal judges decided that their colleagues should weigh in on a lawsuit accusing the NYPD of wrongfully arresting around 700 Occupy Wall Street protesters on the Brooklyn Bridge in 2011. But yesterday, the same group of federal judges reversed their initial decision, and abruptly dismissed the protesters' complaint against the police.

MORE:

by Christopher Robbins (*Gothamist*)

"The decision sends an extremely chilling message and a green light to the NYPD that I don't think democracy or free speech can tolerate," says Mara Verheyden-Hilliard, an attorney for the protesters and the executive

director for the Partnership for Civil Justice Fund.

The protesters argued that the NYPD led them onto the bridge, allowed them to believe they were engaging in a lawful demonstration, then arrested them without reasonable warning.

Federal Judge Jed Rakoff ruled that their claim was legitimate: "A reasonable officer in the noisy environment defendants occupied would have known that a single bull horn could not reasonably communicate a message to 700 demonstrators," Judge Rakoff wrote in his opinion allowing the lawsuit to proceed against the officers who made the arrests.

Another federal appellate court judge agreed, but the de Blasio administration requested an en banc hearing before all the 22 judges who sit on the 2nd Circuit. In December, the group of appellate judges agreed to the City's request, but still believed the protesters' claims had merit. Yesterday the judges changed their minds.

"While reasonable officers might perhaps have recognized that much or most of the crowd would be unable to hear the warning due to the noise created by the chanting protesters, it was also apparent that the front rank of demonstrators who presumably were able to hear exhibited no signs of dispersing," Judge Gerard Lynch wrote in yesterday's reversal.

As for evidence showing that officers turned their backs on the protesters and led them onto the roadway, Judge Lynch wrote that "it cannot be said that the police's behavior was anything more than—at best for plaintiffs—ambiguous, or that a reasonable officer would necessarily have understood that the demonstrators would reasonably interpret the retreat as permission to use the roadway."

Verheyden-Hilliard called the judges' ruling "disturbing," and "procedurally extraordinary," and said that her organization was "looking at all avenues that we can take to try and vindicate the rights of the people who were arrested on the bridge."

In a statement, Law Department spokesman Nick Paolucci praised the decision. "As we have consistently maintained, the alleged facts and multiple videotapes of the events do not show that the plaintiffs were ever granted permission to march onto and block all vehicular traffic on the roadway of the Brooklyn Bridge."

As tens of thousands of people flooded the streets and snarled traffic to protest the grand jury decisions in the Eric Garner and Michael Brown cases, NYPD Commissioner Bill Bratton explained why his department wasn't engaging in mass arrests: "We are still paying out from the 2004 Republican National Convention and the Wall Street— Occupy Wall Street—to date, about \$18 million."

But Verheyden-Hilliard said that after the ruling, the police may be more inclined to arrest peaceful protesters who believe they're complying with the law.

"Mayor de Blasio ran for office supporting the rights of Occupy demonstrators to speak out; he criticized the Bloomberg administration for violating the protesters' First Amendment rights," Verheyden-Hilliard says. "Now he's turned his back on the positions he took as a candidate. He appears to be completely yielding to the NYPD's consistent request to operate above the Constitution."

The mayor's office declined to comment on the decision.

25 Feb - Support Dante Cano!

Dante Cano is currently being held in Santa Rita jail for participation in a demonstration against police brutality and murder in the Bay Area and across the United States.

MORE:

At the time of his arrest, police in near-by Emeryville had just killed Yvette Henderson in early February. At the same time, police also had just shot people in San Jose, East Oakland, and also the courts had exonerated the

police that shot and killed Alex Nieto in San Francisco. This happened against a back-drop of ongoing police murder and violence across the US as well as a deep and furious revolt in the Bay Area against this repression.

Since the revolt against the police began in the Bay Area in the winter of 2014 – the State has specifically targeted young people, just like Dante Cano. We need to stand behind Dante and all others that fight for their freedom in the streets.

Dante was born and raised in San Francisco. Dante has not had an easy life and his battle against the system is mirrored by his own experiences growing up poor in the Bay Area. He has lent a hand in various struggles for liberation and has engaged in numerous projects that have involved the community and sought to build autonomy. Updates will be posted at freedante.noblogs.org

26 Feb - Chicago News Radio Show Mocks, Laughs & Downplays Guardian Story About Chicago Police 'Black Site'

Radio hosts for WGN, a major AM radio station, have mocked, laughed and downplayed a story from The Guardian suggesting the Chicago Police Department operates a "black site" or secret interrogation site at Homan Square, where people arrested have been disappeared, abused and denied due process.

MORE:

by Kevin Gosztola (*The Dissenter*)

Hosts Roe Conn and Sylvia Perez of "The Roe Conn Show" reacted to the Guardian story by Spencer Ackerman during their afternoon show after it broke on February 26. Conn essentially sought to kill the messenger in order to diminish the significance of what was alleged.

CONN: The whistleblower here is a kid by the name of Brian Jacob Church, who you might recall was a member of "NATO 3." And, he says when he was arrested—Remember this, these were the guys that all came here. One of the guy had like those Chinese throwing stars in his bag.

PEREZ: During the NATO time, do you remember all the protests going on in the streets? It was very heated, and he was one of them arrested.

CONN: Right, and they were in like this like flop house with other protesters who were just coming to town for this. And that flop house had been infiltrated by Chicago police undercover officers who were befriending these guys. And then, depending on whose version of this you wish to believe, either talked them into or witnessed them deciding they wanted to do a spree of terrorism bombings in the city. And so, then they went to trial. They were found not guilty of the terrorism charges but guilty of incendiary, possession of incendiary devices and things like that.

Well, anyway, this kid now—Brian Jacob Church—is saying Homan Square is a place he claims that you just go to disappear.

The show played clips from an interview The Guardian produced with Church. They laughed at him for saying police "just disappeared us" because, to Conn, the fact that the "NATO 3" showed up in court over 48 hours means they were not "disappeared." He added it was all over the news and joked, "It was on the T and V."

The hosts mocked his suggestion that it was similar to a CIA black site in the Middle East.

PEREZ: Isn't that interesting he compared it to what essentially goes on in the Middle East? You know, how does he know? [chuckling]

CONN: [laughing] Right, when was the last time you were in one of those black sites? Or have you been held by ISIS recently? Cause that doesn't end well for people who are being held by them.

Later, in a 17-minute segment, a criminal defense lawyer and legal analyst, Mike Monico, provided his insights.

"Consider the source here. I mean, these were troublemakers," Conn argued. He added, "They came here to cause trouble and they were convicted of possessing incendiary devices and stuff like that."

Monico appropriately reminded him that “the trouble is Chicago now has a history with Burge and other folks who we know were beating people up.”

“Every big city police department in the country has cases where they’ve got cops who’ve gone over the line,” Conn responded. “In some cases, there have been systemic situations where either specific commands were corrupted all the way through to the top of the command structure to the bottom. That’s not what we’re talking about here. And we understand that’s a bad thing.”

Just hours after the story broke, it was not clear what was being talked about here. Church was not the “whistleblower” of the story. There were attorneys referenced, who described what their clients had experienced at Homan Square. But, even if he was the sole source, the notion that Church is making this up and isn’t credible because the hosts remember he faced terrorism charges is belied by the fact that he was taken to Homan with eight other people. They experienced similar treatment, where they were denied access to their attorney and left shackled for many hours.

The quip about ISIS is atrocious, especially because Conn essentially is telling Church to shut up and be happy he was not detained by terrorists. Then he would have definitely disappeared (haha haha haha...). But it is not really funny when what Conn is saying is the victim should be grateful to have not been treated more brutally.

Although tangential, the description of what happened in the “NATO 3” case would be hilarious if it were not so shamelessly ignorant. Yes, the three traveled from Florida to Chicago and planned to protest the NATO summit. Church had throwing stars. He had a case of various weapons, which were not illegal to possess. There was no planned “spree of terrorism bombings” planned. The three never planned anything. Chicago undercover cops could not get them to go do reconnaissance to plan any attacks. The undercover cops made a few Molotov cocktails, tried to get the “NATO 3” involved in making them with varying success and recorded the young men talking big about things they would like to do when facing down police. And, again, a jury acquitted them of terrorism charges because there never was any threat of terrorism.

The reflexive dismissal of the story, and the infotainment approach to covering the story, however, was quite telling. Conn and Perez could not bother to take seriously the legacy of Chicago police torture, even after Monico mentioned Burge. Instead, Conn did accents from “NYPD Blue” and sophomorically discussed Miranda rights. This is the coverage WGN ultimately gave to an important news story.

It largely fits in with the coverage the Chicago Tribune and Chicago Sun-Times gave to the story. Both the city’s two major newspapers printed CPD’s statements without questioning their denial at all. They did not bother to contact attorneys quoted by The Guardian to see if this denial satisfied them that nothing illegal had happened to their clients. They published what amounted to a press release for the Chicago police.

Tribune published a second short story acknowledging that Amnesty International has urged Chicago Mayor Rahm Emanuel to further investigate the compound at Homan Square. It contained this sentence:

Amanda Simon, Amnesty International’s media contact listed on the news release, confirmed to the Tribune that she is married to Spencer Ackerman, the author of the Guardian series.

The only reason readers would need to know this is if they wanted to marginalize The Guardian’s reporting by suggesting it was agitprop for Amnesty International. Otherwise, it’s insignificant. In fact, The Guardian does not hide this fact and it is mentioned at the end of one of the published follow-ups to initial Tuesday story.

The Tribune has been calling The Guardian a British newspaper like the NSA did when it wanted to make revelations from NSA whistleblower Edward Snowden go away. The story is coming from the US division of The Guardian. Through and through, it is American journalism and not the product of some foreign country trying to disparage the Windy City.

One major local media outlet has gotten it right. The local CBS affiliate did a report where they interviewed Church and his National Lawyers Guild attorney, Sarah Gelsomino.

While reporting the Chicago police's denial, they balance it with the statements that what the police did to NATO arrestees was a "horrific" violation of constitutional rights.

27 Feb - Update From Brian Vaillancourt

We're passing along a recent note from animal liberation prisoner Brian Vaillancourt.

MORE:

Two years have passed, 5 1/2 years to go. Prison has simply become a place where I live.

The punishment aspect has faded away, I've become accustomed to my environment "my world" I've even become comfortable – if the courts think they have accomplished Punishing me, they have not. 5 1/2 years will not produce that which has not been produced.

I will not become institutionalized, on the contrary, I am strong minded – I'm using this place as a monastery of sorts, a college dormitory. I will be stronger physically, spiritually, mentally – I am taking advantage of everything I can. The yard, the college, the gym, the weights, the books in the library, the wise guys, the programs – EVERYTHING – I am doing my time, it does not do me. I focus on shutting the outside world out as much as I can to an extent – my world is behind these Razor Wires and Walls— to a degree this is helpful, in the sense that I am being fully present in the currently arising instant. I am well centered, though far from perfect, just a strong sense of self. This Hostile World is not forever.

I am still a voice in here and will be motivated/motivate others to be Vigilant, Ethical, Compassionate – to end ALL suffering – I will once again spring into ACTION – For now I remain awake – This is where the WORK is Done – for now the future will come here to meet me.

I live clinically now – When later arrives it will be NOW and I will still be practicing ethical kindness then, now, also, still I don't race ahead in some mystical future constructed of my own conceptual thoughts – And I don't lie back down into the mystical dreams of the past. I remain here & now, fully present – Face to Face with myself and my plans Against the Enemy of our planet and VOICELESS precious Animals – Unseen They Suffer Unheard they Cry...

4 Mar - What does fur have to do with terrorism?

WHAT: Center For Constitutional Rights First Wednesdays Event

WHEN: 6:00-7:30pm, Wednesday, March 4th

WHERE: Von Bar 3 Bleecker Street New York, New York 10012

COST: FREE

MORE:

What does fur have to do with terrorism?

The federal Animal Enterprise Terrorism Act (AETA) criminalizes a wide swath of First Amendment-protected advocacy and protest activity by animal rights activists, and punishes non-violent civil disobedience as "terrorism." The AETA is a key aspect of the increased repression of animal rights and environmental activists over the last decade in what has come to be known as the Green Scare, a reference to the discredited early-20th century political witch hunts of Communists.

CCR was one of the first organizations to fight back against the Green Scare, and in recent years it has challenged the AETA as unconstitutional. Just last week, we urged a federal court to dismiss a terrorism indictment against two animal rights activists alleged to have freed thousands of animals from Midwestern fur farms.

CCR Communications Associate Lauren Gazzola is a longtime animal rights activist and has appeared as a client

in two of CCR's Green Scare cases. Come hear Lauren's personal story, what CCR is doing to challenge the Green Scare, and what you can do!

6-8 Mar - Beyond the Bars: Transforming (In)Justice

WHAT: Interdisciplinary Conference On Mass Incarceration

WHEN: 6:45pm Friday March 6th through 5:00pm Sunday March 8th, 2015

WHERE: Columbia University

COST: FREE, but requires registration at <https://beyondthebars15.eventbrite.com>

MORE:

BEYOND THE BARS: TRANSFORMING (IN)JUSTICE is the fifth annual student-driven interdisciplinary conference on mass incarceration held at Columbia University. Given the greater consciousness of mass incarceration in the US, this conference brings people from different spaces and places to dig deeper in the work of ending mass incarceration, building justice and engaging in action beyond the weekend.

The conference launches Friday night with Michelle Alexander and several other powerful guest speakers and performances. It continues into Saturday with the goal of developing an agenda for transformative change around mass incarceration. Panelists are coming from a wide range of disciplines, experiences and locations; from government and community-based organizations, to advocates and activists, to students, faculty and community members and to those most directly impacted by mass incarceration who are in all of these roles including formerly incarcerated people and their families. The conference concludes on Sunday with an afternoon of organizing workshops led by several grassroots groups working for change.

This year's Beyond the Bars conference will focus on the idea of transformation. The questions this conference will pose are: How do we work towards lasting transformative change? How do we develop a framework for changing the way our country seeks justice that does not perpetuate the roots of the problems that have led us here? How do we create change that addresses the systemic marginalization while also addressing the need for individual accountability and the safety of our communities and our society? What is a transformative agenda for changing the way we seek justice?

Registration information and full schedule at <http://centerforjustice.columbia.edu/event/beyond-bars-2015>

8 Mar - Irish Queers letter writing to prisoners

WHAT: Letter and Card writing to prisoners.

WHEN: 3:00-5:00 pm, Sunday March 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.)