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

### **19 Jun - New York State Department of Corrections and Community Supervision (DOCCS) Ordered to Pay Jalil Muntaqim's Attorney's Fees and Litigation Costs**

*On June 19, 2015, the Appellate Division for the Fourth Judicial Department in the State of New York, ordered the Department of Corrections and Community Supervision (DOCCS) to pay Jalil Muntaqim's attorney's fees and other litigation costs reasonably incurred in the Freedom of Information Law (FOIL) case his attorney, Michael Kuzma, brought in January of 2013.*

#### **MORE:**

Jalil had been struggling with DOCCS since May of 2012 to secure the release of any and all communications sent to DOCCS by individuals or organizations opposing his parole bid. As a result of the lawsuit, DOCCS relented and released the vast majority of documents Jalil sought access to. Although the court allowed DOCCS to withhold portions of a May 16, 2012 letter from the New York County District Attorney's Office and the names of police organizations opposing Jalil's bid for parole, it found that DOCCS had no reasonable basis for its blanket denial of Jalil's FOIL request. This case is a major victory for Jalil and other political prisoners seeking access to records under FOIL from recalcitrant state and local agencies. A link to the Bottom v. Fischer decision may be found at:

<http://www.nycourts.gov/courts/ad4/clerk/decisions/2015/06-19-15/PDF/0547.pdf>

### **22 Jun - Update and Fundraiser for Seth Hayes**

*Thank you everyone who made calls and written letters for Seth.*

#### **MORE:**

Seth wants his gratitude to be felt. It has made a difference in Seth's spirit and the treatment he receives. Seth has long way to go for better health, for now he is in the process of treatment and tests so we stand alongside him. One main remaining concern is his diabetic diet, which they claim he will be receiving. DOCCS Health representative Koneigsmann and some others have been sued by inmates regarding the Control B diet which is not a diabetic diet (July, 2013 -

<http://www.leagle.com/decision/In%20FDCO%2020131227820>).

The reality is that he needs to come home after 40+ years of incarceration to actually fully regain his health. The poor diet, stressful conditions, continued harassment, and inadequate health care will never bring Seth to optimal health. This is why we are asking people to donate funds for both Legal and Medical efforts to maintain his health for now and ultimately bring him home. To donate you can go to the FundRazr <https://fundrazr.com/campaigns/810a58> or send the money check or money order payable to Nate Buckley: 438 Massachusetts Avenue Buffalo, New York 14213.

Robert Seth Hayes is one of the longest held political prisoners in the US. After returning from the Vietnam War, Seth joined the Black Panther Party and was later imprisoned for his involvement in the struggle for Black Liberation.

Seth was sentenced to 25 years to life, which means after serving 25 years he is eligible for parole. Seth has now been locked in prison for 42 years and unjustly denied parole on 10 occasions. Seth has a large and loving family and supportive community who yearn for his release. Seth turns 67 this year and suffers from multiple chronic medical problems.

We are waging a campaign for Seth concerning his ailing health. With proper medical care, Seth's health issues could be under control but the horribly inadequate health care during his incarceration places him at grave risk. The combination of repetitive parole denials and neglectful medical care equates to a extrajudicial death sentence for Seth.

In addition struggling to receive medical care, Seth is also fighting for his constitutional rights at the parole board. Seth is a model prisoner and meets all criteria for release, yet has been repetitively denied parole for no other reason than "the serious nature of the original crime." This essentially means that the Parole Board is taking it upon themselves to re sentence Seth to life in prison without the possibility parole. Seth is challenging this violation of his constitutional rights with a Habeas petition.

Seth needs our support. Please make a contribution to this campaign to win justice and freedom for a brother who has sacrificed so much for us all!

### **22 Jun - Murder tape used by FBI for training instead of catching Omaha killer**

*J. Edgar Hoover did not want to catch the real killer of patrolman Larry Minard, Sr. when he could put the blame on two Black Panthers, Ed Poindexter and Mondo we Langa. Hoover did want the killer's recorded voice for training agents.*

#### **MORE:**

by Michael Richardson (*The Examiner*)

The August 17, 1970 bombing murder of Omaha Patrolman Larry Minard, Sr. quickly led to a police conspiracy to withhold evidence in order to convict Nebraska leaders of the Black Panther Party for the crime. Edward Poindexter and Mondo we Langa, then David Rice, were arrested and prosecutors sought the electric chair for the two men. A recording of the anonymous 911 caller who lured Minard into a deadly trap was the only evidence police had to work with at the start of the investigation.

The FBI quickly stepped in to conduct a comparison test of the recorded voice with suspects. However, J. Edgar Hoover gave a verbal order on August 19 to Ivan Willard Conrad, the director of the FBI Laboratory, to withhold a written report on the identity of the anonymous caller. On August 21, Special Agent in-Charge Paul Young called FBI headquarters and requested an agent from the FBI Laboratory come to Omaha to guide the police investigation. Hoover gave written approval to Young's plan the next day.

Duane Peak, a fifteen year-old, soon confessed to planting the bomb and making the call. Peak offered half a dozen versions of his story before implicating the two leaders of the National Committee to Combat Fascism. In exchange for his testimony, Peak was allowed to plead guilty to a juvenile delinquency charge and walked free when he became an adult. After Peak claimed he made the 911 call, the planned FBI tests presented a problem as Peak's soft voice did not match the deep, gravelly voice on the recording leaving an unaccounted for accomplice on the loose and undermining the prosecution case against the two leaders who Peak had implicated. The Omaha FBI office cancelled the lab tests over concern the tests would defeat the prosecution of the two leaders.

On September 17, Hoover returned his attention to a recording of the anonymous 911 telephone call that lured Minard to his death a month earlier. However, this time Hoover was not interested in screening suspects or verifying Peak's voice. Hoover wanted Paul Young to obtain a new, better copy of the 911 recording so it could be used at FBI headquarters for dramatic effect while training agents on counterintelligence technique. The request was a classic example of Hoover's bureaucratic hubris referring to himself as the "Bureau" and his office as the "Seat of Government."

"The Bureau desires a tape recording of the anonymous telephone call received by the Omaha Police Department on 8/17/70 to be used as a training and instructional aid at the Seat of Government."

“The Dictaphone belt recording enclosed with reairtel is of poor quality, difficult to understand, and is not satisfactory for instructional purposes.”

“You are requested to endeavor to obtain another tape recording from the original in the possession of the Omaha Police Department utilizing a high quality or Cassette type recording device.”

“In the communication forwarding the recording to the Bureau, you are requested to furnish the identity of the unknown caller along with any information linking him to the racial extremist groups or individuals.”

On October 13, Paul Young provided the requested information to Hoover and reminded the FBI director that no use of the tape was wanted in Omaha because it might be “prejudicial” to the police case. The testing of the tape had already been called off and Young wanted it left unheard.

The jury that convicted Ed Poindexter and Mondo we Langa never got to hear the 911 caller’s voice. The recording was withheld from the defense by prosecutors and Duane Peak’s story was unsubstantiated by comparing his voice with that of the anonymous caller. The two Panther leaders were spared the electric chair by the jury but sentenced by the judge to life at hard labor. The Omaha Two, as the men are now known, remain imprisoned at the maximum security Nebraska State Penitentiary where they continue to proclaim their innocence.

### **23 Jun - June 2015 Russell Maroon Shoatz Newsletter**

*Following is the monthly newsletter on the status of U.S.-held political prisoner Russell Maroon Shoatz.*

#### **MORE:**

This month, we’re pleased to bring you the latest update on Maroon’s ongoing treatment for prostate cancer, a special Father’s Day note from Maroon’s daughter Sharon Shoatz, the first installment of a three-part interview with human rights champion Selma James, and an update on the status of longtime political prisoner Albert Woodfox of the Angola 3.

The campaign to free Maroon has some exciting events and actions brewing for the summer months, so please stay tuned for more info and feel free to be in touch with your own ideas and connections to support our efforts.

Please also consider contributing to our ongoing fundraising for Maroon. No amount is too little, and all contributions are appreciated.

Special shout out to the supporter who read Maroon’s article, “After Ferguson and Looking Back” and wrote to dialogue with him about it. He was very uplifted that someone read his piece.

Straight ahead!

The Shoatz Family and Friends

#### **Health Update: Radiation Treatments Over**

Maroon Writes:

My primary report is that I have continued with the radiation therapy, at the same cancer center, for the entire month of April and into the first day of May, 2015. Furthermore, there is movement on another major health concern regarding my right eye.

In addition to weathering common symptoms of the treatment, the fatigue is an entirely different matter! While both my oncologist and physician’s assistant or nurse practitioner have weekly examined me after the sessions, and offered advice on what foods to eat (which I’ve earnestly integrated into my treatment, in addition to what I’ve read, as well as my previous acquired knowledge concerning nutrition), the fatigue is

still constant. I often feel like I cannot do much more than drag myself out of bed. And I have been sleeping more now than at any time as far back as I can remember!

Still I exercise 20 minutes or so and do some walking daily. That helps some, but otherwise my reading, writing/typing, and even socializing are at a very low level. According to the literature, my strength will gradually return after I am cured of the cancer—if that is to be...

On May 1, 2015, after the last treatment, I was taken directly to the office of the ophthalmologist, who last year had recommended I have cataract surgery on my right eye, whereupon the Chief Health Care Administrator at Graterford had lied about me refusing this treatment. He examined me again, and once more is recommending said surgery for my eye. So stay tuned...

Let me again, thank all who continue to extend support to my family and me, and let me assure everyone that it is not lost on me that my situation and person is a small matter in these heady times; times and events that are truly historic in regards to how countless thousands are standing up to oppression in ways that even have the potential to make the celebrated 1960s seem little more than a dress rehearsal in order to save ourselves from the maniacs who are bent on destroying our very planet!

### **My Father's Day with Maroon**

by Sharon Shoatz

While driving on the New Jersey Turnpike in route to visit my father, my thoughts wandering endlessly about the tasks and responsibilities one is charged with on any given day, I began to sing along with the song "A Family Reunion" by the O'Jays that was playing on the radio. As the song came to the lyrics referencing the family being the solution to the world's problems, and then poignantly describing each member's role in the family, I realized that I couldn't recall ever seeing, touching, or even speaking the words "Happy Father's Day" to my dad on the actual holiday.

Having turned 50 years young this month, I can finally say that on Sunday, June 21, 2015, I spent a wonderful Father's Day with my dad Russell "Maroon" Shoatz, my brother Russell the III, Dr. Kim Holder, and my name sake, aunt, and minister, Sharon Joy Shoatz-Mayazi.

I would like to devote this experience/revelation to all my fellow cubs who have experienced similar or very different revelations about their parents, be it their mother or father. I invite others to share and post their experiences and revelations as they relate to being the sibling, wife, husband, mother, father, daughter, or son of an activist. I'm sure we all have so much to reveal and so much to give.

In my Don Cornelius voice: "The Mighty, Mighty O'Jays"...

You know the family is the solution  
To the world's problems today  
Now, let's take a look at the family  
In the family the father is like the head, the leader, the director  
Not domineering, but showing love, guidance  
For everyone else in the family  
Now, if we could get all the fathers of the world  
To stand up and be fathers  
That would be great

### **Free Albert Woodfox**

by Bret Grote

A federal judge in Louisiana ordered political prisoner and former Black Panther Albert Woodfox immediately released from prison last week, prohibiting the state from attempting to prosecute him for a third time for a 1972 homicide he was framed of. The order was short-lived, however, as a three-judge

panel for the Fifth Circuit Court of Appeals placed a stay on the ruling in response to an appeal by the state of Louisiana. The matter has been assigned a briefing and argument schedule.

Woodfox's release from prison would mean an end to his 42 years of solitary confinement. Woodfox's permanent solitary confinement within the prisons of Louisiana was justified by Louisiana State Penitentiary Warden Burl Cain on the grounds that if he were released to the general prison population he would "practice Black Pantherism". Similarly, documents obtained in Maroon's legal challenge to his own long-term solitary confinement confirm that prison officials held him in isolation due to his continued affiliation with "radical" and "militant" groups, and his effectiveness as an organizer. Woodfox and Maroon have both been subject to unfathomable hell by the state in order to repress their leadership as well as make an example of those who dare to fight for the liberation of their people.

## **25 Jun - Suits, Spooks, and Sabu by Jeremy Hammond**

*A response to tech conference "Suits and Spooks" hiring infamous federal informant and notoriously mediocre hacker Hector "Sabu" Monsegur to speak.*

### **MORE:**

On June 20, 2015, a tech conference aptly entitled "Suits and Spooks" had infamous federal informant and notoriously mediocre hacker Hector "Sabu" Monsegur speak about "the rise and fall of Anonymous," an organization Sabu has done his best to distance himself from, while still duping those gullible enough to pony up the cash into paying him to prattle on endlessly about.

Needless to say, this did not sit well with not only Jeremy, but anyone with a conscience. After a public campaign was launched against Suits and Spooks, its founder, Jeffrey Carr, offered space to "an Anonymous leader" who wanted to talk about "running ops." Two Twitter users, VizFoSho and Flanvel, took him up on his offer. They did this with both the knowledge of us at FreeJeremy.Net, and with the intention of not only exposing Hector Monsegur for the fraud he is, but to also bring a little lulz into a wholly intolerable situation.

In the interest of full transparency, we are releasing the slides they used in their talk, along with a statement from Jeremy. While everyone may not agree with everything they say on their slides, they make some valid points that we feel should be taken into consideration to anyone operating under the banner of Anonymous, especially when it comes to those who would use Anonymous for personal gain.

### **Statement from Jeremy Hammond**

The latest twist of the knife – Sabu returns to the internet in full PR spin mode to try to clear his name. He's done his time – one year probation – and now he's back with a vengeance, running his mouth on twitter, writing lame movie reviews for *Daily Dot*, and speaking at conferences; will he be able to re-establish credibility in the community?

Remember how he snitched out all his comrades to the FBI? Apparently it was all just *Fox News* propaganda: maybe these steel bars and razor wire fences that imprison me are also illusions of my mind. But this shit is real like a bad taste you just can't spit out: I'm not even halfway through my federal prison bid while Sabu is chilling in hot tubs and getting paid speaking gigs. There's no way the FBI could have caught me if it weren't for Sabu's cooperation because I didn't make the same type of amateur mistakes he made: he hacked PBS from his home IP address, didn't delete log files, was busted, and immediately began working with the FBI to identify all of his hacker friends so that he could receive a 5K1 reduced sentence. His cooperation was so extraordinary that he received a hug from the federal prosecutor and a personal thanks from Judge Preska, the same judge who gave me the maximum ten year prison sentence.

You'd think this disgraced fool would have kept his head down and disappeared in shame, or at least show some kind of remorse for the lives he's damaged. Not Sabu, ever the pompous megalomaniac. He's on Twitter, issuing various denials and rationalizations for his actions, encouraging people to write folks

behind bars, even contacting my support team attempting to donate money to my commissary account because “he knows how hard it is”.

He’s also taking bold new steps and speaking at the upcoming *Spooks and Suits NYC* conference. Until now, he’s laid low and hasn’t made any planned public appearances: now, for \$300, you can hang out with Sabu and other government agent types like the CIA, NSA, NYPD, etc. Some big names in national security, so he probably feels safe amongst his fellow feds and whitehat sellouts to discuss computer crime fighting strategies. But despite all their credentials and clearances, the mightiest of US corporations and bureaucracies keep getting hacked over and over again (and it always brings me great joy hearing about it). They know that they need, as Jeffrey Carr described, a “bad actor willing to share first hand info”, and Sabu was more than willing to open his big mouth once again. If they’re looking for technique, they are sure to be disappointed: he’s just a pompous liar and fraud with no skill and a Death Before Dishonor tattoo. Got no clue, got no soul: guess he really fits in with the rest of the conference organizers. Remember, even with his extensive cooperation with the FBI and having trusted access to our internal channels, they were still unable to prevent attack after attack.

Though he had already been dropped from speaking at the RSA conference, and *Spooks and Suits* had to relocate due to the planned protests, Sabu is still probably intending on speaking at other events such as *DEFCON* and *Hackers On Planet Earth (HOPE)*. He once said to me, “I’ll be damned if I’m ever compared to that faggot Adrian Lamo”. Lamo, the former hacker who snitched out Chelsea Manning (currently doing a 35 year bid for the *WikiLeaks* revelations), spoke at *HOPE* rationalizing his actions by the need for “national security”. Brandon Darby, who entrapped several activists to prison during the 2008 RNC, underwent a militant-lefty to right-wing-extremist switch, now speaking proudly about his decision to cooperate. Sabu, now calling himself an “ex black hat”, who really has never been about any cause but himself, is similarly furthering the false standard that it is OK for a hacker to bend to law enforcement and the US cyber-imperialist agenda.

Some say since this megalomaniac craves attention we should just ignore him, and for the most part this is the probably best course of action. But it’s not that easy to forgive or forget when you’re still doing the time. When he is given a platform to spread lies and defend his cooperation while the folks he sent to prison cannot attend conferences or communicate without being monitored and censored, he must be exposed, challenged, and confronted. We cannot allow future conferences to think it is safe to invite Sabu to speak, nor can we allow future hackers who may be busted to think they could pull a Sabu, snitch out their friends, and expect no repercussions. Reject the Sabu NSA white hat ideology!

### **June 25<sup>th</sup> - Jeremy needs your help! Commissary funds are low**

Aside from getting the hell out of prison, commissary funds are Jeremy Hammond’s current top priority. These funds allow him to purchase everything available to him in prison and make a huge difference for his quality of life.

The most expensive items are phone and computer usage. Unless they’re local (they never are — Jeremy doesn’t need to call anyone in Manchester, KY), phone calls are 23 cents per minute. To use the computer, inmates buy TruLinks units. Each unit costs five cents and gets one minute of computer time. Mp3s cost 24 TruLinks units.

But other basic items cost money too. Give Jeremy \$10 to help him do laundry. A \$15 donation buys him a pen, envelopes and a book of stamps. He can get a new full set of clothes for about \$60.

Donate at <https://freejeremy.net/donate>

**26 Jun - Healing Our Wounds: An Interview With Law Professor Angela A. Allen-Bell**

*This new interview, the third with Angola 3 News, is timed with the release of Prof. Bell's latest article, published by the University of Miami Race & Social Justice Law Review, entitled "A Prescription for Healing a National Wound: Two Doses of Executive Direct Action Equals a Portion of Justice and a Serving of Redress for America & the Black Panther Party."*

**MORE:**

On Monday, June 8, 2015, US District Court Judge James Brady ruled that the Angola 3's Albert Woodfox be both immediately released and barred from a retrial. The next day, at the request of the Louisiana Attorney General, the US Fifth Circuit Court of Appeals issued a temporary stay of release set to expire on Friday, June 12.

As the week intensified following Judge Brady's ruling, both Albert Woodfox and his family, friends & supporters wondered if he would finally be released over 43 years after first being placed in solitary confinement. Amnesty International USA launched a petition calling on Louisiana Governor Bobby Jindal to honor Judge Brady's ruling.

On June 9, US Congressman Cedric Richmond (LA-02) issued a statement declaring that "Attorney General Caldwell must respect the ruling of Judge Brady and grant Mr. Woodfox his release immediately...This is an obviously personal vendetta and has been a waste of tax payer dollars for decades. The state is making major cuts in education and healthcare but he has spent millions of dollars on this frivolous endeavor and the price tag is increasing by the day."

On June 11, eighteen members of the Louisiana House of Representatives voted unsuccessfully to pass a resolution (H.R. 208) urging Attorney General Caldwell to stop standing in the way of justice, withdraw his appeals, and let Judge Brady's unconditional writ and release ruling stand.

However, on Friday, June 12, the Court responded by scheduling oral arguments for late August and extending the stay of release at least until the time that the Court issues its ruling later in the Fall.

Among those who communicated with Albert during that emotional week was Southern University Law Professor Angela A. Allen-Bell. In the days following Judge Brady's ruling, she was a featured guest on several television and radio shows that focused on Albert's case, including National Public Radio. In this interview with Angola 3 News, Prof. Bell discusses her new law journal article and reflects upon the latest developments in Albert's fight for freedom. She argues that recent Angola 3-related media coverage in the US is becoming "more substantive," and that this month "the media got bolder and began digging deeper than just a soundbite."

Literally hundreds of news websites around the world published articles about Judge Brady's ruling. The *New York Times*, who in an earlier editorial from 2014 declared Albert's four decades in solitary to be "barbaric beyond measure," chose a headline for their June 10 article that cited Albert's "Torturous Road to Freedom." The next day, the *New York Times* reprinted an Associated Press article entitled "What Has Louisiana Got on the Last of the Angola Three?" Answering the question posed by the headline, the article states: "Woodfox's long-simmering story has been the subject of documentaries, Peabody Award winning journalism, United Nations human rights reviews and even a theatrical play. It's a staggering tale of inconsistencies, witness recants, rigged jury pools, out-of-control prison violence, racial prejudice and political intrigue."

Media coverage in the state of Louisiana itself also seems to be improving. For example, writer Emily Lane of the *NOLA Times-Picayune* responded to Brady's ruling with a series of in-depth articles, focusing on the specifics of how and why Albert has been in solitary for over 40 years, as well as the physical and mental impact of such treatment. In another article, the *Times-Picayune* quoted extensively from a statement made by Teenie Rogers, the widow of slain prison guard Brent Miller. "I think it's time the state stop acting like there is any evidence that Albert Woodfox killed Brent," Rogers said. Meanwhile, Albert remains in solitary confinement, with Louisiana authorities "not letting up on" the "last of the 'Angola3.'"

Our first interview with Prof. Bell, entitled “Prolonged Solitary Confinement on Trial,” followed the release of her 2012 article written for the *Hastings Constitutional Law Quarterly*, entitled “Perception Profiling & Prolonged Solitary Confinement Viewed Through the Lens of the Angola 3 Case: When Prison Officials Become Judges, Judges Become Visually Challenged and Justice Becomes Legally Blind.”

Our second interview, entitled “Terrorism, COINTELPRO, and the Black Panther Party,” examined her 2014 article, published by the *Journal of Law and Social Deviance*, entitled “Activism Unshackled & Justice Unchained: A Call to Make a Human Right Out of One of the Most Calamitous Human Wrongs to Have Taken Place on American Soil.” Since the *Angola 3 News* project began in 2009, we have conducted interviews focusing on many different aspects of the Black Panther Party and the organization's legacy today, including: Remembering Safiya Bukhari, COINTELPRO and the Omaha Two, The Black Panther Party and Revolutionary Art, Dylcia and Cisco on Panthers and Independistas, “We Called Ourselves the Children of Malcolm,” Medical Self Defense and the Black Panther Party, and The Black Panther Party's Living Legacy.

**Angola 3 News (A3N):** How does your new law journal article, A Prescription for Healing a National Wound, relate to and ultimately build upon your previous two articles, Perception Profiling and Activism Unshackled?

**Angela A. Allen-Bell (AB):** The three articles share a common thread and that is that the Angola 3 case was the inspiration for each of the articles. The Angola 3 case is a fusion of complexities, including race, justice, corrections practices, abuse of power, official misconduct and politics. Each of the three articles explores a different theme in the case.

The 2012 publication, Perception Profiling, explores the constitutional implications of long term solitary confinement.

The 2014 publication, Activism Unshackled, exposes the harsh response of the government to the Black Panther Party (BPP) and declares the BPP to be victims of something akin to domestic terrorism.

The 2015 publication, A Prescription, calls for redress and offers a solution for the nation and the BPP to heal from the traumas experienced during the historical period of the BPP's existence.

**A3N:** You write that “Redress is the aim because it is broader than justice. Redress is also the goal because, when delivered, it has the impact of bringing distant human rights aspirational goals to a local and identifiable place in our society.” For folks that have not yet read A Prescription, can you please explain what you mean by “redress?”

**AB:** When I use the term redress, I simply mean “remedy.” In this section of the paper, I am calling people's attention to the fact that the pursuit of justice is largely personal. It involves personal vindication.

Contrarily, redress, through a restorative justice model, is much more expansive. Restorative justice not only considers the victim; it also considers the impact on society. It seeks to heal both simultaneously.

We have never healed from many of the racial traumas that afflict this nation. The evidence of this is on display in the media consistently. Unaddressed traumas are the underlying explanation for some police feeling comfortable gunning down African American males in absence of a legitimate threat of bodily force. That psyche developed during the lynching era.

Unaddressed traumas explain educational and discipline policies that fast track poor children and children of color from schools to prison. Long ago, it was decided that certain groups were intellectually inferior and, as such, could best serve as an underclass.

Unaddressed traumas explain the decision to select an African American church as the setting for an act of domestic terrorism, as with the recent massacre in Charleston. That happened so many times during the



Civil Rights Era, it almost became sport. We must recognize that patterns continue unless and until a conscious choice is made to stop them. That is why I advocate for redress through a restorative justice approach. It is my attempt to reconstruct the paradigm and pursue a path of healing.

**A3N:** Why do you feel that redress is an appropriate response to the political repression faced by the BPP and other leftists groups during the era of the FBI's COINTELPRO and beyond? What are the benefits of redress?

**AB:** In my opinion, it is the only appropriate response because of the state we presently find ourselves in as a country. We excel at technology. We are masters at warfare. We are an international might. We have accomplished all these things, but we have yet to master the art of loving each other. I am not using the word love in a superficial way. I am using it as a verb. I mean love in a profound way. I mean love that blinds your view of the outside and affixes your eyes on the heart of your brother or sister. This is a terrible indictment on us collectively. This is the legacy that racism, subjugation, oppression and dehumanization left behind.

We need collective healing from a number of social traumas, such as lynchings, racist medical, educational and criminal justice practices, all of the vestiges of slavery, and the neutralization of or attempts at neutralization where civil rights activists and organizers are concerned. These things have caused us not to be well. This article picks one social trauma to address and that involves what was done to the BPP. It serves as a template to addresses the others.

The article discusses several benefits to redress. They include: the timely ability to shape good policy; the achievement of accountability; the furtherance of human rights goals and objectives; and the prevention of history repeating itself. Redress in this instance will help society and the BPP. It will allow us to move pass this chapter onto the next chapter then the work must begin again and again until we have peeled away the many layers to this dysfunction that we are experiencing as a human family.

**A3N:** You write further that “the goal is to achieve restorative redress—for America in general and the BPP in particular—through executive direct action correcting official history by way of a proclamation and an executive order granting amnesty—with a focus on healing for the nation, victims and perpetrators (as opposed to focusing on the limiting notion of punishing the perpetrator).” Why do you focus on Executive Direct Action as the best means for redress?

**AB:** Executive direct action is a presidential power that is highly effective because it can accomplish a goal without the paralyzing complication that a bureaucracy involves. It is used more than many people know and was chosen in this instance because of the expediency of the process and the complexities of this historical ordeal. It was also chosen because traditional methods have failed and/or will not work.

In the article, I share detailed reasons why courts, hearings, legislation and executive action on the state level were all eliminated as possible forms of redress.

**A3N:** Over two years ago, on Feb. 26, 2013, Albert's conviction was overturned for a third time. However, today, even following last week's ruling by Judge Brady, Albert remains behind bars and in solitary confinement! Reminiscent of fictional stories by George Orwell or Franz Kafka, how does something like this actually happen? What does it say about the legitimacy of the broader so-called criminal 'justice' system in the US?

**AB:** Like the United States Constitution, our criminal justice system was born in sin and iniquity. Our modern criminal justice system has very little to do with dispensing justice or keeping citizens safe. It was designed as a tool to further a caste system that was started before slavery. It has become a lucrative enterprise for many. Many laws were written with these considerations in mind. This system is now a machine. Add the utter disdain that this country has had for African American men to this assembly line environment and you might be able to rationalize what Albert Woodfox is experiencing.

The justice system has dealt an unjust hand to many people of color and poor people, but it has been particularly harsh when it comes to the BPP. They were arrested regularly and locked up often, but, in

most cases, charges were dropped or the BPP member won the case. The criminal justice system was intentionally used as tool to disrupt their political and social activities. That detail has largely been suppressed from the public.

This is not to suggest that we don't need a justice system or jails. I feel both are needed. My only point is that there is a design defect. When that happens, demolition must follow. In my view, this is where we are in our criminal justice journey.

**A3N:** Any other thoughts on this month's events?

**AB:** Last week, I saw members of the international community intensify their response. That was beautiful and their support has been consistently present and helpful. That is greatly appreciated.

There were several welcomed, new developments at home. One was the more substantive media coverage that took place in the United States. The media got bolder and began digging deeper than just a soundbite. Much of the coverage explored the actual evidence (or lack thereof) in the case and many outlets courageously did a critical analysis of America's solitary confinement practices.

Most impactful of all is the fact that, last week, Americans reclaimed their power. Grassroots activism and direct citizen participation is the key ingredient in any social change movement. That happened last week. Even more significant, a heightened interest took place in Louisiana, which is a very conservative, "tough on crime" kind of place.

The new development is that Louisiana citizens who, in spirit, support locking folks up have become opposed to the State's decision to spend well over six million taxpayer dollars on the criminal prosecution and the civil litigation in the Angola 3 case. Many more Louisiana citizens, after realizing this case was built on deals with criminals and false testimony and official misconduct, voiced their opposition to what State officials have done and continue to do in the case.

Others have begun to see that corruption has played a part in this case as contracts for legal work on the Angola 3 case have been awarded to associates who have a financial incentive to engage in dilatory tactics at the expense of Louisiana taxpayers.

Other citizens were called to act because the global reputation of the United States is being compromised as the world looks at us in judgment for this human rights abuse. The next step is to see this channeled and to see mobilization follow.

**A3N:** While it is important to examine how Albert and the Angola 3's story represent much broader issues of injustice, we also do not want to forget that above all, Albert is a human being. Shifting to a more personal level, can you tell us about your visits with Albert? What have you learned from Albert?

**AB:** It is my personal feeling that the Angola 3 were anointed and called to do the courageous and significant work they have done both collectively and individually. It is a message I often speak to them. In my view, this is why they weren't murdered or harmed behind bars by other inmates.

It is also my feeling that this is the source of grace that Albert displays. He has his vulnerable, grief-stricken moments, but he has many more days of peace. The suits the Angola 3 filed and the organizing they did has led to better conditions for many others.

Albert has taught me: how to speak mightily with a few words; how to be patient while never waiting; that freedom has more to do with liberation than it does location or station; that Christ, who was a carpenter himself, consistently uses the least valued people (in man's terms)—people who the world could see little value in—to accomplish some of the most profound changes; how to fight evil without ever balling a fist or loading a weapon; how a liberated mind in the head of an African American man often results in a symbolic, social warning label; how to resist the urge to allow fear to serve as an excuse for lack of service;

how to manifest the Biblical teaching that love is the greatest commandment of all; and, how to minister without preaching.

**A3N:** How much physical contact, if any, has been allowed during visits? Based on your experience visiting Albert, how important is it for prisoners to be able to hug and express friendship through human touch with their visitors?

**AB:** Louisiana officials have branded sixty-eight-year-old Albert Woodfox, who is afflicted with a litany of health problems, the most dangerous man in America, despite their own records documenting that he is and has been a model prisoner.

In fulfillment of this marketing strategy and act of wordplay, Albert's visits are restricted. They are no contact, limited to an hour and are observed closely. Even the Bible recognizes that man was not born to be alone. Isolation violates biblical principles, as well as medical research, legal precedent and human rights principles.

The practice of prolonged isolation even runs counter to the thinking of Pope Francis, US Supreme Court Justice Kennedy, certain doctors, academics, human rights advocates and architects, Human Rights Rapporteur Juan E. Mendez, the American Bar Association, the American Correctional Association, the National Defense Association and many other credible voices. It especially makes no sense when a person is elderly and harmless as was the case with Herman Wallace and as is the case with Albert Woodfox.

Society is better off when inmates maintain humanity and also when they do not become totally institutionalized. Innocent human touch and meaningful interaction are quintessential ways of preserving humanity.

**A3N:** Any further reflection on the personal impact of both your research & writing about the Angola 3 as well as your relationship with Albert?

**AB:** These things have impacted me profoundly. They have made me keenly aware of our social regression in this country. The shift from us being somewhat of an interconnected unit during the 1960s and 1970s to a self-driven population has crippled progress where social gains are concerned. This is not meant as a judgment or an indictment. This is meant partially as a plea and partially as a call for introspection.

**A3N:** Returning to your new article, A Prescription for Healing a National Wound, how does Albert's case further illustrate the US government's mistreatment of the BPP? Conversely, how do you feel that Albert's release would contribute to the healing of our nation?

**AB:** This case centers attention on the plight of the BPP at the hands of then FBI Director J. Edgar Hoover, who ran the FBI from 1924-1972 with unchecked authority and who ran the FBI without concern for the constitution or best practices. He ran the FBI as a personal enterprise to silence minorities, activists and anyone else who he could produce a reason not to like. Many times, his reasoning was not sound. He used his power to crush and silence people and he regularly violated the law in order to do so.

We, as a society, have never assessed the harm that flowed from this--the lives and careers that he wrongly destroyed; the current leaders who rode their way to the top doing what he groomed them to do and who have continued what he started; the impact that this had on activism and dissent in America; and the many people who lost their liberty as a result of his abuses of power. The Angola 3 case illuminates these concerns.

The Angola 3 case also brings attention to the growing problem of prosecutorial misconduct in this country and especially in Louisiana. Evidence was suppressed and testimony was induced. Inmates who initially denied knowledge of the murder changed testimony in exchange for favors. When asked about this under oath, state officials denied this, but proof now exists. Several courts have now concluded that grand jury discrimination was at play in Herman Wallace's trial and also in Albert Woodfox's trial. A grand juror who was married to a former Angola warden ended up serving on one of Albert's grand juries and she actually brought a book she authored into deliberations, which contained negative overtures about the case.

Not only does this create a distrust for the judicial system, much of this created additional victims as some of the inmates whose testimony was “bought” were rewarded with freedom. Some of these criminals went on to commit additional crimes. The release of these criminals also re-victimized victims who were forced to live with the knowledge that the person who victimized them was back amongst them in society.

This case is a powerful educational tool for citizens who have thus far placed great faith in the words “convicted” or “a jury found him guilty.” Many people naively take these words at face value. For a large population of American citizens, convictions are obtained without any credible evidence. Many people, after seeing the “evidence” used against Albert Woodfox, now understand this point.

In Albert’s case, there was a bloody crime scene. It was one of the most ideal crime scenes imaginable because where else are fingerprints of every person on the property on file? None of the forensic evidence, including a bloody fingerprint found at the scene, matched Albert Woodfox or Herman Wallace. (See *Woodfox v. Cain*, 609 F.3d 774, 810 (5th Cir. La.), Jun 21, 2010). The authorities’ outrageous refusal to check this fingerprint against their own database of inmates’ fingerprints continues to this day. In 2008, NPR asked Louisiana Attorney General Buddy Caldwell why the state refuses to test the print. "A fingerprint can come from anywhere," Caldwell explained. "We're not going to be fooled by that."

Albert even passed a polygraph test. In absence of any physical evidence, what was used against him was “bought” testimony from dangerous criminals, such as a legally blind man who, under oath, swore he saw things on the day of the murder, a robbery convict who was released in exchange for his testimony and then committed more robberies. This was done, not once, but twice. In Louisiana, state appellate courts signed off on this, not because of a conspiracy, but because of their design. When a criminal case is appealed, the court can’t revisit all the facts and evidence and act as a de facto jury. They must use standards of review and they are only allowed a narrow window into the case.

When insufficiency of evidence is raised in a criminal case, the state appellate court in Louisiana can only consider, in the light most favorable to the prosecution, if the record suggests any reasonable juror could have found the defendant guilty. Under this standard, it is rare to see a criminal case reversed on appeal. The state appellate process is much like a sniff test. They take a quick sniff then move on to the next one in line.

In Albert’s second trial, then Warden Henderson, while under oath, swore no incentives had been offered to the serial rapist, Hezekiah Brown, who they used to testify against Albert. The prosecutor stood before the court and praised this lying rapist. Specifically, he said he was proud of the lying rapist and he remarked that the lying rapist was courageous. This issue was brought up in an appeal before the federal court. That court agreed that this conduct was troubling, but no official action has ever been undertaken to address it.

This sets the stage for the next unsuspecting defendant to walk into the grips of the same cast of characters and the show begins all over again. Under a system that dispenses justice in this fashion, any one of us could be Albert Woodfox. That lesson is finally resonating.

Albert’s release could also highlight an ugly chapter in our history where the BPP is concerned. It could show the type of selfless work they did and the type of harm that came to many of them as a result. It could also aid in bringing an end to this era of social purgatory they have lived in and under since the 1960s.

In each of these contrasting ways, people will become informed then empathy and dialog will follow. These things lead to societal healing.

## **26 Jun - Leonard Peltier on the 40th anniversary of the Incident at Oglala**

*The latest by Leonard Peltier, on the date of a very important anniversary.*

**MORE:**

Greetings to you, my relatives and friends.

This is the first time that my dear sister Roselyn will not be there for me, but I know she is there in spirit as she has gone on her journey. I have seen pictures of the gathering over the years and can still see her sitting there under the trees with our relatives... I will always miss her and be grateful to her for all she did for me and for our people.

This year I am most concerned with our children and the taking of their own lives. This is very sad to me, as it is to you, and I know there are many reasons for them to feel such despair and hopelessness. But I can only ask and encourage all of us to double our efforts to show them love and support, and let them know that we will always look after them and protect them. That includes asking big brothers and sisters to look after the younger ones. They are our future and have to be protected and to learn to be the protectors. This is not something we can live with, we need to all work to change this.

And this year it is even more urgent that we come together to protect our sovereignty. There are so many issues to face and fight. We continue to fight for our Black Hills and to stop the XL pipeline from poisoning our water and our land, and I stand with the Lakota, Dakota and Nakota Nations, and all people of like mind in this fight.

The destruction of our Mother Earth by the heavy and toxic Tar Sands oil, fracking, gas and oil drilling and uranium mining is unacceptable to me and to us. We are supposed to be protecting these things even as others try to push us aside. I honor all of our relatives who are on the front lines of this fight.

And after all that I have seen in these 40 years behind bars, I was still shocked to see what they are trying to do to the Apache people at Oak Flats. This cannot be tolerated. It is not only a blatant money grab at the expense of a tribe's Sacred site, but it is an effort to push us back in the direction of termination by ignoring our rights as sovereign nations. This we will not tolerate. Nothing is sacred to these people and they will continue to try to bulldoze us out of the way without even a single thought to our coming generations if we do not continue to stand up and oppose them. We must be ready for anything or we will lose all that we have gained in the last 40 years.

The continued use of racist mascots is something that we can never accept as Indigenous peoples and we need to all continue to push to end that racist practice.

As for me, time is something I have learned a lot about in these years in prison. And now I can see that time is slipping away from me and I know that if I do not get out under this President I will almost certainly die here in prison.

I have been able to survive with the hope you have given to me and your prayers and I am grateful for that support from all of you.

I continue to pray for the family of my brother Joe Stuntz and for all those who paid such a dear price in those bitter times 40 years ago. And I pray for the families of all our people who have suffered so much and continue to suffer now.

I thank all of you for coming today and I know how hot it can be there. And especially to all the runners and walkers I offer my gratitude.

I send my Love to the people of the Lakota Nations and to all Native Nations,

In the Spirit of Crazy Horse...

## **26 Jun - No New Animal Lab Activists Face Charges for Excavator Lock-Down**

*Two activists who locked themselves to an excavator on the construction site for a proposed animal testing lab received notification that they will be arraigned next week on charges of Criminal Trespass in the 2nd Degree, a misdemeanor under Washington State law.*

### **MORE:**

Although the State initially tried to intimidate them with threats of charging them with Criminal Sabotage — a Class B felony — such charges are not being filed, and this campaign remains strong and steadfast in the face of attempts at intimidation.

Despite attempts by the University of Washington and Skanska to keep the lab out of sight and out of mind — both by planning to literally bury animals underground to be tortured for the sake of grant money and by trying to keep the lab plans hidden from public scrutiny — people continue to speak out against the lab and put their bodies on the line. The UW and Skanska keep trying to silence and chill this campaign, but criminal charges, lawsuits, and lies to the public won't work to stop the momentum.

“No New Animal Lab” has become a rallying cry, and people have shifted from saying “If you build it, we will come.” to “You will not build this lab.” It's happening: the animal liberation movement is rising, and believing in itself once again. Let's turn the beauty of what was this single act of resistance into uncompromising inspiration. Let's make history and stop this lab.

## **27 Jun - Delbert Africa Denied Parole**

*Earlier this Week we found out that our Brother Delbert Africa was denied parole by The Pennsylvania Parole Board and was given a two year hit.*

### **MORE:**

One of the reasons they cited for Delbert being denied in their own words he is a risk to the safety of the community. This is unacceptable-- anyone who has ever met Delbert or has come in contact with him can tell you that Delbert Africa is nowhere near a threat to the safety of the community. Even the Superintendent of SCI Dallas who, along with Delbert's counselor, recommended Delbert for parole. The Parole Board has to come with something better than this. People in the community who the parole board are saying are at risk all wrote letters of support for Delbert's parole.

In fact there is a risk to the safety of people in the community but it's not Delbert Africa or the rest of the Move 9; it's the police, known murderers of our children. The police that murdered Move men, women, and Move children on May 13<sup>th</sup> 1985 walk the streets with immunity. The police who murdered Brandon Tate Brown in Philadelphia are still walking the streets with their identities protected. Akai Gurley, Eric Garner, and so many others safety has been put at risk by these foul murderers who walk the street and continue to be a risk to the community's safety. It's obvious a person who has kept down gang and racial violence in prison is far from a threat to the community at large .

It's obvious that officials want our family to die in prison-- you can look no further than the examples of Merle and Phil Africa dying in Prison. We cannot allow another person to die in these dungeons. We are urging people to please take the time to sign this petition that we have aimed at the United States Justice Department. You can go to the website at <https://www.causes.com/campaigns/92454-free-the-move-9>. We are demanding now that the justice department look into the unjust imprisonment of the Move 9 as a whole. Our goal is to reach 25,000 signatures so we have some serious work to do and your help is needed now more than ever.

## **27 Jun - Kevin Olliff's Change of Plea Hearing**

*On Friday, June 26<sup>th</sup>, imprisoned animal liberation prisoner Kevin Olliff changed his plea from not guilty to guilty, accepting a non-cooperating plea agreement.*

**MORE:**

On Friday, Kevin had a hearing during which he entered into a non-cooperating plea agreement; he plead guilty to violating the Animal Enterprise Terrorism Act and faces a sentence of up to three years in prison. His sentencing is currently scheduled for November 5. The plea agreement will be posted when available, and updates will continue to be posted as Kevin's case progresses towards sentencing.

Kevin's plea agreement is publicly available. Please note that this is a non-cooperating plea agreement, and Tyler has a hearing set for July 22 to also enter into a plea agreement.

Kevin remains in custody awaiting sentencing, so this is an important time to make sure that he feels supported. Please make whatever donation you can now to help him with his commissary fund so he can buy food and make needed calls to loved ones.

As Kevin and Tyler deal with the process of entering into plea agreements and awaiting sentencing, this is a critical time for everyone to show them that they do not face the coming months and years alone. Make donations, write letters, and continue to fight for a day when there are no longer cages. Show that you will be there for Kevin and Tyler, and that you will be there for the animals.

**29 Jun - Supreme Court's Rare Decision That Found Part of Law Used to Impose Harsh Mandatory Sentences Unconstitutional**

*The Supreme Court ruled a part of the Armed Career Criminals Act (ACCA), which enables sentencing enhancements for "violent felonies," unconstitutional because it is vague, requires "guesswork," and denies defendants due process. Now, thousands of prisoners in the United States prosecuted under this law may potentially be resentenced.*

**MORE:**

by Kevin Gosztola (*The Dissenter*)

The decision, issued on June 26, marked the first time in over fifteen years that the court had found a criminal statute was void for vagueness. Leah Litman for Columbia Law Review previously pointed out, "Hispanic and black [sic] offenders receive the ACCA enhancement at higher rates than white offenders do." The harsh mandatory minimum may explain why many defendants "plead guilty to avoid more extensive prison time."

ACCA was a prelude to federal "three strikes" laws of the 1990s. In 1984, it was passed so that a 15-year mandatory minimum sentence could be imposed on any person convicted of possessing a firearm as a felon who also had three prior convictions for a "violent felony."

The law defined "violent felony" as "any crime punishable by imprisonment for a term exceeding one year" that "has as an element the use, attempted use, or threatened use of physical force against the person of another." It lists burglary, arson, or extortion, as well as the "use of explosives," as crimes that would trigger the enhancement. But vague (and now unconstitutional) part of the law is the "residual clause" that says the law can be applied to any crime that "otherwise involves conduct that presents a serious potential risk of physical injury to another."

The case the Supreme Court heard, *Johnson v. United States*, involved whether this part of ACCA covered Minnesota's "offense of unlawful possession of a short-barreled shotgun."

Samuel Johnson, a white supremacist, was monitored by the FBI in 2010 as he became more and more involved in a neo-Nazi organization. The FBI suspected he might be planning acts of terrorism. He informed undercover agents he planned to attack "the Mexican consulate" in Minnesota, "progressive bookstores," and "liberals." He showed agents "an AK-47 rifle, several semiautomatic firearms and over 1,000 rounds of ammunition." Prosecutors sought a 15-year sentencing enhancement and were granted the mandatory minimum sentence under ACCA.

As Justice Antonin Scalia explains in the decision, “Since 2007, this court has decided four cases attempting to discern its meaning.” It ruled in 2007 this part of the law covered attempted burglary in Florida and, in 2011, the offense of “vehicular flight from a law enforcement officer” in Indiana. The court, however, ruled in 2008 that the law did not cover “driving under the influence” in New Mexico and, in 2009, that it did not cover “failure to report to a penal institution” in Illinois.

Over the past eight years, Scalia notes that the court made “repeated attempts” but repeatedly failed to “craft a principled and objective standard out of the residual clause.” Seeing how it is impossible to prevent any “risk comparison” from “devolving into guesswork and intuition,” it was deemed to be unfair.

“The residual clause both denies fair notice to defendants and invites arbitrary enforcement by judges. Increasing a defendant’s sentence under the clause denies due process of law,” according to the decision.

For example, Scalia explains:

*When deciding whether unlawful possession of a short-barreled shotgun is a violent felony, do we confine our attention to the risk that the shotgun will go off by accident while in someone’s possession? Or do we also consider the possibility that the person possessing the shotgun will later use it to commit a crime? The inclusion of burglary and extortion among the enumerated offenses suggests that a crime may qualify under the residual clause even if the physical injury is remote from the criminal act. But how remote is too remote? Once again, the residual clause yields no answers.*

Other questions that judges and prosecutors have to use guesswork to answer include:

...Does the ordinary burglar invade an occupied home by night or an unoccupied home by day? Does the typical extortionist threaten his victim in person with the use of force, or does he threaten his victim by mail with the revelation of embarrassing personal information?

Because it is impossible to objectively answer these kinds of questions, this part of the law is unconstitutional.

Families Against Mandatory Minimums, a group fighting for smarter sentencing laws that filed a brief in support of Johnson’s challenge, praised the ruling.

“All criminal laws should be clear about what conduct is criminal,” said Mary Price, FAMM General Counsel. “This is especially true when the law calls for a mandatory minimum sentence. Today the Supreme Court ruled (decisively) in favor of clarity in one of the harshest mandatory minimum laws on the books.”

According to Litman, this could affect “over 6,000 federal prisoners who have been sentenced under ACCA.” However, there exists a patchwork of “doctrines and statutes” that may limit the ability of a defendant to have his or her conviction reviewed.

The decision will definitely apply to cases where the prisoner’s conviction is not yet final. A prisoner could now use his or her appeal to raise the issue of ACCA’s unconstitutional vagueness.

Since the ruling overruled holdings in the cases in Florida and Indiana, that likely opens up challenges from any prisoners who had their sentence enhanced because of attempted burglary or “vehicular flight from a law enforcement officer.” As it is applied retroactively, it will be significant.

Douglas A. Berman, a professor at Moritz College of Law at Ohio University, suggests the impact of this law is that some of these individuals will now only be legally sentenced up to 10 years in prison instead of a minimum sentence of 15 years.



Federal prosecutors are “duty bound” to review cases and determine which federal prisoners have strong claims as a result of this decision. Lawyers will now be able to obtain relief for prisoners serving lengthy prison sentences because of this part of the law.

### **3 Jul - Global support for Chelsea Manning at Pride 2015**

*This summer, Chelsea Manning supporters came out to Pride events globally to march and stand by for our heroic Wikileaks whistleblower.*

#### **MORE:**

New York City, London, San Francisco, Minneapolis, Salina, Philadelphia, St. Petersburg, Los Angeles and Seattle all featured Chelsea contingents.

Participants marched and carried banners, performed in street theatre & flash-mob dance groups, passed out stickers & buttons to the crowd, and raised awareness of Chelsea and her upcoming legal appeals to crowds of thousands.

In the SF Pride parade, a synchronized dance group performed a routine to Michael Jackson’s ‘They Don’t Care About Us’. Former military strategist Daniel Ellsberg, who in 1971 leaked the Pentagon Papers to the New York Times, marched alongside supporters.

### **4 Jul - Mumia Abu Jamal - Health Update**

*On Monday, June 29<sup>th</sup>, family and supporters visited Mumia.*

#### **MORE:**

We went partially because we learned that Mumia had a fever for eight days, and that there was no assessment as to what was causing this elevated temperature. We had called one of the attorneys, Bret Grote, to communicate that with such a sick person an eight day old fever should have been assessed as to its source and significance. Bret then called the Department of Corrections (DOC) and they did blood and urine tests at the infirmary subsequent to our visit.

Keith noted that Mumia's skin looked less flakey than it had just a few days earlier when Keith and Wadiya, Mumia's wife, had visited him. He thought that overall Mumia looked somewhat better. To me, Mumia looked worse than he had the last time I had seen him on May 28. Mainly his skin, particularly on his forearms, was so unnaturally black, many, many shades darker than his natural skin color. The three of us discussed how these ups and downs that characterized some visitors' impressions, especially the ups, were actually minor, sometimes merely cosmetic, depending on how much vaseline Mumia got to put on his skin, and how soon after his therapeutic baths the visits were. We were visiting him right after his therapeutic bath (which he receives three times a week), and he had just covered himself with vaseline, so while he looked better than he had a few days earlier, within less than a half hour into his visit with us he was itching and quite uncomfortable. Mumia felt his itching was becoming worse again. He is, according to Wadiya, often given, despite this serious skin condition, filthy prison jump suits to wear when transported to the hospital.

Mumia's sugar level, too, has once again risen and goes up to slightly over 100 daily. This is not as alarming as his highest levels when he went into shock, but not as stable as it had been and indicating that the problem has not been solved. Of greatest concern to Keith and myself, and to Mumia, was that Mumia has still not been given a diagnosis. More and more tests have been done, and still no conclusion as to what is making him so sick for so many months now. His legs continue to be very thin and are heavily bandaged, and his skin very cracked and sore. Though not as gaunt as he looked at his worst, he is still nowhere near his normal weight. He is able to walk and uses the wheelchair only when in the visiting room. Prison doctors have expressed concern about his falling in the visiting room and have ordered that he always use the wheelchair for those visits. They are no doubt concerned about possible legal suits.

On less urgent but nonetheless serious issues, Mumia has been wearing glasses in which one lens is broken and kept together with scotch tape for over a year now and his repeated requests to get new glasses have been met with "You have already filed this request". Also, Mumia has not had access to his visiting list for many months, despite his requests for such, meaning that he is unable to make any adjustments that may be necessary regarding visitors he needs to see. Though these are not the most dangerous of the issues in Mumia's health crisis, immediate legal action is necessary to address these violations of Mumia's rights on the part of the DOC. Demands for clean clothing, which should be provided without any demand, but which are especially relevant when someone has such a serious skin disease as Mumia does, should also be immediately filed.

Mumia's outside doctors have yet to see him and permission for them to do so has still not been granted. It is clear that the current medical plan is not working and that immediate and urgent changes need to be made if Mumia's underlying problems are to be addressed and he is to live. Assessments of what the prison has done to cause or aggravate the kind of severe health problems Mumia seems to have developed in such a short period of time must be thoroughly evaluated by experts on the kinds of extraordinary conditions Mumia is demonstrating. Mumia's health situation can not continue to be under the DOC's control if he is to get better. Demands for his immediate release must escalate! Please keep calling John Wetzell, Secretary of the Pennsylvania Department of Corrections, 717.728.4109, and Tom Wolf, Governor of Pennsylvania, 717.787.2500 explaining that the DOC has failed to effectively address Mumia's health problems and that he needs to be immediately released to get such care. Mumia's friends and supporters can find the health facilities and doctors that will properly diagnose and treat him!

## **5 Jul - Investigator Speaks As She Heads to Jail for Exposing Factory Farm Cruelty**

*The following is an interview with Amber Canavan, to whom we are sending letters tonight.*

### **MORE:**

by Will Potter (*Green Is the New Red*)

A few days ago, animal rights activist Amber Canavan began a jail sentence for photographing and rescuing several ducks from Hudson Valley Foie Gras, where ducks are force-fed until their livers are engorged.

She was originally charged with felony burglary and petty larceny, which could have meant up to 7 years in prison. After 3 years of legal proceedings, the charges were reduced and she plead guilty to misdemeanor trespass.

As part of her sentence, she will not be compelled to identify any other investigators, or pay any restitution to the farm.

I spoke with Amber Canavan just days before she began her jail sentence:

**Will Potter (WP):** Why are you going to jail?

**Amber Canavan (AC):** I was recently convicted of criminal trespass for my part in an undercover investigation and open rescue of two ducks from a massive foie gras duck force feeding facility in New York. Foie gras is the liver of a duck who has been force-fed an unnatural amount of corn gruel, resulting in a diseased, fattened liver. This engorged liver is served as a delicacy in a relatively small number of restaurants across the country. This intensive force-feeding process, combined with standard factory farm conditions, cause the ducks extreme discomfort, illness, and death.

I have been a volunteer for the Animal Protection and Rescue League for a number of years, and I became more involved when APRL launched a number of investigations into the foie gras industry. I was on the east-coast team, charged with checking in to Hudson Valley Foie Gras, which is located a few hours from my hometown, and whose proximity had weighed on my mind for years.

The investigation itself went off without a hitch. While there, our team collected many hours of footage, and rescued two traumatized ducks. We discovered that almost all of the birds suffered from untreated sores, respiratory disease, and many had broken limbs. One duck was found with a wound on his throat, which was oozing pus, apparently from improper insertion of the metal force-feeding tube. Others were found dead, often with gruel pouring from their beaks.

The footage was shared and used by many organizations in their campaigns. Unfortunately, it was shared a little too freely, and the District Attorney came into possession of the raw footage, as well as my name. I was arrested in May 2013, two years after the investigation and rescue took place.

**WP:** This has been a very lengthy ordeal. Could you tell us about how it was finally resolved in this way?

**AC:** First of all, at the time of my arrest, I was a full-time student (I have since graduated), so the delays between arrest and indictment, while quite arduous, probably prevented me from being expelled. As is, I was placed on disciplinary probation by my college for apparently violating their student code of conduct by being arrested.

I was initially charged with felony burglary and petit larceny, and the prosecution was adamant that I serve serious jail time, even though I was a first time offender. It took a lot of time and some solid legal work to get to this resolution. Finally, at a court hearing on June 3rd, 2015, with the farm's manager decked out in filthy muck boots, and practically breathing down my neck, I testified in open court that I visited the farm, documented egregious conditions, and delivered two ducks into lifesaving medical care. The judge imposed an Order of Protection against me in addition to the 30 day jail term on the conditions that the other people on the investigation team and the two rescued ducks would remain safe and free.

**WP:** What do you think have been the most important lessons learned from this experience (both personally and politically)?

**AC:** Both personally and politically, I had to confront that sometimes what needs to be done has consequences, but you do it anyway. Sometimes there is so great of an opportunity that warrants taking the risk of going to jail. If you think it's bad for the animals (or the environment or any oppressed group) just from what you've seen from video or pictures, I assure you it is far worse. Our urgency to free them should be as acute as their urgency to be free.

There are a million ways to engage in making change that doesn't include going to jail, but pushing legal boundaries is integral for any social justice struggle. Often the only thing keeping us from making a huge impact is our own hesitations.

**WP:** We have talked a bit about your case in relation to others, such as what's going on in Australia, or ag-gag laws here in the U.S. What do you think that connection is?

**AC:** Ag-gag laws are a symptom of the effectiveness of the movement's use of whistle blowers. As we saw with my case, and many others, such as Patty Mark's arrest in Australia, prosecutors already have the tools they need to silence and persecute whistle blowers. The prosecution in my case made a big deal about the missing ducks, whose value was a mere \$100. Many people believe the real reason I have been prosecuted was the extent of my involvement and openness in advocating for all of the ducks we had to leave behind that night. It was not my actions, but my voice that invited this prosecution. That is what the industry is really worried about, not the loss of a few individual animals.

If a tactic (such as undercover investigations) is too effective at making change, and if that change threatens powerful interests, they will probably find a way to criminalize that tactic. If activists become too bold, they will find a way to scare them into submission, such as with the AETA. That is why tactics need to be ever-evolving, and activists need to cultivate a reserve of courage. As long as activists keep it up, the industry will find other ways to buffer themselves from public scrutiny, but a truth this big can't stay hidden for long. No matter how much money and power they have, we will always be there to nonviolently intervene.

**WP:** What can people do to support you?

**AC:** I went through all of this to bring some relief for the animals. I would much rather folks do something for the animals in my honor than anything else. I'm only going to be confined for a few weeks, but the animals won't have that relief unless we stand up for them.

That being said, there are a number of ways to support me while I'm in jail, such as writing, visiting, or sending me reading material. Details for jail support will be posted on my support page at [www.facebook.com/supportforamber](http://www.facebook.com/supportforamber). Donating to my legal fund by choosing "Animal Cruelty Investigator Legal Defense" at [www.aprl.org/contribute.html](http://www.aprl.org/contribute.html) would also be a huge help.

## **25 Jul - International Day of Solidarity with Antifa Prisoners**

**WHAT:** Cinema, Snacks, and Solidarity

**WHEN:** 7:00-11:00pm, Saturday, July 25<sup>th</sup>

**WHERE:** The Base – 1302 Myrtle Avenue Brooklyn

**COST:** FREE, but donations to cover postage costs are appreciated

### **MORE:**

Antifascists fight against those who—in the government or in the streets—dream of imposing their fascist and other Far Right nationalist nightmares on the rest of us. Throughout the world, Islamophobic, anti-Semitic, anti-immigrant, and racist bigotries are on the rise. Antifas are on the frontline in confronting these reactionary politics, and we will not forget our comrades imprisoned in the course of this struggle.

The July 25 International Day of Solidarity with Antifascist Prisoners originated in 2014 as a Day of Solidarity with Jock Palfreeman, an Australian who is imprisoned in Bulgaria for defending two Romani men from an attack by fascist football hooligans. Groups around the world took action: holding demonstrations, benefits supporting the Bulgarian Prisoners Association, writing to Jock, and talking about the plight of the Romani and Sinti people in general.

In 2015 we would like to expand this day of solidarity to all antifascist prisoners around the world. We encourage groups to take the day to plan an event of their choice—whether it is a letter writing, demonstration, benefit, or other action—and to focus on the prisoners and related issues that are of most importance to them locally.

In NYC, we'll show support with the following:

**Cinema** (Watch Nazis get what's coming to them!)

**Snacks** (Delicious & Vegan!)

**Speakers** (Short & Sweet! Learn about anti-fascist movements from around the world and the comrades in jail for fighting the good fight!)

**Solidarity** (Sign cards that we will send to all antifa prisoners!)

No Pasaran!

Until All Are Free!

For a list of prisoners, endorsing groups, and updates, please check <https://nycantifa.wordpress.com>

Send prisoner updates, announcements for local events, and additional group endorsements to [nycantifascistaction@gmail.com](mailto:nycantifascistaction@gmail.com).