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Updates for August 4th

19 Jul - A Plea From Leonard Peltier

Leonard Peltier needs our help to save Oak Flat and support an Apache stronghold.

MORE:

Most history classes will teach that United States' policy of Indian Termination was officially abandoned in the late 1960's. Native peoples know all too well that many of the policies and goals of "termination" persist to this day. The beliefs that Indigenous people should abandon our traditional lives and culture, surrender even more of our ancestral homelands, and become "civilized," assimilated people are enacted through the continued desecration of our sacred sites, the use of our image as mascots, and in the environmental racism that has devastating effects on Native lives.

One of the few things I am able to do in this prison is follow the news from outside. It is good to see the Apache Stronghold Caravan to stop the desecration of Oak Flat, and supporters, organized and successful at getting the attention of the American media and the US government. Your spirit and strength helps lift my own spirit and gives me hope. The Apache people should know they are not alone in this struggle for survival, and the organization that works on my behalf offers you our support and solidarity.

Native people see all around us the continued disregard of our sovereignty, and of our human rights and treaty rights — at Oak Flat; the desecration of the sacred San Francisco peaks; for sport; in the continued occupation of the Black Hills; in the taking and poisoning of Mother Earth by extractive mining for uranium, coal and other minerals; and in the practices of fracking and drilling for oil and natural gas - all of which leave long legacies of poisoned water and air that sickens and kills our people.

If all nations would begin to respect and follow the principles and guidelines defined in the United Nations Declaration of the Rights of Indigenous Peoples, the tide could be turned from the direction of termination of tribes towards the survival and flourishing of all our relatives, our languages, our spirituality and also towards the healing of Mother Earth.

Mitakuye Oyasin.

20 Jul - Why Americans Prefer Edward Snowden Over Chelsea Manning

An interview with Glenn Greenwald, editor of The Intercept, about America's two most famous whistleblowers.

MORE:

by Lauren Walker (*Newsweek*)

Nearly a year after former National Security Agency contractor Edward Snowden revealed top-secret details about the NSA's vast surveillance programs, the American public came out overwhelmingly in his favor. A poll commissioned by cloud storage service Tresorit in June 2014 found that 55 percent believed he did the right thing, while 29 percent did not.

That support stands in stark contrast to American public opinion of another famous (or infamous) leak—the one by Chelsea Manning, the former private first class sentenced to 35 years in prison for handing over sensitive government documents to WikiLeaks. A Rasmussen poll conducted three years after her disclosures found 52 percent of Americans think she is a traitor, while 17 percent view her as a heroic whistleblower.

Today, Manning's supporters—including Glenn Greenwald, the journalist who helped break the Snowden story—are rushing to raise money for Manning's costly appeal. Greenwald recently donated \$10,000 to her legal defense fund, and over the course of two days last week, Freedom of the Press Foundation, a San Francisco-based nonprofit, with the help of First Look Media, Greenwald's employer, raised more than \$125,000.

But that won't cover the cost of her defense. Manning still will need to raise tens of thousands more dollars to carry the case through oral arguments at the Army Court of Appeals and possibly beyond. (If successful, the Army could grant Manning a new trial or reduce her sentence, among other possible outcomes.) "I don't know how much it will be," says Nancy Hollander, lead counsel for Manning's legal defense team. "I hope we can do it for a couple hundred thousand."

Manning, 27, currently sits in a maximum-security military prison at Fort Leavenworth in Kansas. In 2013, she was found guilty of 20 counts, six of them under the Espionage Act, and handed the longest prison sentence of any government leaker in U.S. history. Among other things, her disclosures showed that the U.S. grossly downplayed the number of civilian casualties in the wars in Iraq and Afghanistan and covered up prisoner abuse in those countries. The leak also contained files on prisoners at the Guantanamo Bay detention facility and hundreds of thousands of private communications between the U.S. and its allies, which revealed that the nations' private stances sometimes contradicted their public ones.

For better or worse, some credit the leaks with helping to spark the Arab Spring and derailing U.S. attempts to extend its stay in Iraq. Government officials have condemned Manning, claiming the disclosures, particularly the unredacted names of everyone from activists to informants, put thousands of lives in danger. But at a time when the U.S. government is increasingly conducting business in secret, supporters see her move as necessary. "If this case stands... anyone who ever leaks a single page of classified information runs the risk of prosecution under the Espionage Act," says Hollander. "That act was meant to punish spies and saboteurs, people who act against the United States. It was never meant to prosecute whistleblowers, and this case presents a disastrous precedent that needs to be overturned."

To understand more about that precedent, as well as why Americans seem to have a more favorable opinion of Snowden than Manning, *Newsweek* spoke to Greenwald by phone last week. The following is an edited version of the conversation.

Why has it been so hard to raise money for Manning in your view?

I think the big problem is that it's really hard to humanize Chelsea Manning because she basically has been utterly silenced from the time she was arrested until today. She's not allowed to talk to the media. She was put in this pretrial detention, where she was basically in this black hole, and so there's been no ability on her part to make public appeals or really to just make her case about why she did what she did or anything like that. So it's been hard to establish a connection between her and the public, and that is crucial to moving people to donate money in a world where there's too many causes—more than you could possibly support.... That has been a crucial difference between Manning and Snowden. Snowden has been able to be his own public voice, whereas Manning hasn't.

Does the information she leaked have anything to do with the disconnect?

I think there was a broader base for what Snowden did in the U.S. because the biggest and first story we did was one about NSA spying on Americans, which meant that there was a lot of support across the ideological spectrum in both parties for those disclosures. Manning's leaks were more along the lines of, "Here's the bad thing the U.S. has been doing to other countries in the world," and so it didn't have that level of support. But at the same time, things like the collateral murder video (that first video of the helicopter attack on the civilians and Reuters journalists in Baghdad), even some of the disclosures from

the Iraq and Afghanistan Wars have been acknowledged as pretty important by a lot of people, including in the U.S. I just think that Manning has been this much more enigmatic figure because she's been so concealed. But I think the WikiLeaks disclosures have also been demonized in a way that the Snowden leaks haven't been.

What about the aftermath of leaks?

I think one big thing is Manning is now a convict. She's been convicted, and she's a prisoner, and Snowden isn't. So it gives us the feeling that Manning has been proved to have committed serious crimes. Whereas Snowden, when you see him, he's not wearing an orange jumpsuit with handcuffs in the courtroom. He's wearing a sports jacket and making appearances and giving speeches. I think that is part of it.

The reality is, the Manning leaks—Bill Keller himself, when he was at *The New York Times*...he had huge conflicts with WikiLeaks, and he hated Julian Assange. But he even said that those leaks helped to spark the Arab Spring. And there is also a good argument to make that Manning's leaks prevented the continuation of the Iraq War.... Obama was trying to negotiate an agreement with the Maliki government to keep forces in Iraq and wanted immunity for U.S. troops, and part of the WikiLeaks disclosures from the Iraq War logs were about these horrific crimes committed by U.S. soldiers in Iraq.... And it basically prevented [former Iraqi Prime Minister Nouri al-Maliki] from agreeing to what Obama was demanding, and it forced the troops out. It kind of ended the Iraq War. So there were good effects to the Manning disclosures. I think they just got demonized by the combination of the attacks on WikiLeaks and the fact she wasn't able to defend them.

Does the American public find Manning less relatable because she is a transgender woman?

Definitely. Even before she announced that she was a transgender woman, which she did basically after her trial concluded, there were [these] really terrible articles all but stating that the reason she did the leaking wasn't out of principle or anything like that but because she was struggling with gender issues and making her seem mentally and emotionally unbalanced. The only thing people did end up knowing about Manning personally, because she wasn't heard from, was that she had these issues of sexuality and gender that make a lot of people uncomfortable—almost like they don't want to be associated with it.

That's another big thing as well: Manning didn't come out as the source of these leaks. She was discovered and then arrested, whereas Snowden boldly came out before he was discovered and said, "I was the one who did it, and here's why." And I worked a lot on the Manning and WikiLeaks story, and I tried to learn some of the lessons from that when we did Snowden, and one of the things I knew was making him relatable as a human being was going to go a long way in determining how these disclosures were perceived. And yeah, I think the way Manning was demonized on those gender issues, and just the fact that she is transgender, even though there is this taboo about speaking about it too negatively now—two years ago, it wasn't the case, and I still think people are very uncomfortable with it. They just kind of want to stay away from it.

What are your thoughts on Manning going through WikiLeaks?

I think people forget the extent to which WikiLeaks actually did some pretty traditional journalism with these leaks. They redacted a bunch of documents; they actually went to the State Department and asked for help getting the State Department's advice about which documents should and shouldn't be disclosed. And the State Department refused to do it, but they did ask. And then they worked with the *Guardian* and *The New York Times* and other traditional media outlets from around the world in order to publish these documents. Although all the documents wound up getting leaked through a series of bad kind of coincidences and mistakes, the way the documents got reported wasn't all that different from the way we did it with Snowden, or the way *The Washington Post* did. But I think that she went to WikiLeaks for the same reason that Snowden purposefully avoided *The New York Times* and came to me and Laura instead:

There was a perception that these other media outlets would do more to suppress this information than get it to the public, and she wanted to make sure it would get to the public, and she felt WikiLeaks would do that. I definitely think that choice is understandable and valid.

Spacing out your reporting on the Snowden leaks has defied the news cycle and kept him relevant. Would this have helped Manning, not going through WikiLeaks?

They did some spacing out... First, they did the video, and then the Afghanistan War logs. Then they did the Iraq War logs, and then they did the diplomatic cables. But you're right—they did this mass publishing of material at once instead of reporting it story by story. There are two different ways of doing it, and there are benefits to each. We've sort of been criticized of being the gatekeepers of the information, and that it has taken us too long to publish some of these stories, and that in some sense we are performing the same role as the NSA by keeping secrets, by not just taking what we have and shoving it all on the Internet. So there are pros and cons to it. We basically did what we did because this is how Snowden strategically thought it should be done. He wanted it reported story by story; he didn't want it just thrown up on the Internet. If he wanted that, he wouldn't have needed me. He would have done that himself. And I do think that that was the right choice, and it has made a bigger impact and kept it in the public eye for longer and sort of immunized us from the kind of attacks that helped to demonize WikiLeaks, but I also see the benefits of doing it the WikiLeaks way. I don't think when Manning sent the documents to WikiLeaks she had any kind of suggestions or preferences or advice or directions about how it should be published. It was really WikiLeaks' decision.

21 Jul - Help Former Prisoners Get to Upcoming ABC Conference

We need help raising money to cover travel costs, such as plane tickets, for former political prisoners and prisoners of war to attend this year's North American Anarchist Black Cross conference.

MORE:

<http://www.youcaring.com/north-american-political-prisoners-366217>

The conference will involve a panel presentation by some of the former prisoners, as well as a weekend full of workshops, discussions, networking, and strategizing. It is essential that we include prisoners in the conference, but the challenges of incarceration and state violence, including felony records, etc, make it harder for former prisoners to get there. Any donation helps. Thanks for your support!

By making a donation, you can get the following items:

\$10 → ELF patches

\$20 → anarchist poster or zine:

Prison Round Trip by Klaus Viehmann, and preface by Bill Dunne

The Prison Industrial Complex by Eve Goldberg and Linda Evans

\$30 → T-shirt: Eric McDavid or Eric King*

*Eric King shirts are still in the process of being printed

\$40 → book:

Eat! Think! Act! (vegan cookbook)

Conspiracy to Riot (RNC 8)

Hurt by Kristian Williams

This Country Must Change from arissa

Between Torture and Resistance by Oscar Lopez Rivera

The Real Cost of Prisons Comix from The Real Cost of Prisons Project

The Struggle Within – Prisons, Political Prisoners, and mass movements in the United States by Dan Berger

Don't Leave Your Friends Behind – Concrete Ways to Support Families in Social Justice Movements and Communities by Victoria Law and China Martens
From the Bottom of the Heap by Robert Hillary King
Love and Struggle by David Gilbert
Resistance Behind Bars – The Struggles of Incarcerated Women by Victoria Law
Outrage – An Anarchist Memoir of the Penal Colony by Clement Duval
The Last of the Hippies – An Hysterical Romance by Penny Rimbaud
Sisters of the Revolution – A Feminist Speculative Fiction Anthology, edited by Ann and Jeff Vandermeer
Maroon the Implacable by Russell Maroon Shoatz
Low Bite by Sin Soracco
Or DVD:
Vision of Abolition: From Critical Resistance To a New Way of Life
The Camden 28 – A Film by Anthony Giacchino

<http://www.youcaring.com/north-american-political-prisoners-366217>

21 Jul - Announcing the 'Marius Mason Wing' of the Lucy Parsons Library at The Base in Brooklyn!

We are pleased to announce the opening of the "Marius Mason Wing" of the Lucy Parsons Library, a radical lending library located at The Base, an anarchist social center in Brooklyn, New York.

MORE:

Marius read these books in prison and wanted to share them with other activists. Thanks to the fine folks at The Base, these books are available to everyone for free—all you need is a Lucy Parsons Library card! We encourage everyone to check out these books and to write Marius afterward with your thoughts!

Here is a list of what is currently available:

Decolonizing Anarchism by Maia Ramnath
Black Flame: Counter-Power Volume 1 by Michael Schmidt and Lucien van der Walt
Against Civilization: Readings and Reflections edited by John Zerzan
Arrested Justice: Black Women, Violence, and America's Prison Nation by Beth E. Richie
From the Redwood Forest: Ancient Trees and the Bottom Line: A Headwaters Journey by Joan Dunning
Future Primitive Revisited by John Zerzan
Excluded: Making Feminist and Queer Movements More Inclusive by Julia Serano
Whipping Girl: A Transsexual Women on Sexism and the Scapegoating of Femininity by Julia Serano
Borderlands/ La Frontera: The New Mestiza by Gloria Anzaldúa
Sewing Freedom: Philip Joseph's Transnationalism and Early New Zealand Anarchism by Jared Davidson
¡Presente! Edited by Cristina Tzintzún, Carlos Perez de Alejo, Arnulfo Manríquez
The Russian Anarchists by Paul Avrich
Dispersing Power: Social Movements are Anti-State Forces by Raúl Zibechi
The Industrial Workers of the World: The First 100 Years by Fred W. Thompson and Jon Bekken
Ben Fletcher: The Life and Times of a Black Wobbly by Peter Cole
Still We Rise: A Resource Packet for Transgender and Gender Non-Conforming People in Prison by Transgender, Gender-Variant and Intersex Justice Project
Replenishing the Earth by Wangari Maathai
Exile and Pride: Disability, Queerness, and Liberation by Eli Clare
On Gandhi's Path by Stephanie Mills
Anarchists Against the Wall edited by Yuri Gordon and Ohal Grietzer
Cartography of Revolutionary Anarchism by Michael Schmidt

21 Jul - Journalist Barrett Brown Receives 30 More Days of Solitary Confinement in Prison

Jailed journalist and activist Barrett Brown has received 30 more days of solitary confinement in the prison, where he is serving a five-year and three-month sentence issued against him in January. Barrett was placed on a Central Inmate Monitoring list, which means he'll be even more closely monitored, and he's already been in solitary long enough to constitute torture.

MORE:

by Kevin Gosztola (*The Dissenter*)

Brown, who had been put in “the hole” at the Fort Worth Correctional Institution previously, was put in solitary confinement in late June after staff “singled” him out “for a search” of his locker and “found a cup of homemade alcohol.”

As the Free Barrett Brown group indicated on July 20, Brown “had a hearing on his infraction and received an extra 30 days in the hole, plus 90 days of phone, visiting, commissary and email restriction.”

Brown was also informed that he was “placed on Central Inmate Monitoring,” which is a program that enables the Bureau of Prisons to apply more scrutiny to prisoners.

Central Inmate Monitoring (CIM) is for prisoners who “present special needs for management.” A copy of the 2007 policy indicates inmates are given this designation “so that critical decisions about their cases are carefully reviewed.” It is supposed to make the “institution environment” more “safe” by “case management decisions based on accurate information and sound correctional judgment.”

For example, CIA whistleblower John Kiriakou, who was sentenced to prison for 23 months for confirming the name of a covert agent to a reporter, was designated for CIM after he wrote his first “Letter from Loretto.”

The institution felt it had to apply this designation to Kiriakou because of his ability to have letters from prison published by *Firedoglake* and covered by various media organizations. Prison officials had mail he received opened. Officers would severely damage mail he received from supporters. His emails were also delayed multiple days.

Kiriakou was considered “dangerous,” according to documents obtained through the Freedom of Information Act. One document marked “FOIA Exempt: Do Not Release to Inmate,” warned, “PUBLICITY—Inmate has broad access to the press. Attached are articles in which inmate has been mentioned.”

Like Kiriakou, Brown has broad access to the press. He has been writing satirical columns from prison. This upsets BOP because it makes it harder to isolate and control Brown as a prisoner.

Brown had his email access abruptly suspended months ago after he had contact with journalist Glenn Greenwald and apparently tried to connect an inmate researcher with another journalist, who could investigate “potential BOP wrongdoing.” BOP told him he would lose email access until April 2016.

[*Note: That other journalist is not with *The Intercept*.]

He wrote recently in a column published by *The Intercept*:

...[I used] the inmate email system to follow up with a journalist I'd provided with contact info for one of the inmate researchers and reiterating that the fellow had documented evidence of corruption within the Bureau of Prisons. Then, an hour later, my email was cut off. After a couple of days of inquiry I was pulled aside by the resident head of security, a D.C. liaison by the name of Terence Moore, who told me he'd been the one to cut off my email access, as I'd been "using it for the wrong thing," which he clarified to mean talking to the press. When I sought to challenge this plainly illegal move by turning in the BP-9 form to begin the Administrative Remedy process that inmates are required to exhaust before suing the federal official who's violated their right to due process under what's known as a Bivens claim, the prison's Administrative Remedy coordinator simply failed to log it into the system for over a month, finally doing so only after the matter had been brought to the attention of the press; finally on June 4 he deigned to register receipt of the BP-9, thereby belatedly starting the clock on the 20 days the prison is allotted in which to address one's grievance — and then he failed to respond even by that illicitly extended deadline...

Kiriakou had a lot of experience with the “administrative remedy” process. He described it as “corrupt and inefficient” and acknowledged a July 2014 article from Prison Legal News on the “grievance system” and how it contributes to prison violence.

The US Marshal's Service and the Department of Criminology and Criminal Justice at the University of Maryland concluded, “The BOP's grievance system is perceived by some prisoners as overly formal and more concerned with procedural practices and deadlines than the substance of a complaint. Accordingly, data suggest that a higher volume of late or rejected grievance responses will increase violence... Two features of the grievance process consistently predicted violence: the proportion of responses which were late, and the proportion of responses which were substantively rejected.”

Brown shared that he was moved from a federal facility 30 miles away because apparently guards were tired of dealing with him. He has also been placed in solitary confinement before he was sentenced.

Everything that BOP does is about control of the prisoner.

CIA whistleblower Jeffrey Sterling is serving a sentence in a prison nearly 900 miles away from his wife, who lives in St. Louis, because that makes it easier to isolate and control him.

The same goes for Brown—Every transfer to another federal facility, every suspension of email access, every day of additional punishment in solitary confinement, and every restriction imposed is about controlling Inmate Barrett Brown.

Placing him under Central Inmate Monitoring is about making it easy to find more ways to control Inmate Barrett Brown. The only problem for BOP is Brown does not fear BOP and is willing to resist their retaliation against him, especially since he knows he can get the press and public to pay attention.

Brown has the support of the Courage Foundation, which can help him raise funds for commissary, restitution and legal costs.

It is the kind of privilege that BOP is glad more prisoners do not have because if they did, their power to control prisoners through gratuitous punishment—in addition to prison sentences—might actually be significantly challenged.

24 Jul - Beyond Innocence: US Political Prisoners and the Fight Against Mass Incarceration

President Obama's recent statements about mass incarceration, together with his decision to commute the sentences of 46 people serving lengthy and life sentences in federal prison on drug charges, treat

“nonviolent drug offenders” as the symbolic figureheads of America’s prison problem. This framing seems to imply that everyone else actually deserves to be in prison.

MORE:

by Dan Berger (*truthout*)

But the world’s biggest prison system is not filled with nonviolent drug offenders alone. Before and alongside the war on drugs, mass incarceration was built through the wholesale repression of radical movements – especially in communities of color.

Take, for example, the cases of two other people who have long sought commutations from Obama and other presidents before him: Leonard Peltier and Oscar Lopez Rivera. Both men are longtime activists who have each served more than 30 years in prison and garnered international support for their release from figures such as Archbishop Desmond Tutu and organizations such as Amnesty International.

“We have to demand freedom for those who struggle for freedom.”

Peltier is an Anishinabe-Lakota former member of the American Indian Movement (AIM) serving two life sentences for the 1975 death of two FBI agents killed during a confrontation between FBI and AIM on the Pine Ridge reservation. Lopez Rivera is a Puerto Rican former community organizer from Chicago who is serving a 55-year sentence for “seditious conspiracy,” an outmoded charge that makes it illegal to plot against the US government.

Throughout the 20th century, the United States has tried dozens of Puerto Rican independence activists with seditious conspiracy – including 11 of Lopez Rivera’s codefendants, whom President Clinton freed in 1999 after a remarkable campaign for their release.

“We have to demand freedom for those who struggle for freedom,” said Alejandro Molina, a member of the coordinating committee for the National Boricua Human Rights Campaign, a prominent organization demanding freedom for Lopez Rivera.

Peltier and Lopez Rivera are two among dozens of people incarcerated for actions they took as part of radical social movements. Many are former members of the Black Panther Party – people such as Herman Bell, Romaine Chip Fitzgerald and Ed Poindexter – who have been in prison for more than 40 years. They are some of America’s political prisoners.

For some, the idea of political prisoners conjures images of far-off dictatorial regimes imprisoning opponents for their beliefs. Yet this country has a long history of imprisoning its dissidents. Political prisoners have included people incarcerated for nonviolent direct actions, such as sabotaging nuclear weapons facilities or participating in civil disobedience. But the ones who have received the longest sentences and the harshest treatment inside are people who have been convicted of violent offenses, typically against police, or conspiring against the government.

In fact, political prisoners have been the canaries in the coal mine for mass incarceration: Some of the most distinguishing features of the American prison state – aggressive policing, hefty charges, preventive detention, lengthy sentences, parole denial and prolonged solitary confinement – were first deployed as means to stop radical social movements beginning in the 1960s. Political dissidents and other oppressed communities remain guinea pigs for the intensity of American punishment.

Who Qualifies as a Political Prisoner?

Focusing on the issue of political prisoners more broadly provides a fuller accounting of where mass incarceration comes from and how it works than does a narrow focus on nonviolent drug offenders. It also connects today's movements to ones that came before.

"They are freedom fighters who stand as living reminders of the Black Freedom struggle, the criminalization of black resistance, and a Black Liberation Movement that started centuries before their birth," activists déqui kioni-sadiki and Sekou Odinga wrote of Black political prisoners in a recent issue of the journal *Socialism and Democracy*. Kioni-sadiki chairs the Malcolm X Commemoration Committee, which hosts an annual dinner in support of political prisoners. Odinga was paroled at the end of 2014, after serving more than 33 years in maximum-security prisons for helping free fellow Panther Assata Shakur from prison in 1979, among other charges. Shakur was granted political asylum in Cuba, where she has lived since 1984.

Defining who is a political prisoner is a challenge – especially in a country with a prison population so large, impoverished and disproportionately Black, Latino/a or gender nonconforming. Every aspect of the law, from policing to imprisonment, is shaped by complex political processes, and so everyone in prison is there, in some sense, as a consequence of politics.

"The vast majority of people in prison are there not so much for what they did but for who they were when they did it," said Laura Whitehorn, who spent more than 14 years in prison for conspiring to bomb several government buildings in protest of police killings and aggressive US foreign policies in the 1980s.

Everyone in prison may be subject to what Whitehorn calls a "political system of 'justice.'" But there is a difference between that and "someone who breaks the law or is treated unfairly because of their involvement in social struggle."

FBI director J. Edgar Hoover described first the Black Panther Party and later AIM as "the greatest threat to the internal security of the country."

Political prisoners are incarcerated not just for their beliefs or identities, but also for the actions they took in service of those beliefs. They are people who "commit a political act that has a criminal consequence," said Lois Ahrens, director of the Real Cost of Prisons Project, which educates people about the American prison system and supports people within it. Some of history's most famous political prisoners – Nelson Mandela, Mohandas Gandhi, Martin Luther King Jr. – all violated the laws of their nation in pursuit of social justice. That is why international law defines political prisoners as those who struggle against racist or oppressive regimes, including through force. Mandela, for instance, was imprisoned for his role in armed resistance to apartheid.

"I don't think you can separate the issue of who is a political prisoner from the politics and movements for progressive social change and national liberation that exist around the world," said Bob Boyle, an attorney in New York City who has represented several political prisoners.

FBI director J. Edgar Hoover described first the Black Panther Party and later AIM as "the greatest threat to the internal security of the country." Many of America's political prisoners began their activism in the civil rights and anti-war movements of the 1960s before joining above-ground organizations such as the Black Panther Party, the American Indian Movement, the Republic of New Afrika or underground organizations such as the Black Liberation Army, Fuerzas Armadas de Liberacion Nacional, or the Weather Underground.

These and other revolutionary organizations at the time came under intense repression by various law enforcement agencies. Most famously, the FBI initiated its notorious counterintelligence program

(COINTELPRO) to spy on, intimidate, harass, imprison and even kill activists from the Black Power, Puerto Rican independence, indigenous sovereignty and antiwar movements.

“It was a movement that was attacked, not just individuals,” Boyle said.

Partly motivated by this repression, some people tried to continue their activism underground. They embraced more militant tactics. When they were arrested, they faced stiff charges and long sentences – longer than those faced by people with no political profile charged with similar offenses. Whitehorn, for instance, was held in preventive detention awaiting trial for nearly five years. During that time, Klan leader Don Black served two years for stockpiling weapons and explosives in a plan to invade the island of Dominica, and abortion clinic bomber Michael Donald Bray served 46 months for bombing 10 abortion clinics.

The criminal charges brought against these activists obscure the political nature of their arrests and ongoing imprisonment. They are doing collective time for the movements they come from. Some people from our movements may have taken “actions that you wouldn’t necessarily agree with,” Boyle told me. “But there needs to be a recognition that they are still part of the movement.”

According to Alicia Garza, cofounder of Black Lives Matter, America’s political prisoners remain incarcerated for their vision of universal social justice.

“So we have to ask ourselves, why is the state afraid of them,” Garza said in a recent talk. “The simple answer is that the state is afraid because of the fundamental challenges that the Black Liberation movement posed to the ongoing conditions of poverty and racism and patriarchy and privatization and on and on and on. So our fight must also be to free all political prisoners.”

Political Prisoners Post-9/11

To Diana Block, a longtime anti-prison activist and founding member of California Coalition for Women Prisoners, it is both “common sense as well as principle” to support people who are repressed for their activism. Otherwise, she said, it may have a chilling effect when the government inevitably responds to increasing radicalism with severe repression.

That chilling effect is especially disconcerting in this moment of renewed activism against prisons and police violence. Already, conservatives have tried to denigrate those killed by police as well as those who protest that violence as “criminals.”

“This new movement must prioritize our prisoners – our past prisoners and our prisoners to come,” Black Agenda Report editor Glen Ford told an audience in May at the Left Forum conference.

In recent years, the FBI has pursued its targets with a severity reminiscent of its actions 40 years ago. Recent victims include Muslim activists opposed to US wars in the Middle East, radical environmental activists and anarchists. Using informants or entrapment, the FBI has made political prisoners of several such people since 9/11. Once in prison, they have often been placed in solitary confinement as a result of their political beliefs and affiliations. Some, such as army whistleblower Chelsea Manning, have been held in solitary even prior to a conviction.

Take the case of Daniel McGowan, an environmental and social justice activist who was convicted in 2006 of conspiracy and arson charges related to actions he took with the clandestine Earth Liberation Front in the early 2000s. McGowan was arrested in a sweep of radical environmentalists that some activists have taken

to calling the “Green Scare.” The government added a “terrorism enhancement” to his charges. He ultimately served six years in federal prison.

In August 2008, one year into his sentence, McGowan was transferred to a new isolation unit in Marion, Illinois. It is a prison with a long history of isolating political prisoners through long-term solitary confinement. In the 1970s, the prison was home to a permanent-lockdown unit that even the warden admitted was created to “control revolutionary attitudes in the prison system and in the society at large.” That control unit confined numerous political prisoners and inspired other isolation prisons, including a short-lived control unit for women political prisoners in Lexington, Kentucky, and the Administrative Maximum prison in Florence, Colorado, which has also housed dozens of political prisoners.

Marion’s new experiment in isolation is called a “Communication Management Unit.” (Another CMU opened in 2006 at the prison in Terre Haute, Indiana.) The prisoners there are kept under more intensive surveillance and less able to communicate with the outside world. The CMUs place extreme limitations on access to phone calls, mail or visits. People are not placed in CMUs for any disciplinary infraction and are given little explanation as to whether or how they might get back to the general population.

The majority of the men are there for their politics: 60 percent of those held in CMUs are Muslim, many of them are the victims of suspect Homeland Security dragnets. A group of CMU prisoners, including McGowan, has sued the BOP to close the unit. As a result of the lawsuit, *Aref v. Holder*, McGowan discovered that he was placed in the CMU because he wrote a series of political essays for The Huffington Post and activist newspapers, as well as the political tone of his letters.

Objections to the Discourse of Political Imprisonment

Mujahid Farid does not like the designation “political prisoner.” He did not even identify as a “prisoner,” even though he spent 33 years confined in maximum-security prisons across New York. He spent most of that time writing articles and filing lawsuits around prison conditions; he even cofounded the first comprehensive peer-education AIDS program inside a men’s prison. The group formed after Kuwasi Balagoon, a Black Liberation Army political prisoner serving a life sentence, died in prison from an AIDS-related illness.

“I’m against the whole label of people behind the walls as ‘prisoners,’ period,” said Farid, who is now coordinator of the Release Aging People in Prison campaign. “It’s a dehumanizing term. We should always refer to people as people, not by one single aspect of their condition. Sometimes it takes an effort, more words, but I think the effort is worth it.”

Other people object less to the terminology than to dividing people in prison. Are “political prisoners” more deserving of support than other people in prison? What about the people who become activists once incarcerated?

“There’s 50, maybe 100 political prisoners [in the United States], and the amount of attention they get, the resources some of them have versus others just toiling away unknown” is frustrating, said Ahrens. “My connection is to the 99.9 percent of other people who are incarcerated.”

Many of the most politically active people in prison are those who became activists to challenge the dire circumstances of confinement.

Ahrens suggests that people “doing the real work” inside deserve wide support and recognition, regardless of the offense for which they were convicted. The people she has in mind are filing lawsuits, protesting

abusive treatment, forming civil and human rights organizations, educating other people in prison and the public about life in prison. This often includes people who only became activists once inside. Ahrens regularly communicates with more than 100 such people in prisons throughout the country, none of whom went to prison for politically motivated actions but who have become stalwart organizers.

“They are the ones telling us what’s happening inside,” Ahrens said. “They know what the fixes are.”

Indeed, many of these people have faced similar reprisals for their activism as those imprisoned for activism on the streets: they have been subject to solitary confinement and routinely denied parole. They too have become political prisoners.

Political Organizing Inside Prison Walls

Politics do not end at the prison wall. Prison organizing has simultaneously emphasized ameliorating abuse in prison while working for broader social change. Throughout the 1980s and 1990s, for instance, political prisoners around the country conducted urgent life-saving work around HIV/AIDS that included peer education and protests against institutionalized homophobia.

Today, as Ahrens suggests, many of the most politically active people in prison are those who became activists to challenge the dire circumstances of confinement. Several of them were mentored or inspired by political prisoners of the 1960s and 1970s.

Robert Saleem Holbrook was just 16 years old when he was sentenced to life without parole in 1991. Once inside Pennsylvania’s state prisons, he met veterans of the Black Panther Party and other Black radical movements. They taught him and other younger prisoners to challenge both their own self-destructive behaviors and the violence of the government.

“Prisoners like myself and countless others who came to prison for offenses unrelated to political activity, that have been influenced and inspired by the example of Political Prisoners, have used their examples to transition ourselves out of the criminal behavior and thought process,” Holbrook wrote about the mentorship he received in prison.

The men mentoring Holbrook included former Black Panther Russell Maroon Shoatz and Joseph Jojo Bowen, a one-time gang member who killed a warden and deputy warden in 1973, allegedly in retaliation for the intense repression of Muslim prisoners. Both tried to escape prison several times in the 1970s and early 1980s. Shoatz escaped in 1977 and 1980, and Bowen led an ambitious but failed escape attempt in 1981. Pennsylvania authorities have kept both men in solitary confinement for decades. Bowen has been in solitary since 1981, while Shoatz was released into the general population in 2013, after his family campaigned to end a 22-year stretch of isolation.

Each book and zine shared is a small act of resistance.

Even prolonged isolation, however, failed to stop their organizing. Holbrook points to Shoatz and Bowen as inspirations for his own activism inside prison. Holbrook has been a prodigious author, an advisor to Decarcerate PA and the Human Rights Coalition and cofounded an innovative correspondence course program for Pennsylvania prisoners in solitary confinement.

Holbrook’s example is telling. Much of today’s organizing inside prison is being done by people compelled to action because of their dire circumstances, regardless of what offenses led to their incarceration. Since 2010, people in several prisons and immigrant detention centers across the country have staged dramatic labor and hunger strikes to protest their conditions. The biggest took place in California, where 30,000

people refused food in 2013 to protest long-term solitary confinement. The leaders of the strike, a multiracial group, explicitly drew on the history of radical Black and Irish nationalism in coming up with their plan. They also issued “An Agreement to End the Hostilities” that urged multiracial and anti-racist unity in California’s notoriously divided prison system.

On a daily level, political prisoners serve as mentors – both for people in and out of prison – and work to chip away at the prison system through legal or legislative reform efforts, writing, art, and other means. Being a political prisoner often means sharing resources, whether books, food, or access to legal resources or outside supporters.

“The [Federal] Bureau of Prisons technically prohibits sharing and actively creates boundaries between people, so basically, each book and zine shared is a small act of resistance,” said McGowan, who estimates that upwards of 20 people would read the publications he received.

Being a political prisoner entails a long-term focus on education and empowerment. Political prisoners have participated in several innovative projects, including The Jericho Movement, which campaigns for the freedom of US political prisoners, and the Certain Days calendar, a collaboration between prisoners and artists throughout North America. Many political prisoners try to educate people on the outside through books, articles and artwork.

They also work with other people in prison. Tyrrell Muhammad described himself as a “19-year-old wayward young man” when he went to prison in 1979. He turned his life around inside, thanks in part to the mentorship of Albert Nuh Washington, a political prisoner from the Black Panther Party and Black Liberation Army.

“His dedication to people like me was like water to a thirsty man,” Muhammad said tearfully at a recent panel.

Washington was imprisoned since 1971. He became a well-respected imam throughout the New York Prison system. Muhammad said Washington tutored him in everything from Mark Twain and the history of slavery to the geopolitics of the African continent. Muhammad credits him with inspiring him to better his life and work for release.

Muhammad was paroled in 2005 and works at the Correctional Association of New York. Washington, however, died of liver cancer in prison on April 28, 2000. His deathbed appeals for compassionate release were denied.

Recent Victories

While the government still refuses to admit the existence of political prisoners, the last 18 months have seen some victories for several long-held political prisoners: Lynne Stewart, a New York attorney who has defended several political prisoners and who was serving a 10-year sentence for violating a gag order placed on one of her clients, was granted compassionate release with stage 4 breast cancer. Former Black Panthers Marshall Eddie Conway, Sekou Kambui and Sekou Odinga were each granted parole after serving more than 30 years in prison.

The last three members of the Cuban Five were freed as part of the move toward normalized relations between the United States and Cuba. Green anarchist Eric McDavid was freed in January after it was revealed that the FBI withheld evidence during his trial that showed that the FBI had entrapped McDavid, leading him to receive a 19-year sentence.

Finally, a New Jersey appeals court ruled that the state had unfairly denied parole to Sundiata Acoli and that the former Black Panther should be released on parole. The 77-year-old former NASA employee has been in prison since 1973, with many years in solitary confinement. He remains in prison as New Jersey authorities appeal the decision.

Aging in Prison

Meanwhile, several others continue to be incarcerated in stark conditions. Albert Woodfox, the last incarcerated member of the Angola 3, remains in solitary confinement after 43 years, despite a judge's order that he be freed. Transgender environmental and labor activist Marius Mason continues to serve the longest sentence – 22 years – of any Green Scare defendant and remains isolated in “administrative detention” without cause.

Many who go to the parole board fare little better. Former Black Panthers Herman Bell and Jalil Muntaqim, among others, have faced repeated parole denials based on their convicting offense, whipped up by intensive campaigns by police unions and conservative media. In 2005, then-Attorney General Alberto Gonzalez canceled the mandatory parole for Veronza Bower. He remains in prison. Prison adds undue stress to the process of aging, leading to increased rates of high blood pressure and diabetes.

Perhaps the biggest concern for longtime political prisoners is that of all long-term prisoners: aging in prison and the atrocious state of prison health care. Since Nuh Washington died in 2000, at least six political prisoners have become ill and died either in prison or within weeks of compassionate release – Richard Williams, Marilyn Buck, Teddy Jah Heath, Bashir Hameed, Herman Wallace, and, in January, Phil Africa.

That history has supporters today concerned about the fate of former Black Panthers Mumia Abu-Jamal, the outspoken journalist imprisoned since 1981 who has been struggling with adult-onset diabetes and related conditions since he fainted in diabetic shock in March, and Robert Seth Hayes, battling diabetes, hepatitis C, and some as-of-yet-undiagnosed ailments. Hayes has been in prison since 1973. Much as prisons try to foreclose the radical imagination, political prisoners animate alternate horizons.

The poor quality of prison health care affects everyone in prison, especially people serving lengthy sentences in maximum-security facilities. Prison adds undue stress to the process of aging, leading to increased rates of high blood pressure and diabetes, among other ailments. Those problems are exacerbated by routine parole denials for many people serving long sentences, especially those convicted of violence against police officers. Blocked parole flies in the face of ample evidence demonstrating that even people who may have committed antisocial acts tend to age out of crime.

These problems – poor health care, punitive isolation, long-term sentences and politically motivated parole denials – provide one arena where the issue of political prisoners connects directly to the overall problem of prisons. That is why, under the slogan of “if the risk is low, let them go,” formerly incarcerated people and their advocates launched the Release Aging People in Prison campaign in New York. Similar efforts have formed elsewhere, including Pennsylvania's Coalition Against Death by Incarceration.

The focus on elderly people in prison challenges the way political prisoners have been among those who, as RAPP coordinator Farid put it, have been “treated as sacrificial lambs,” first by a punitive state and now by a narrowly construed prison reform. It gets to the core problem of mass incarceration. “Talking about long-

term prisoners, why they're in for so long and the politics they have, exposes the structure of permanent punishment," said Whitehorn, also a member of RAPP.

Around the world, countries have often released political prisoners in an attempt to heal past wounds and address current injustices. But the punitive culture of the United States – still unchallenged in mainstream debates about mass incarceration – has yet to excise its demons of repression. As Whitehorn told me, permanent punishment tries to deny “that there are such deep problems in the system that there are movements dedicated to changing them by any means necessary.” Much as prisons try to foreclose the radical imagination, political prisoners animate alternate horizons. Their freedom remains a necessary part of the fight against mass incarceration.

24 Jul - Update about Tyler Lang's change of plea hearing

On Wednesday, July 22, Tyler Lang plead guilty (in a non-cooperating plea agreement) to a single count of conspiring to travel in interstate commerce with the purpose of damaging an animal enterprise (in violation of Title 18, USC 43(a)(2)(C)).

MORE:

Specifically, Tyler's charges stem from the mink release and vandalism of a fur farm carried out by him and Kevin Olliff (aka Kevin Johnson) in August of 2013.

Tyler, like Kevin, faces a maximum of 5 years in prison and 3 years of supervised release. He also faces the possibility of hundreds of thousands of dollars in fines and restitution. His plea agreement suggests that the anticipated advisory sentencing guideline range is somewhere between 15-21 months in prison – but these are just advisory and the government won't make a real recommendation to the judge until it is time for sentencing.

Tyler is currently not in custody. His sentencing has been set for November 9th, 2015 at the Federal Courthouse in Chicago, IL. Please stay tuned for info on court support at that time! A show of community support for Tyler in the courtroom on that day would help lift his spirits and keep him strong.

And don't forget! Kevin's sentencing is currently set for November 5th. If you will be in or near Chicago, please consider coming to court that day to show your support. More details will be forthcoming.

You can view Tyler's plea and Tyler's plea order, and please continue to show Tyler and Kevin lots of love and support as they approach sentencing.

25 Jul - Two Activists Accused of Freeing Animals, Charged as Terrorists

On July 25th, the FBI arrested two animal rights activists for allegedly freeing mink and other animals from fur farms, and vandalizing the property of animal-abusing businesses.

MORE:

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

Joseph Buddenburg, 31, and Nicole Kissane, 28, were charged under the Animal Enterprise Terrorism Act, a 2006 law that reclassified a wide range of petty criminal activity as “terrorism” if done in the name of harming the profits of animal enterprises.

The government alleges that since the summer of 2013 the two caused hundreds of thousands of dollars in damage to corporations that they viewed as being cruel to animals. They are alleged to have freed 6,000

animals, including mink and bobcat, from fur farms in Idaho, Iowa, Minnesota, Wisconsin and Pennsylvania.

They're also alleged to have traveled the west coast of the U.S. and used super glue and glass etching fluid to vandalize the property of fur retailers. Companies targeted included Furs by Graf, a retail shop in San Diego, and another fur shop in Minneapolis.

Buddenburg and Kissane are charged with conspiracy to violate the Animal Enterprise Terrorism Act, and are facing up to 10 years in prison.

Sending a Message

The arrests come in the lead-up to the national animal rights conference in Washington, DC — an event that gathers hundreds of animal rights activists from around the U.S., and dozens of international guests.

The FBI did the exact same thing last year, when agents arrested two animal rights activists and charged them violating the Animal Enterprise Terrorism Act. In that case, like this one, the activists are accused of releasing thousands of animals from fur farms.

In these and many other cases, the FBI uses rhetoric of terrorism in its press releases and sound bites, invoking the power of the word before these activists have even entered the courtroom.

“Whatever your feelings about the fur industry, there are legal ways to make your opinions known,” said U.S. Attorney for the Southern District of California Laura Duffy. “The conduct alleged here, sneaking around at night, stealing property and vandalizing homes and businesses with acid, glue, and chemicals, is a form of domestic terrorism and can’t be permitted to continue.” [emphasis added]

What Duffy fails to note is that the only thing that turns breaking windows into “domestic terrorism” in this case is that the accused are animal rights activists. If these crimes had been committed for any other purpose, it could not be charged under the law. And it would not be receiving the FBI’s public relations efforts.

That message and its timing are not lost on the animal rights activists gathering in Washington this week. As I have reported extensively on this site and in my book, the FBI’s disproportionate focus on animal rights activists, and public messages like this one, has made everyday activists afraid of attending protests.

It’s telling that Joseph Buddenburg, one of those arrested, was also one of the first people ever indicted under the Animal Enterprise Terrorism Act, in 2009; the AETA 4 were accused of chanting, protesting, and writing slogans on the public streets with sidewalk chalk. That case was dismissed. Misplaced Priorities?

The arrests come on the heels of a string of shootings, hate crimes, and other violent attacks that have made international headlines.

As the *Washington Post* reports, there have been 204 shootings in 2015 so far. That’s 204 shootings in 204 days.

ABC notes, “Mass Shootings in US Increasingly Common and Deadly.”

And, as I’ve reported here, there has been a 400% increase in violence by right-wing groups since the 90s.

Meanwhile, this case alone involved the coordination of several FBI Joint Terrorism Task Forces. Through it all, the FBI continues to focus valuable law enforcement resources on animal rights and environmental activists as as the “number one domestic terrorist threat.”

If they are convicted, they face prison sentences higher than those of racist cross burners.

UPDATE: There has been a support website created for Joseph Buddenburg and Nicole Kissane:
<http://supportnicoleandjoseph.com>

July 27th - Donate to the Defense Fund For Nicole and Joseph

Please donate towards Nicole and Joseph’s legal fund. The legal fund will cover important expenses related to the case, including attorney and court fees. Your solidarity is essential in making sure that Nicole and Joseph have strong legal support and the reassurance that they have a community to take care of them through this case. Thank you for donating and for your continued support.

<http://supportnicoleandjoseph.com/2015/07/27/donate-to-the-defense-fund>

July 28th - Court Update

Thanks to everyone for such an immediate supportive response to Nicole and Joseph’s indictment last Friday! Today they had a bail hearing at the Oakland Federal Courthouse, which was very well attended by supporters. About 30 folks joined Nicole and Joseph in solidarity. That’s great! Thanks to everyone who made it out! That kind of support is crucial and will remain so for the duration of this case. So be prepared to keep it up.

Nicole was released from electronic monitoring (house arrest), which is good news. Unfortunately the Judge was unwilling to do the same for Joseph. Right now Joseph is still on 24/7 home lockdown.

The next court date will be September 9th in San Diego. It is really important for the movement to continue to organize in solidarity with them. So please do whatever you can and plan on being available that day for more court support.

Given the current situation, continued donations will be key. Please donate and please ask others to as well. Joseph will need help with basic living necessities while on lockdown.

July 28th - Dylann Roof Is Not a “Terrorist” — But Animal Rights Activists Who Free Minks From Slaughter Are

by Glenn Greenwald (*The Intercept*)

The FBI on Friday announced the arrests in Oakland of two animal rights activists, Joseph Buddenburg and Nicole Kissane, and accused the pair of engaging in “domestic terrorism.” This comes less than a month after the FBI director said he does not consider Charleston Church murderer Dylann Roof a “terrorist.” The activists’ alleged crimes: “They released thousands of minks from farms around the country and vandalized various properties.” That’s it. Now they’re being prosecuted and explicitly vilified as “terrorists,” facing 10-year prison terms.

Buddenberg and Kissane are scheduled to appear this morning in a federal court in San Francisco for a hearing on bail conditions, while arraignment is set for early September. The indictment comes just days before the scheduled start of the Animal Rights National Conference, the largest and most important annual gathering of activists. The DOJ did exactly the same thing in July of last year: Shortly before the start of the 2014 conference, they arrested two activists on federal “terrorism” charges for freeing minks and foxes

from a fur farm. The multiple activists and lawyers who spoke to *The Intercept* since Friday's arrests are adamant that these well-timed indictments are designed to intimidate activists at the conference and more broadly to chill campaigns to defend animal rights.

This latest federal prosecution, and the public branding of these two activists as “domestic terrorists,” highlights the strikingly severe targeting over many years by the U.S. government of nonviolent animal and environmental rights activists. The more one delves into what is being done here — the extreme abuse of the criminal law to stifle nonviolent political protest or even just pure political speech, undertaken with tragically little attention — the more appalling it becomes. There are numerous cases of animal rights activists, several of whom spoke to *The Intercept*, who weren't even accused of harming people or property, but who were nonetheless sent to federal prison for years.

One obvious and significant reason for the U.S. government's fixation is that the industries most threatened by this activism are uncontrollably powerful in Washington, virtually owning the Congress without opposition, stacking the relevant agencies with their revolving-door cronies. Another is that this movement is driven by hard-core believers impressively willing to sacrifice their own liberty in defense of their political values — namely, trying to stop the mass torture and gratuitous slaughter of animals — and that frightens both industry and its government servants; that animal rights as a cause is gaining traction worldwide makes the threat even more alarming.

Yet another reason is that the specific forms of activism this movement has cultivated are shrewd and compelling: As is true for so many types of violence, the savagery, torture and sadism that makes these industries so profitable will be collectively tolerated only if we are not forced to confront their reality. That, for instance, is why the Obama DOJ is so desperately fighting the release of torture and Guantanamo photos, and why it has so severely punished whistleblowers: because few things are more menacing to status quo interests than truth revealed in its most visceral form.

While some E.U. countries have severely regulated or even banned many of the animal abuses targeted by activists, the U.S. factory farms that produce furs are among the cruelest and most sadistic anywhere, imposing extreme amounts of suffering and torture on the animals they slaughter — both in terms of how they confine them and then kill them. The very graphic photo at https://firstlook.org/wp-uploads/sites/1/2015/07/AP_835743045386.jpg shows the carcasses of minks after they have been skinned; the deeply disturbing undercover video from PETA <<https://youtu.be/Nh9Z3MQGUPk>> details their treatment at American fur factories.

Independent of the moral questions raised by this savage treatment of animals, these industrial practices spawn serious environmental degradation, exploit small farmers, and produce health risks for workers: practices that can remain undisturbed only as long as we remain blissfully unaware of the harms they cause.

But there's something deeper driving this persecution. American elites are typically willing to tolerate political protest as long as it remains constrained, controlled, and fundamentally respectful of the rules imposed by institutions of authority — i.e., as long as it remains neutered and impotent. When protest movements adhere to those constraints, they are not only often ineffective, but more so, they can unwittingly serve as a false testament to the freedom of the political process and the generosity of its rulers (they let us speak out: see, we're free!). That kind of marginal, modest “protest” often ends up strengthening the process it believes it is subverting.

When, by contrast, a movement transgresses those limitations and starts to become effective in impeding the injustices it targets — particularly when preserving those injustices is valuable to the most powerful — that's when it has to be stopped at all costs, including criminalizing it with the harshest possible legal

weapons. This is the dynamic that explains the emerging campaign in the West to literally criminalize the previously marginalized BDS movement designed to stop Israeli occupation: It's gaining too much ground, becoming too effective, and thus must be banned, its proponents and leaders threatened with prosecution. The fear that the animal rights movement is growing stronger and will succeed in exposing the horrifying realities of these industries' practices is driving the persecution to the point of declaring it to be — and formally punishing it as — terrorism.

Even beyond that, the animal rights movement strikes at the heart of what is most cherished by American elites: the pillars of unrestrained capitalistic entitlement. That so much industrial profit depends upon extreme, constant torture and slaughter of animals is something regarded as, in essence, a sacred right.

Lauren Gazolla, who was imprisoned for 40 months in 2004 for her nonviolent animal rights activism and now works at the Center for Constitutional Rights, said that this movement “strikes at something fundamental. It challenges a way of life: So much of how much we live our lives is based on massive violence against animals, and the more brutal these industries are, the more profit they make.”

Anything that targets or threatens this entitlement is regarded as the highest and most severe threat. That's why the government, at the behest of the industry interests it serves, is calling it “terrorism”: to them, few things are genuinely more menacing or threatening than an effective political movement aimed at these practices.

A systematic effort to convert animal rights activism into terrorism

The activists arrested on Friday are being charged under the Animal Enterprise Terrorism Act (AETA), a draconian 2006 federal law heavily lobbied for by the agriculture, pharmaceutical and farming industries. Its drafting and enactment was led by the notorious and powerful American Legislative Exchange Council (ALEC), with the lobbying industries also hiding behind groups such as the Animal Enterprise Protection Coalition (AEPC) and the Center for Consumer Freedom (CCF).

As is typical for lobbyist and industry-supported bills, the AETA passed with overwhelming bipartisan support (its two prime Senate sponsors were James Inhofe, R-Okla., and Dianne Feinstein, D-Calif.) and then was signed into law by George W. Bush. This “terrorism” law is violated if one “intentionally damages or causes the loss of any real or personal property (including animals or records) used by an animal enterprise . . . for the purpose of damaging or interfering with” its operations. If you do that — and note that only “damage to property” but not to humans is required — then you are guilty of “domestic terrorism” under the law.

Prior to the 2006 enactment of the AETA, animal rights activism that damaged property was already illegal under a 1992 federal law, as well as various state laws, and subject to severe punishments. The primary purpose of the new 2006 law was to expand the scope of criminal offenses to include plainly protected forms of political protest, and to heighten the legal punishments and intensify social condemnation by literally labeling animal-rights activists as “domestic terrorists.”

At the same time as this draconian statute was signed into law, numerous states enacted so-called “ag-gag” laws that — amazingly — “prohibit workers from taking undercover videos at the facilities and impose fines or jail time for those who do.” Moreover, “roughly half a dozen states have passed laws in recent years to prevent workers from taking images or videos of agricultural facilities.” They're so desperate to conceal their savage conduct from the public that they're literally criminalizing reporting and whistleblowing, so that those who enable vital (and horrific and hard-to-watch) videos like this one

<<https://youtu.be/U12cmwJs140>> — showing incomprehensible cruelty to highly intelligent and emotionally advanced pigs — are subject to prosecution.

For a barbaric industry, nothing is more threatening than the truth. As the Wall Street Journal explained in May: “In 2008, a California meat company recalled 143 million pounds of beef — the largest beef recall in U.S. history — after the Humane Society of the United States distributed an undercover video showing workers kicking sick cows and using forklifts to get them on their feet. The condition of the cows suggested their meat could have posed a risk to consumers.”

That case was the result of an undercover investigation at the Hallmark Meat Packing Co. in Chino, which, in the words of the Humane Society, showed “slaughter plant workers displaying complete disregard for the pain and misery they inflicted as they repeatedly attempted to force ‘downed’ animals onto their feet and into the human food chain.” Because the cows were too sick to walk, they were dragged or pushed with hot prods into the slaughterhouse. Some of that food made its way into the National Lunch Program served to public school students.

In other words, cows that were too sick even to walk, because of their savage mistreatment, were being put into the human food chain. This was discovered only because an undercover video revealed it.

Is it any wonder that these industries are demanding that such reporting and exposure be outlawed? And is it hard to see why the brave activists bringing these truths to light and trying to stop them are regarded as criminals and even “terrorists” for doing so?

Targeting core political speech

This latest case shows how extreme and oppressive this law is by design. No human beings were physically injured by the alleged activism of Buddenberg and Kissane, nor did they attempt to harm any. Whatever one thinks of their tactics, it was — even by the FBI’s telling — confined to property damage: essentially vandalism. In its Press Releases announcing indictments, the FBI tries to depict the alleged acts in the worst, most inflammatory light possible; for this case, this is all it could muster: They “used paint, paint stripper, a super glue-type substance, butyric acid, muriatic acid and glass etchant to vandalize Furs by Graf, a retail furrier located in San Diego.” There is absolutely no commonly understood meaning of “terrorism” (to the extent such a thing exists) that can include anything they did.

Ben Rosenfeld, a lawyer who has extensively represented animal and environmental activists, told *The Intercept* that “calling this terrorism is utterly irresponsible and offensive to victims of real terror.” Referring to both the DOJ and Congress, he said, “They should be ashamed of themselves.”

He added that in the post-9/11 era, “Calling this terrorism makes it almost impossible to get a fair trial for these activists. It’s very manipulative. Though the public is more jaded about the manipulative use of this term, it makes a huge impression on judges, most of whom have previously been prosecutors.” Because it’s in the title of the law, the term “terrorism” even appears on verdict forms, “so jurors see it very clearly.”

To label this nonviolent political protest “terrorism” yet again illustrates the utterly malleable and propagandistic nature of that term. This is particularly true given that the same DOJ that is charging the activists as “terrorists” just announced that Dylann Roof — who murdered nine people in a Charleston church to advance clear ideological and political objectives — will not be.

Even more abusive prosecutions — based exclusively on pure political speech and protest rights — have been common. Will Potter is likely the most knowledgeable journalist in the country on these issues; he’s

author of a 2011 book entitled *Green is the New Red*, and editor of a great website by the same name that exhaustively covers these issues.

Potter has a new story, published yesterday, on the arrest of four animal-rights activists in Oregon for . . . “allegedly writing political slogans on the public street using sidewalk chalk.” Potter reports that “the chalking was done as part of the growing ‘No New Animal Lab’ campaign, which aims to stop the construction of a new underground animal experimentation facility at the University of Washington.”

In 2004, Gazzola was prosecuted — and imprisoned in a federal penitentiary — for 40 months (three-and-a-half years) on charges that she and other activists maintained a website that endorsed illegal protests, and that her chants at a protest outside an executive’s house included advocacy of violence.

Her co-defendant was Andy Stepanian of Fitzgibbon Media, the communications firm that represents *The Intercept* and, on a pro bono basis, Chelsea Manning. Stepanian was imprisoned for three years, and during his incarceration, was even placed in a highly oppressive “Communications Management Unit,” called “GITMO North,” typically reserved for Muslims accused of terrorism. The FOIA-obtained prison document ordering his transfer tells the story (redactions in original) [viewable at <https://firstlook.org/theintercept/document/2015/07/28/communication-management-unit>].

As Gazzola detailed in a 2014 Salon article, the only conceivable purpose of calling activists like her “terrorists” under the new 2006 law is to stifle legitimate speech:

The AETA was pushed through Congress by the immensely powerful animal agriculture, animal testing and fur industries. The law is not limited to punishing illegal activity; numerous existing laws already punish vandalism, threats and other illegal forms of protest. Rather, the AETA provides special protection to a specific class of businesses by targeting and stigmatizing a particular group of protesters, hanging the specter of prosecution as “animal enterprise terrorists” over their heads, and ultimately scaring them into silence.

Indeed, the very first case prosecuted under the AETA was in 2009, and it included the same Joseph Buddenberg who was arrested on Friday, along with three other defendants. Industry officials and their lobbyists were furious that no prosecutions had been brought in the two years since its enactment, and were aggressively pressuring the DOJ to find a case.

As Potter reported at the time, the DOJ’s entire case, calling these activists “terrorists,” rested on their pure First Amendment activity such as chalking sidewalks, marching and chanting outside researchers’ homes, and distributing fliers. The following year, the indictments were dismissed by a federal judge on the ground that the DOJ failed even to allege with any specificity what they did that constituted a crime.

But the history since that dismissal makes clear that pure political speech and protest are the real targets of these “terrorism” prosecutions. Gazzola told *The Intercept* that the AETA succeeded for a time in its goal of weakening and chilling activism: “My prosecution scared people,” she said.

But both Gazzola and Potter echoed what numerous activists and lawyers said: that despite the government’s efforts, animal rights activism is stronger, and the cause more widely accepted, than ever before. Others noted that there’s also a growing right-wing faction to the movement and that it’s starting to cut across ideological lines in interesting ways. Gazzola said that “more and more people are speaking up more strongly now, and there is more support from the broader left and social justice attorneys. All of that has really helped the movement come back.”

Supporting activism, preventing abusive prosecutions

For years, animal rights activists worked without much support, even from the left, which generally regarded them as fringe and their cause as marginal (this post does a good job of laying that out <<https://ohtarzie.wordpress.com/2015/07/25/unlike-the-so-called-left-government-and-industry-really-get-animal-rights>>). But all of the movement supporters interviewed by *The Intercept* are optimistic that, for a variety of revealing reasons, they have far more support than ever before.

Potter explained that the left's aversion to animal rights activism was in part fueled by caricatures created by federal authorities. "They told the left, 'don't worry: we're just going after these hard-core extremists, the ones who think you shouldn't be able to go to circuses or wear leather shoes.'" That demonization made the left wary of being associated with a movement that had been successfully marginalized.

Beyond that, he said, there's a strong human incentive to avoid thinking about what is done to animals. Potter explained: "People don't want to engage with these issues because it challenges the most fundamental assumptions about how we've structured our society. It makes people confront the assumption we've adopted that we, as humans, have the right to do anything we want to the planet and other species for any reason: clothes, food, entertainment, transportation. Once you engage with those issues, it can be a shocking confrontation with how you've been living your life for awhile. These activists are threatening not only corporate profit, but also the fundamental precept that humans are the center of the universe and have the right to do whatever they want."

But activists point to a number of positive developments as evidence that animal rights is now becoming far more mainstream. There have been a few successful ballot initiatives to limit the worst abuses in agriculture. A single documentary on animal abuses at Sea World all but destroyed that company. Mainstream, influential figures advocate vegetarianism. The widespread availability of cheaper technology and access to the internet makes it far easier than ever to produce undercover videos and ensure widespread dissemination. Legal changes are, for the first time, recognizing pets and other animals as having emotional worth, beyond their value as "chattel."

In sum, said Potter, we are collectively "expanding our circles of compassion, or at least consideration, in terms of the law and our moral framework." For the first time in the U.S., it is now being recognized that "animals are worthy of moral consideration."

But these changes, while positive, are limited, and far from what is needed to shield animal rights activism from vindictive prosecution and additional industry-fueled retribution. Potter used the term "greenwashing" to explain that "the Federal Government loves to tell you that it's great for you to love the environment, but only if you do it in benign ways that don't threaten industry." You can and should recycle, but don't impede lumber companies from cutting down trees or get in the way of whaling ships. Only "eco-terrorists" do that.

The same dynamic is at play in animal rights activism. We're told that it's great to love your pets. It's fine to get outraged when some revolting, piggish Minnesota dentist — or the hideous spawn of Donald Trump — slaughter majestic animals in Africa for their own twisted pleasure or to compensate for their glaring sense of inadequacy. "But whatever you do," said Potter, "don't turn your gaze to the everyday behavior of America's largest food companies and farming industries in order to shine a light on their wholesale torture and slaughter of animals." No matter how much people have learned to love animals and regard them as possessing moral worth, that type of activism — effective and subversive of industry — is still radioactive.

That's what most needs to change. The countless hours of interviews and reading I've now done has made me, for the first time, fully cognizant of the shocking amount of legal abuses being undertaken here. At the very least, the activists who are sacrificing their own liberty in order to protect animals from being tortured

and slaughtered — activists who are often poor and thus vulnerable to most abusive prosecutions — deserve a vibrant legal defense.

A legal defense fund has now been created to ensure that both Buddenberg and Kissane have the funds needed to defend themselves. You can, and I hope will, donate to that here. Beyond that, both CCR and the Civil Liberties Defense Center have done stalwart work in fighting the pernicious efforts to equate this activism with “terrorism.”

The propagandistic exploitation of the term “terrorism” has produced a wide range of harms all over the globe. Few harms are as severe as its ongoing use not only to stifle, but outright criminalize, political speech and noble activism.

25 Jul - Prisons, Ecology and the Birth of an Empire

Please read this great piece, authored by an activist with the Prison Ecology Project, aimed at mapping the intersections of incarceration and the environment.

MORE:

by Panagioti (Earth First! Newswire)

Strange sometimes how worlds collide. Nine years ago I found myself in the swamps of the northeastern Everglades listening to an independent, traditional Seminole activist asking for support in challenging the state and federal government’s plans to fund a celebration of 500 years of Florida—a history that began, in many ways, with the founding of one of the best known tourist traps in this country,

Christopher Columbus is a symbol marking the origin of Manifest Destiny’s rampage across the western hemisphere, the conquistadors that established the colony of St. Augustine built the first literal foundation under that genocidal, ecocidal mindset.

Today, as I occupy my time developing the Prison Ecology Project, aimed at mapping the intersections of incarceration and the environment, it’s hard not to also view St. Augustine as the first prison town of what would be become the U.S. Empire—a nation who has distinguished itself in the modern world by simultaneously pushing global policies that have facilitated an unprecedented pillaging of the planet for resources and for locking people up at a never-before-seen scale or pace in human history.

For many people I’ve spoken with over the past several months, there is a gut level, intuitive response to view these things—mass incarceration and industrial pollution—as connected in some way. Since the Prison Ecology Project began earlier this year, it has been able to established dozens of concrete examples of that connection all across the country in the here-and-now. But learning more about the history of St. Augustine, as their big 450th Anniversary celebration is about to commence in 6 weeks (featuring a planned appearance by the King and Queen of Spain), has got me thinking a lot about the deeper roots of the prison/ecology intersection. And it ain’t pretty.

Conventional history places the initial prison boom in the U.S. as the penitentiaries of the Mid-Atlantic region in a first wave of criminal justice reform stemming from the American Revolution’s break with the brutality of justice under British colonialism. On October 25, 1829, Eastern State Penitentiary became what was considered to be the world’s first “true penitentiary.” Eastern State’s new system of incarceration, dubbed the “Pennsylvania system,” supposedly allowed people an opportunity to correct themselves through the Quaker values of silence, solitude and reflection, with Jeremy Bentham’s panopticon structure allowing a benevolent warden to oversee the prisoners and ensure their safety. In cities to the north, the prison reform debate raged with the construction of new prisons, including the now-famous Sing Sing,

which used the Auburn system, or the “New York system”, which held that prisoners should be forced to work and could be subjected to physical punishment. (Yes, the New York model won out.)

But it’s down in Florida where the first real prison town of the continent existed, and had been plugging away since 1570, when Spanish soldiers in St. Augustine had built the first substantial prison in North America. (Its worth noting that as other European nations began to compete with Spain for land and wealth in the “New World,” they also turned to prisoners to fill out the crews on their ships.)

According to the Resist450.org Coalition:

By 1837, the Castillo de San Marcos fort in St. Augustine was used explicitly as a prison for Seminole people who resisted the policy of forced relocation. By 1875, the fort was used to imprison indigenous people under attack throughout the West, including Chiefs from the Cheyenne and Kiowa tribes. These prisoners became treated as a tourist attraction for vacationing teachers and missionaries experimenting in techniques of forced cultural assimilation. In 1886 nearly 500 Apache prisoners were held at the fort, many of whom died there. For the most part, the prisoners were men who had refused to accept the Federal government’s system of reservations for controlling the tribes.

It’s in that history where something much more familiar to the modern U.S. prison system is actually surfacing, at least in its overall intent—convict labor at the service of corporate globalization (a synonym for Manifest Destiny), and the use of incarceration as a tool of mass repression against people defending their land and communities.

While the construction and engineering of prisons today look, at the surface, more like Bentham’s post-colonial panopticon of penitence, the purpose they serve is much more aligned with what we could call the “St. Augustine System.” A system where imprisonment is not based on crimes one may have committed, but on the threat that broad populations pose to the stability of an empire based on tearing apart entire cultures in endless, mindless pursuit of greed.

Descendants of the millions of Africans subjected to the Trans-Atlantic slave trade, the tribes of people native to North America who faced genocidal expansionist policies 500 years ago, and the immigrant labors force that was shipped from all over the world between that time and now, are the people filling the prisons today. Black, Latino and Indigenous people are disproportionately represented in everyone of the states in the U.S. today—even in states like Vermont, with 96% population of white people. And the low-income white descendants of European immigrants laborers essentially make up the rest of the prison population.

You may recall this demographic of people from noted moments in recent history such as: the labor movement, the fight for civil rights, Black and Brown Power organizing, American Indian sovereignty struggles, and more recently, the battle to secure environmental justice protections. In the past 30 years, there was a 500% increase in locking people up, tapping these demographics to the tune of around 10 million people at any given moment under extreme state surveillance (prison, house arrest, parole, probation), and scaring the shit out of... excuse me, having a chilling effect... on countless millions more.

It was in viewing this reality of the criminal justice system that the Prison Ecology Project decided to intervene in the Environmental Justice 2020 (EJ 2020) strategy session that the U.S. Environmental Protection Agency (EPA) initiated earlier this year. If you read the EPA’s guidelines on who is entitled to environmental justice protections that it is obligated to provide under Title VI of the Civil Rights Act of 1964 (which explicitly prohibits discrimination by government agencies that receive any federal funds), it’s

basically the exact—albeit unspoken—criteria that the criminal justice system uses to decide who rots in prison and who goes on to become investment bankers.

As it turns out, despite passing the Civil Rights Act more than 50 years ago, the U.S. government has been entirely ignoring the environmental health protections that are implied under Title VI for the millions of people behind bars. And while the Constitution does still enshrine the practice of prison slave labor in the 13th Amendment, it does not legally strip people of their other Civil Rights, such as the protection from discrimination in environmental permitting and enforcement of regulations. Prisons are heavy industrial facilities, akin to factory farms in their pollution output of sewage and chemicals. If it's an issue to live next to one, then it sure as hell should be to live inside one.

Thankfully the Prison Ecology Project was not alone in seeing that. Ninety-three other organizations signed on directly to the EJ 2020 comment that was submitted earlier this month, and others submitted letters which supported the position of recognizing prisoners as deserving environmental justice protections. Among those were several Earth First! groups, Rising Tide North America, the National Lawyers Guild, the Southern Poverty Law Center, the Hudson River Sloop Clearwater (founded by Pete Seeger), a Quaker group (perhaps repenting for follies of their predecessors in PA), the EJ Forum (the biggest environmental justice coalition in the country), a former EPA chief attorney, and even the Sierra Club—the largest membership-based environmental organization in the U.S. [Check out the EJ 2020 comments from Sierra and EJ Forum in the links above.]

This could be a small but significant step in the unraveling of the racist, repressive incarceration policies of the past few centuries... If we build off it. Are you in? If so, let's meet up in St. Augustine, Sept 5th – 9th.

An on that note, the Resist 450 Coalition reminds us: “Although the Castillo de San Marcos prison was closed in 1900, the legacy of brutality continues today in Florida's prisons, which have been making recent headlines for their high levels of violence and corruption,” also that “famed Native American political prisoner Leonard Peltier is held today in a federal prison only two hours from St. Augustine, in Coleman, FL.”

The Coalition goes on further to declare that the Castillo de San Marcos Fort and Prison should be torn down. In calling for such, they have contacted the monarchs of Spain, Pope Francis, and “the descendants of the Aboriginal Indigenous People who, among others, were reported to have been held captive prisoners in the Castillo de San Marcos...”

This list includes:

- Alabama-Coushatta Tribe of Texas
- Alabama-Quassarte Tribal Town
- Apache Tribe of Oklahoma
- Arapaho Tribe of Wind River Reservation
- Caddo Nation
- Cheyenne-Arapaho Tribe of Oklahoma
- Chickasaw Nation
- Comanche Nation
- Council of the Original Miccosukee Simanolee Nation Aboriginal Peoples
- Coushatta Tribe of Louisiana
- Fort Still Apache Tribe
- Jicarilla Apache Tribe of the Jicarilla Apache Indian Reservation
- Muscogee (Creek) Nation
- Northern Cheyenne Tribe of Northern Cheyenne Indian Reservation
- Poarch Band of Creek Indians

- San Carlos Apache Tribe of the San Carlos Reservation
- Simanolee People
- Thlopthlocco Tribal Town
- Tonto Apache Tribe of Arizona
- White Mountain Apache Tribe of the Fort Apache Reservation
- Yavapai-Apache Nation of the Camp Verde Indian Reservation

You can find this list on the flyer for Resist 450, along with a calendar of events, which you can download and print to circulate among your community.

26 Jul - Russell Maroon Shoatz Chronology Of Major Health Problems (Continued)

Good News! The radiation therapy that Maroon has been receiving has been successful! So he kept the following short, just highlighting the main aspects of what has occurred so that we can turn our attention to some of the other problems that confront us.

MORE:

From Mondays to Fridays, from May 4, 2015, until May 29, 2015, with the exception of Memorial Day, I received radiation therapy. It continued from June 1, 2015 until June 3, 2015.

Nothing out of the ordinary to report concerning the treatment by the guards that transported me to the cancer center: always three guards, supervised by a lieutenant, although usually different guards each trip; while normally two regular guards accompany other prisoners on these hospital trips, and on most days my party would see such occurring within the same hospital.

After completing my radiation treatment on June 3, 2015, my oncologist (“Dr. K”), had me seated in a separate “examination room” where, weekly, both he and his physician’s assistant or nurse practitioner (“C.”) would review with me the week’s treatments and my overall condition. He told me that my treatments were completed, asked about my overall feelings, and said something like “From my mouth to God’s ear” what we had accomplished “should do the trick”; which I took to mean rid my body of the cancer. Still I asked him, “Is there any cancer in my body?” And he said, “Any cancer cells in your body are dying,” and that the radiation would continue to attack any cancer cells, that I would begin to feel much better within six to eight weeks, and “get better and better.”

It’s well established that a cancer is a group of cells (usually coming from a single cell) that has uncontrolled growth. Thus his answer satisfied me; especially since he had told me during an earlier examination that I had to continue to drink a lot of water, since “the cancer is not going to evaporate into the sky,” but would be passed in my urine, something the “dying” cancer cells in my body will hopefully do.

Dr. K then had me sign discharge papers, and handed the guard typed instructions to deliver to the Graterford medical staff concerning my follow-up care, which Dr. K. told me would consist of periodic blood tests and prostate examinations that I have become very familiar with. And that I would remain on this regiment for the rest of my life, along with taking certain medications.

I thanked him, as well as “A.” and “B.,” the two radiation therapists who were busy monitoring another patient I caught a glimpse of on the desktop monitors as the guards were wheeling me away in a wheelchair, since I was always required to be moved around the hospital in that manner.

Since then I had a visit with one of my lawyers, who said he would move to acquire the balance of my medical records so that we could review what has been written since the last batch of medical records we obtained.

It's been exactly one week since my last radiation therapy treatment, and up until two days ago, the fatigue from those treatments was almost overwhelming! That particular side effect accompanied most of over two months of treatments. Yesterday and today I have been feeling a little more energy, and Dr. K said that I must view the ending of the radiation treatments and my recovery in the same manner; meaning, one would not expect to immediately recover after undergoing surgery. Though psychologically I am less stressed, obviously...

Major Eye Problems

During the visit with my lawyer, mentioned above, he told me to submit a request to the Chief Health Care Administrator here concerning the cataract surgery on my right eye that the outside specialist recommended after examining my eye on May 1, 2015. And if there is an anymore undue delay, my lawyer will follow up with a notice to begin legal action towards getting that taken care of as well.

On behalf of my family and myself, I again want to extend my deepest thanks to everyone who has helped in any way. Cancer is simply an exceptionally trying condition to deal with, and when a political prisoner like myself suffers that condition, without strong support from the streets there are many elements within the criminal UNJUSTICE establishment who may very well take that opportunity to interfere with the medical professionals who are willing to help heal you. A tragic history that continues to unfold.

July 26th - Open Letter from a Life Prisoner

To His Holiness Pope Francis

Most Holy Father:

My name is Russell Shoatz, and I have been continuously imprisoned in U.S.A. prisons for over 43 years, after being convicted in regards to the death of a policeman in 1970.

Although I have never killed another individual, I was nonetheless a part of a movement whose outrage and actions against racial, economic, and social injustice resulted in the death of that policeman, a train of events that leaves me with deep remorse.

It is said that when a fool gets enough scars, he will become a wise man. In my case – soon to be 72 years of age – I have certainly gained some wisdom about some matters, in particular what I am about to present here. Namely my concern nowadays is for the countless younger people who may be forced to also spend their lives in prisons because of the injustices in this society, highlighted by the seemingly unjust killings of individuals at the hands of police all over this country, similar to the events that landed me in prison so long ago.

Yet, while I seek forgiveness and work towards reconciliation with those I have wronged and hurt, the bigger picture urges me to also strive towards laying a foundation to help younger people extract themselves from a generations-old racial, economic, and historical set of contradictions that not only led to my imprisonment, but has since metastasized into the criminalization of millions based on their racial and/or economic standing – an unjust, unethical, and ultimate poisoning of society that is at odds with the compassion and broadness of vision that Your Holiness is held in such high esteem for championing.

Society has everything it needs to rescue itself from the MASS INCARCERATION fallout that has resulted from these failures. And by overcoming this part of our problems, we place ourselves in a position to challenge others to fashion solutions to other social issues that have been eating away at us for so long.

A way forward in uprooting MASS INCARCERATION rests with offering every prisoner – as well as every prison employee – an opportunity to obtain the type of education and skill-sets needed by society in the 21st century, all of which can be accomplished by joining the global online revolution in higher education.

Just imagine the changes that would come about if the U.S.A.'s vast array of colleges and universities were to afford such a task to their faculties and students, who presently desperately need a "mission" of sufficient gravity to convince the tax-paying public to support them and not the MASS INCARCERATION they now underwrite. The slogan for such an initiative could be: "MASS EDUCATION – YES. MASS INCARCERATION – NO!"

Clearly all demographics would benefit: The taxpayers would be relieved of pouring billions into the present bottomless pit. College and university faculties and students would gain unmatched experience in tackling one of society's most vexing problems, and thus place themselves on firmer ground when arguing that it's unwise to treat them as they are presently being treated, primarily as economic cogs. Millions of prisoners would transition from being society's burdens into societal assets. And many prison employees could use their acquired education and skill-sets to move on to more rewarding and stable professions.

Otherwise we continue to muddle in the present unsustainable manner... That's until the taxpayers become so frustrated that they demand a generalized privatization of the prison system, which has been cleverly marketed as a solution, but is failing everywhere to deliver on its promises.

Your Holiness:

Your compassion is offering hope and comfort to billions. If what I have expressed here is deemed worthy of your consideration, would it be too much to further beseech you to find your way to the State Correctional Institution at Graterford, which is the largest prison in the state of Pennsylvania, and is within fifty miles of the city of Philadelphia, which you are scheduled to visit in the Fall? Such a visit would highlight our meager efforts at Graterford to convince our state's lawmakers and citizens to replace the present unethical system of MASS INCARCERATION with one of MASS EDUCATION and true REHABILITATION.

Thank you for your time and consideration.

Note: We've received indication that the Pope will, in fact, visit Philadelphia's Curran-Fromhold Correctional Facility (CFC) while in town, and we invite you to reiterate the importance of such a visit, and express your support for it, by tweeting the official Papal Twitter account, @Pontifex, with a message echoing Maroon's sentiments. We ask that you not specify Maroon by name, but rather, use the slogan he's put forth in his letter. One such tweet might read: "@Pontifex Please take time to meet Pennsylvania prisoners. MASS EDUCATION–YES! MASS INCARCERATION–NO!" If you do choose to tweet, please also include the hashtags #PopeVisitPAprisoners and #PopeInPhilly.

28 Jul - Four Activists Arrested for Chalking "Save the Animals"

Four animal rights activists have been arrested for allegedly writing political slogans on the public street using sidewalk chalk.

MORE:

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

The four were arrested in Beaverton, Oregon, and face charges of harassment, criminal mischief, and disorderly conduct.

The chalking was done as part of the growing “No New Animal Lab” campaign, which aims to stop the construction of a new underground animal experimentation facility at the University of Washington.

Activists have been protesting Skanska, an international construction firm hired to build the lab, and there have been protests at the home of David Schmidt, the Northwest Regional Co-Chief Operating Officer of Skanska, who signed the lab contract.

Washable sidewalk chalk was used to write on the sidewalk and public street. Phrases included “No new animal lab,” and “Save the animals.”

There have been protests in Schmidt’s neighborhood, some of which included activists chanting slogans. When they were chalking on the evening of July 22nd, though, the four activists arrested were not chanting or protesting.

The activists, who asked to not be identified as their charges are pending, said in interviews that when police arrived, they did not ask any questions or attempt to speak with them; the police immediately told them not to move and that they were all being detained. They were then transported separately to jail.

Their attorney, Lauren Regan of the Civil Liberties Defense Center, said that chalking slogans is clearly First Amendment protected activity.

“Law enforcement have a duty to uphold the constitutional rights of all citizens, and not merely to do the bidding of large corporations who seek to silence their critics,” she said. “In this instance, the police appear to be clearly violating the First Amendment rights of activists, which undoubtedly includes using sidewalk chalk to write slogans on public sidewalks, which are traditional public forums that provide the most expansive protection for free speech.”

The arrests accompany an escalating effort by Skanska to shut down the protests; in Seattle, the company obtained restraining orders against activists, prohibiting them from protesting company executives.

The four have an arraignment hearing on August 4th.

Meanwhile, they are continuing the campaign against Skanska, with a week of protests this week and a second march at the University of Washington planned for October 2nd.

30 Jul - Tough Questions for Feds After They Jailed an Innocent Man for Nine Years

Eric McDavid wants the government to explain its 'inadvertent' withholding of the evidence that eventually freed him.

MORE:

by Dean Kuipers (*takepart*)

Attorney Mark Reichel has been waiting years for answers. Years, he says, during which “not a day goes by that I don’t think about the Eric McDavid case. What happened there was wrong in every way. We don’t live in that kind of country. This is a terribly frightening story in a free society.”

McDavid was released in January after serving nine years of a 20-year sentence on federal charges related to an alleged ecoterrorism conspiracy. Documents had emerged, two months earlier, that were absent at his trial, including correspondence supporting his claim that he had been entrapped by an FBI operation involving a paid informant.

U.S. attorneys new to the case had discovered the documents during a search through their predecessors' file, which they performed in response to a habeas corpus petition challenging the government's right to hold McDavid. At a court hearing in January, they said the failure to produce the 13 love letters between McDavid and an informant known as Anna—along with almost 3,000 other documents, including an email showing the government had asked to polygraph-test Anna and evidence that she had been coached in the love affair by a Behavioral Analysis Unit—was “inadvertent” and “a mistake.”

Six months later, Reichel was still screaming about the loss—or deliberate withholding—of the documents. He's a big man, passionate about justice, and he gets worked up: “Who is going to believe they fucking misplaced that shit? I mean, seriously! And then, after he's convicted nine years later you say, ‘Oh, here they are.’ Do they get that much deference?”

He may soon find out. On July 30, Reichel filed a 28-page motion in federal court in Sacramento asking U.S. District Court Judge Morrison C. England Jr. to order the government to explain itself. The U.S. Attorney's Office and the FBI would be required to detail how and why the evidence went missing. The motion also asks the judge to “grant such further relief as the Court deems appropriate.” Maybe someone will be punished. Maybe more transparency can be introduced.

Under terms of his current plea agreement, McDavid, now 37, is not allowed to sue. He wrote in an e-mail, the day of the filing, “Some agents of the government—of the people—withheld documents that could have helped my defense. Someone is responsible, and there needs to be accountability. Withholding discovery is not unique to my case. If I can do something [with this motion] to aid others, then I want to.”

“Every time the government is caught hiding exculpatory evidence it adds to the pressure for them to become more open, transparent, and law abiding,” said attorney Stephen Downs, who has studied terror prosecutions in the U.S. since 9/11. “If this motion results in holding the government accountable for violating their disclosure obligations I think it might have a significant impact.”

Reichel had reason to believe Judge England would be receptive to such a motion. Six months earlier, England, who is not given to great displays of emotion in court, loudly proclaimed his anger that prosecutors had failed to disclose the letters previously.

“This is huge!” he barked. “I want to know what happened.... Especially when I'm the one that was in charge of this trial...and I had to rule as to whether or not this entrapment defense would be permitted.... And I sentenced this person to an inordinate amount of time when I shouldn't have done so. So am I a little upset right now? Yes, I am!”

McDavid's case was one of hundreds of FBI investigations into homegrown terrorism, eco-sabotage, and Islamist extremism that grew out of a post-9/11 counterterrorism policy that critics have termed “preemptory prosecution.” These operations use paid informants to direct an individual or a group of individuals identified for their political or religious beliefs in a plot of terrorism. But the plots, critics say, are often ginned up by the FBI and never would have taken shape as conspiracies, let alone terrorist events, without the government's involvement. Many legal experts say the FBI has repeatedly crossed the line into entrapment, as McDavid claimed: Anna had strung him along with the suggestion of romance if he would get serious about planning ecoterrorism “actions.”

England would have been aware, in January, of the additional problem of prosecutorial misconduct. Alex Kozinski, then–chief judge of the U.S. Court of Appeals for the Ninth Circuit (England’s circuit) had decried a wave of misdeeds, writing in 2013, “There is an epidemic of Brady violations abroad in the land. Only judges can stop it.” (The *Brady v. Maryland* case established that prosecutors are required to provide to the defense any exculpatory evidence.) One—highly publicized—such example included prosecutors’ withholding of exculpatory evidence in the 2008 corruption case against Sen. Ted Stevens of Alaska, whose conviction was later vacated. “Overall the Feds have a very bad reputation for turning over exculpatory information,” says Downs, noting the 2003 Detroit Sleeper Cell case, in which the prosecutor was himself prosecuted for hiding evidence.

During the extraordinary January hearing, McDavid stood in his orange jumpsuit with his prison face on—blank, not displaying any emotion. Skull shaved, his red-orange beard thick and his body sculpted by years of yoga in a six-by-eight-foot cell, he steeled himself for disappointment. He’d endured the prosecution’s mockery at his 2007 trial on charges of conspiracy to blow up a dam, a U.S. Forest Service lab that developed GMO trees, and other targets. “The defendant has said there was a romantic relationship. He has provided no facts of that,” one of the U.S. attorneys said—when the facts were in the government’s possession.

Reichel was just about coming out of his skin during the trial, but other than filing a Freedom of Information Act request there wasn’t much he could do. His 2007 request came back “No documents found.” Yet here were Assistant U.S. Attorney André Espinosa and John Vincent, Criminal Division chief, U.S. Attorney’s Office for the Eastern District of California—from the same office that had put McDavid away nine years ago—working up a sweat, explaining that all the newly produced evidence could be a violation under Brady. Espinosa and Vincent told the judge that the best idea was to let McDavid plead out and go home. Forthwith. That day.

“I know he’s not necessarily a choirboy,” England said, “but he doesn’t deserve to have to go through this either.” Then he banged the gavel. Case closed.

McDavid didn’t turn to look at his family as he left the courtroom. He wasn’t going to show any emotion until he was Out. The. Door.

“This was just about the most clear-cut case of entrapment you’re ever going to see,” Rosenfeld said later. Reichel added, “If I [had] had these documents, I could have won that case with my brain tied behind my back.”

Downs and Kathy Manley, in their May 2014 study *Inventing Terrorists: The Lawfare of Preemptive Prosecution*, published by civil liberties organizations Project SALAM and the National Coalition to Protect Civil Freedoms, found that 94.2 percent of all U.S. terror prosecutions from 2001 to 2010 involved defendants whose plots were wholly or partially manufactured by the FBI. “Most of the people convicted of terrorism related crimes posed no danger to the U.S. and were entrapped by a preventive strategy,” they write. The plots often rely on their targets’ need for money, food, apartments, cars. Or, in McDavid’s case, love.

Eric McDavid grew up a military brat not knowing very much about his country. His parents, George and Eileen, were both radar techs in the Air Force, and the family lived in Illinois, Mississippi, and Sacramento, California, before settling in the woods outside Foresthill, a remote ridgetop village in the Sierra Nevada. Behind the modern and meticulously kept house in which McDavid spent his adolescent years, there’s a large deck with a view of miles upon miles of pine-covered mountains, but he says he wasn’t aware of any

great ecological consciousness developing during his youth. McDavid played football and got average grades at Casa Roble Fundamental High School in nearby Orangevale.

At a Methodist summer camp he attended every year as a teen, McDavid became interested in community and the social critique needed to build it. He felt a kinship among the kids, and when he wasn't there he found that he craved this feeling. During the school year he would become acutely aware of the "masks" that he and everyone adopted: social cliques, religion, economic status. He sought out people who shared his attitudes, and at a 2003 protest in San Francisco against the looming invasion of Iraq, the first political event he attended, he thought he'd found a quarter million of them. He perceived a community he hadn't been with since summer camp almost a decade prior. He scooped up every bit of political literature he could find there, and soon began training in de-escalation methods so he could be useful at protests. His parents gave him a copy of Michael Moore's book *Dude, Where's My Country?* It was, he said, "like a smorgasbord for my mind. How do I perpetuate this? How do I nourish this scenario to keep it happening? Because this is something I haven't had since childhood, and I want more."

The following summer, McDavid began volunteering for Food Not Bombs, a multi-city network that feeds the homeless and indigent. In August 2004, he struck out on a road trip, hitchhiking to Des Moines, Iowa, for a small anarchist convergence called CrimethInc. (a play on "thoughtcrime," George Orwell's term from 1984).

His first day there, McDavid met Zach Jenson, a 19-year-old from Seattle with no history of violence who lived off food stamps and Dumpster diving. They jumped into a car to pick up Jenson's friend at a truck stop. She said her name was Anna and she was 18. She had hot-pink hair and a camo skirt riding halfway up her thighs, and told them she'd hitched rides from truck drivers all the way from Florida. Who the hell is this? McDavid breathed.

Days after the attacks of 9/11, beleaguered FBI Director Robert Mueller, under pressure from the White House, issued a memo calling for "forward-leaning—preventative—prosecutions." Quickly, a huge expansion of surveillance, profiling, and stings took shape, often involving paid informants materialized. Downs worked on the case of Albany, New York, imam Yassin Aref, who was convicted in 2007 of material support for terror as a result of a sting operation. He later wrote in the Washington Report on Middle East Affairs that this new investigative approach was a spin-off of a statement then-Vice President Dick Cheney made to author Ron Suskind: "If there's a 1% chance that Pakistani scientists are helping al-Qaeda build or develop a nuclear weapon, we have to treat it as a certainty in terms of our response." Suskind called his book *The One Percent Doctrine*, and that's how the policy came to be known.

In terms of domestic counterintelligence, that meant that if the person deemed a person of interest had not yet come up with a terrorist plot, the FBI would provide it. This strategy is now behind nearly every terror prosecution that pops up: Most of the suspects are poor and marginalized Muslims or political dissidents. Some are mentally ill. They are typically known and sometimes outspoken figures in their community. People who commit acts of terrorism, such as the Tsernaev brothers, who bombed the Boston Marathon in 2013, or Timothy McVeigh, whose truck bomb killed 168 people in the Oklahoma City federal building in 1995, succeed because they operate in secret. Suspects "caught" before their alleged plan comes to fruition face, as a result of post-9/11 laws like the USA Patriot Act, lifetimes in prison and usually gain leniency in exchange for a guilty plea that seems to vindicate the investigation. The plots are most often FBI-concocted. (The FBI declined multiple requests for comment on the McDavid case and the use of paid informants in anti-terror prosecutions.)

The famous cases get press handles, like the "Miami Seven," arrested in a 2006 plot to blow up FBI offices and Chicago's Willis Tower (formerly Sears Tower). Time said they were most likely "wannabes,"

parading around their Miami neighborhood in military uniforms and turbans telling anyone who would listen that they were “committed to Allah.” When approached by an FBI informant who claimed to represent al-Qaida, they swore fealty in exchange for matériel, attack plans, and a requested \$50,000 in cash. And then they were busted.

The names quickly pile up. Craig Monteilh, paid \$177,000 to infiltrate a mosque in Orange County, California. Bradley Crowder and David McKay, arrested after being encouraged by paid FBI informant Brandon Darby to make Molotov cocktails at the 2008 Republican National Convention. Portland’s “Christmas Tree Bomber,” 19 and troubled, was set up for a 30-year sentence. The “Cleveland Four,” homeless young men whom the FBI, through an informant, provided with jobs, homes, money, drugs, and alcohol. Supposedly there was a plot to blow up a bridge in 2012. Christopher Cornell, who the Department of Justice says converted to Islam and plotted “to attack the U.S. Capitol and kill government officials.” Shannon Maureen Conley, 19, who wanted to become an ISIS bride and was arrested in April 2014.

In 2011, Mother Jones and the University of California, Berkeley, looked at domestic terrorism cases involving FBI stings between 2001 and 2010 and found only three high-profile stings that weren’t led by the FBI. The rest were instances of the FBI foiling its own entrapment plots; the government arresting people on material support for terrorism charges that essentially criminalize conduct such as charitable giving and management, free speech, free association, peacemaking, and social hospitality; or inflation of minor or technical acts, such as inaccurate statements to governmental officials or on government forms, characterized as perpetrated in the furtherance of a terrorist plot.

Judges have pushed back. The “Newburgh Four,” broke and struggling African American Muslim men from upstate New York, were enticed with offers of up to \$250,000 to blow up a synagogue in the Bronx. U.S. District Court Judge Colleen McMahon rebuffed government claims that the men were terrorists, writing in a post-sentencing hearing, “I believe beyond a shadow of a doubt that there would have been no crime here except the government instigated it, planned it, and brought it to fruition.”

Others on the bench felt differently. A three-judge panel of the U.S. Court of Appeals for the Ninth Circuit seemed to affirm the government’s preemptory approach in its 2012 decision upholding McDavid’s conviction, writing: “There was ample evidence that the group could have committed a crime without Anna, even if it would have taken more time or thriftiness.”

Anna told McDavid she was trained as a “street medic” who could deliver first aid to protesters injured by cops, and that she had been to protests at the 2003 Free Trade Area of the Americas meeting in Miami and the 2004 G8 economic summit in Sea Island, Georgia, among others. In fact she had been recruited out of community college to infiltrate the FTAA meeting after a sheriff’s deputy in her class, impressed by a paper she presented on protesters, gave her name to the FBI. The bureau sent her out to infiltrate the loose nationwide tangle of protesters who had threatened to shut down the World Trade Organization meeting in Seattle in 1999 and were now showing up at every international conference, such as those held by the World Bank, the International Monetary Fund, the biotech industry and at the 2004 Republican and Democratic national conventions in Los Angeles and New York, where several thousand protesters would be arrested.

In 2004, John Lewis, deputy assistant director of the FBI’s Counterterrorism Division, declared that anarchist-affiliated environmental networks such as the Animal Liberation Front and the Earth Liberation Front were now the bureau’s “highest domestic terrorism investigative priority.” ELF had claimed responsibility for torching a luxury ski lodge under construction in Vail, Colorado, in 1998 and an arson at a condo complex near La Jolla, California, in 2003, that caused more than \$60 million in damages.

Anna was on what McDavid considered an “authentic path,” and he was smitten.

The half-dozen or so other women at the Iowa CrimethInc. also had their hearts set on McDavid: He was buff from years of work on construction crews and philosophical. He liked to cook and was extraordinarily polite. An informant is taught to fit in with the crowd she is infiltrating, and Anna joined the young women in zeroing in on McDavid, who describes his 25-year-old self in Des Moines as “incredibly naive.”

“Both of us said, ‘Oooh, I like the smiley one,’ “ said a woman who calls herself Atomic Lily, now 32. She attended the Des Moines CrimethInc. meeting with Jenny Esquivel, who later became McDavid’s girlfriend.

“At CrimethInc., there were kids who would do anything to prove they were radical,” said Lily. “They meant it so hard. Eric was not one of those people.”

That first night, Anna crawled into bed beside McDavid and then hung around him throughout the gathering. That they did not have sex, as both later confirmed, only set the hook.

Anna testified that she was instructed to target young anarchist men. To McDavid’s legal team, this violated his right to freedom of assembly under the First Amendment, established by court precedents. “You can’t target people for their political views, their sex, or their age,” Reichel said.

It didn’t take long for Anna to figure out McDavid was not the fighter she was looking for. Together they attended CrimethInc. “skillshare” sessions that addressed subjects from co-op child care to secure communications. She asked him whether he’d “ever really done anything,” as she put it. He said no; he was a newbie looking for information.

“That’s when I felt her pull back from me,” said McDavid. “I realized that’s where it was at for her—sexually and in terms of the movement.”

Anna testified that she gave McDavid’s name to her FBI handlers but added she thought he was “inconsequential,” a neophyte “not of interest to the FBI.”

But McDavid was very interested in her. He had found not just the community he had been looking for, but the woman he wanted to share it with. After CrimethInc., he and Jenson joined Anna and hundreds of thousands of protesters at the 2004 Republican National Convention in New York. When she failed to cajole the two of them into civil disobedience, she demonstrated her commitment by getting herself arrested. McDavid chivalrously went to offer jail support, only to be confused to find that she was never booked and never turned up at the jail where other protesters were being held—the FBI had her sprung. Heading home afterward, he handwrote her a love letter full of misspellings and rebus-like wordplay:

“It’s frustrating feeling all the endorphins shoot off in my head when ever I think of u expecially not knowing if it’s just inflatuation, a crush or whatever box this language has for this emotion,” he wrote. “I do know that my stomach gets tight as fuck & I get shortness of breath with a nice shot of adrenalien when memories of u rise up.... It hurts not to get sentimental & shit, because these feelings are so strong & I hope my forwardness w/expressing all this doesn’t scare the shit outta u...”

The letter and other pieces of correspondence turned up in England’s court in January. Most were emails from McDavid, and though the uncovered documents lacked corresponding responses from Anna, it is clear from the context that she had replied.

Anna later told McDavid she “threw away” the August 2014 handwritten letter because it could link them. In fact she gave it to the FBI. She artfully brushed off the gushy emotions, but McDavid said she invited “D,” as she called him, to join her at a big protest in June 2005 against the Organization of American States in Fort Lauderdale, Florida. McDavid didn’t make it, but he and Jenson were in Philadelphia later in June to protest BIO 2005, an annual biotechnology conference. There was a 25th-anniversary event for Food Not Bombs at the same time, also in Philadelphia, where they met Lauren Weiner, an art student who worked at a local anarchist bookstore. Anna turned up, and Weiner invited them all to crash at her place.

This was McDavid’s moment: He hadn’t been alone with Anna in almost a year. He pulled her out onto a balcony and told her his feelings had only deepened.

Anna testified that this was a whole new McDavid. Since the previous summer, she said, he had become “a radical activist who seemed to espouse very firm beliefs in very extremist viewpoints.”

McDavid shakes his head at this. He did not testify at his trial but says now that what had changed was his ability to express his feelings.

After their encounter in Philly, McDavid sent her an email trying to gauge her intentions, and Anna replied the same day, the only reply to McDavid that has been released: “I think you and I could be great, but we have a LOTS of little kinks to work out.”

A relieved McDavid shot back a rambling email saying, “B’n great, I think that’s an understatement.” The two finalized plans to spend time talking at an August CrimethInc. gathering in Bloomington, Indiana, and he wanted to find time alone with her, adding in the same message, “i’d like 2 look N2 do’n some independently from the scene N the future 2, i think it’d throw a different light on the subject....”

His warm hopes now kindled into a flame, McDavid says he and Anna stayed in regular communication, though only sporadic and brief correspondence has been made public. In those he calls her “cheeka” and sends her “big hugs.” On Oct. 4, 2005, the known communications between them, as well as some between Anna and Weiner, were sent to an FBI Behavioral Analysis Unit, which would coach Anna to say just the right things to keep McDavid interested.

“She knew that he was in love with her, and we [talked] about it,” said Weiner in an interview in March. “Girls talk about that kind of stuff.”

Anna was evidently frustrated, though, that McDavid wasn’t interested in action. She wanted to be plotting, and in November 2005, after the FBI told her it wanted to “get something going,” according to her court testimony, she bought plane tickets for herself and Weiner to visit McDavid in Foresthill. She wanted Jenson to come too; the plan was for them to all really talk. McDavid wanted to see her but was not in a political mood. Reluctantly, he agreed to have everyone come to the house.

The weekend before Thanksgiving, Anna was finally able to achieve what she and her FBI handlers had been working toward for nearly a year and a half. McDavid’s parents were away on a trip, and out at the fire pit on the house’s open deck, surrounded by towering cedar and fir trees, McDavid brought up an interview of radical environmentalist Derrick Jensen he’d read. Anna parlayed Jensen’s critique of human civilization as ecologically unsustainable into a discussion of what she characterized as “targets”—cell phone towers, dams, gas stations. She was wearing a body recorder, but it didn’t work half the time, so she kept needing to ask the others to repeat themselves.

McDavid was recorded asking Anna if she could get recipes for C4-style putty bombs, but he insists that the only one making any kind of plan was Anna. “There was that herding-cats sense, the entire thing,” he says today.

Was any of this going to get him a girlfriend? McDavid still wasn’t sure. On a pizza run into town, he at long last found himself alone with Anna. “I hit her up: ‘So what do you see happening with this relationship between you and I?’ And she basically, like, ran the FBI’s statement: ‘I want to handle business first. And then we can move into an intimate relationship.’ “

A few days after the conversation by the fire pit, the alleged co-conspirators split up to spend the holidays with their families. All agreed to get together again in the new year and pass the winter in a mountain cabin. When, in December, Anna emailed McDavid a recipe for a bomb, relayed in a code they’d worked out, McDavid flinched, and asked her to stop.

In January 2006, the FBI provided Anna with a car, and she drove Weiner and Jenson from Philadelphia to California, then picked up McDavid. She’d rented a cabin in Dutch Flat, just outside the Tahoe National Forest. The FBI had wired it for video and audio surveillance. Anna bought all the food and whatever supplies they needed with money she said she’d earned working as a stripper. She handed out pocket money. None of the others had a job.

“It was kind of like, OK, there’s food, there’s shelter, and there’s someone I’m romantically interested in,” says McDavid. So why not stay awhile?

As soon as they settled into the cabin, Anna went into manic control mode, screaming at everyone, hustling them to write down their ideas for crimes they could commit together. The others wanted to hang out and smoke weed, not make bombs or anything else. But Anna dragged them to San Francisco to pick up equipment, and to potential targets like the massive Nimbus Dam on the American River. Seeing the huge wall of cement, 87 feet high and 135 feet thick at the base, the others laughed at Anna, telling her that trying to destroy it was, as McDavid said, “beyond ridiculous.” On Jan. 12, the four of them mixed on a hot plate some ingredients the FBI had provided for a flash-bang device—a harmless fake bomb whose manufacture would demonstrate to a jury her targets’ criminal intent. When the effort failed, Anna had a screaming tantrum and marched out of the house to the motor home from which her handlers were monitoring the surveillance efforts and told them she was quitting. No matter, the agents said. They had enough.

The next morning they were arrested in the parking lot of a Kmart. McDavid, Jenson, and Weiner had tried to appease their meal ticket earlier in the morning by saying they were willing try again with the bomb recipe if she wanted. They drove down to Kmart to purchase bleach and other supplies, and on the way back to the car the FBI nabbed them.

At trial, Jenson and Weiner testified against McDavid in return for plea deals that let them walk. Both say that turning state’s evidence made it impossible for them to tell the truth and that their responses during interrogation made prosecutors very angry until the answers began to conform.

“Anna fueled everything,” Weiner says now. Prosecutors, in a Kafkaesque twist, asked her who the leader was. “ ‘Because she was an informant, Anna no longer counts,’ “ she says they told her. “ ‘So, out of the three of you [Weiner, McDavid, and Jenson].’ “

In 2012, in McDavid’s Habeas petition, Jenson recanted his testimony. “I felt the government informant Anna had entrapped all of us, including Eric, into committing the crime charged. It was clear to me that

Anna was the leader of the conspiracy and not Eric,” he wrote. “I knew I couldn’t testify to this or the government would rescind my plea agreement.”

In interviews, several of the jurors agreed, saying they felt McDavid had been entrapped but that Judge England’s instructions had left them no choice but to convict. (The appeals court refused to consider the claim of faulty instructions.)

“We felt like, ‘Who’s running this conspiracy here?’ said juror Diane Bennett. “It seemed like [Anna] was in charge.”

“There were things [in the government’s case] that some of us just didn’t really believe,” juror Bennett said..

In the absence of the letters, testimony concerning the relationship between McDavid and Anna was quashed. He was found guilty of a single charge of conspiracy. Until 9/11, such a conviction drew a maximum five-year sentence, but terrorism enhancements increased it to almost 20.

Late in the afternoon of Jan. 8, McDavid popped open the doors of the Robert T. Matsui Federal Courthouse in Sacramento and faced the bright, chilly winter day as a free man. Now he allowed himself to smile—nine years’ worth of big, red-bearded smile. He ran to his weeping family and embraced Esquivel, then they all walked quickly to his parents’ car. “I haven’t even made his bed!” said his mother, dabbing her eyes.

Executive Assistant U.S. Attorney Philip Ferrari, speaking for the Sacramento office, balked at the term “preemptive prosecution,” saying, “We’re not encouraging a crime to happen. When we use an informant, we’re gathering information. We want to get evidence to prosecute him so he doesn’t do those crimes in the future.”

Though admitting his office had made a mistake in not producing the McDavid-Anna correspondence, he maintained McDavid was guilty of the crime he had been charged with.

“It’s not as if these documents indicate that Mr. McDavid did not do what he was accused of doing, what he was convicted of doing, what he admitted to doing when he entered his guilty plea,” said Ferrari.

This is a bit of theater: The settlement McDavid’s attorneys negotiated with the U.S. Attorney’s office required him to plead guilty or risk a new trial.

Esquivel, who worked for years with Sacramento Prisoner Support to win McDavid’s release, wrote in an email, “Eric was targeted for his politics—the words ‘anarchist’ or ‘anarchism’ appear no less than 25 times in the 15-page document that was his criminal complaint. The government was pursuing Eric and his friends because [of their] views and ideas.”

Asked if his son’s release represented the triumph of justice, George McDavid’s smile disappeared. “No,” he said. “It should never have happened in the first place.”

Eric McDavid has been reconnecting with friends and family since his release, and hopes to teach yoga and sociology. He earned his paralegal certification in prison, which he hopes will help him pay the bills while in school. Anna has at least twice legally changed her name. Her whereabouts are unknown.

31 Jul - Reportback on the July 25 International Day of Solidarity with Antifascist Prisoners

The July 25 International Day of Solidarity with Antifascist Prisoners was a resounding success! In addition to comrades in Britain, the United States, Finland, Australia, Germany, Sweden, and Bulgaria taking part, the call to action was translated into five different languages and shared thousands of times on social media.

MORE:

The Day of Solidarity brought awareness to antifas that have been imprisoned in the struggle against fascism, and we have shown them that they have support all over the world!

In Britain, there was benefit with raffle, cakes, cider and a “bash the fash” piñata hosted by Anarchist Black Cross Bristol and Bristol Antifascists. In Pontypridd, Valleys Antifascists/Antiffa’r Cymoedd passed out flyers and stickers. In London, Dywizjon 161 organized a photo op in front of the Battle of Cable Street mural, and Brighton Antifascists and Berkshire Antifascists did similar events. In Corby, supporters of the Corby Anti Fascist Group held a benefit gig. And in Manchester, members of a variety of groups (including “Autonomous anti-fascists from the North West, Liverpool, 161 Crew MCR, ACA MCR and Irish republicans”) called for all antifascist prisoners to be freed, and conducted a moving tribute to our fallen comrades.

Many cities took part in the United States, as well. In New York City, the NYC Anarchist Black Cross hosted a night of videos of the fash getting what they deserve, while supporters ate vegan empanadas and listened to presentations on the prisoners, as well as a speaker from One People’s Project. Portland, Oregon’s Rose City Antifa called for a week of sending postcards to prisoners, asking that they be posted online with the hashtag #PostcardsToPrisoners. In La Puente, California, the Bunny Alliance and Bridgetown DIY hosted a night of music and talks about contemporary fascism, militant anti-fascist resistance, the social revolution in Rojava, and “dealing with fascists and white nationalists within animal liberation and earth liberation movements.” Philly Antifa, Southside Chicago ARA, and Columbus, Ohio’s Sporeprint Infoshop held letter-writings, while the Denver Anarchist Black Cross screened the film 161>88. And RASH USA issued a statement demanding the release of all antifa prisoners without reprisal.

In Finland, the Varis antifascist network distributed literature at the Puntala punk festival in Lempäälä. In Helsinki, they held a small demonstration in support of Russian antifascist prisoners Alexey Sutuga and Aleksandr Kolchenko and painted solidarity graffiti; and in Tampere they also passed out flyers in support of the prisoners.

In Sweden, the Föreningen Fånggruppen, in conjunction with seven antifa prisoners, issued a statement about the importance of prison solidarity.

In Australia, AFA Sydney hung banners for Jock Palfreeman, an Australian man imprisoned in Sofia, Bulgaria for defending two Romani men who were attacked by fascist football hooligans. (The July 25 Day of Solidarity originated in 2014 as a Day of Solidarity with Jock Palfreeman.) And in Bulgaria, antifascists also held an event for Jock.

Last, in Berlin, Germany, Minor Treat held a joint benefit dinner for refugees in Germany, and also wrote letters to the antifascist prisoners.

We are excited by the support this event attracted, and hope it expands to even more countries next year—because until fascism is buried in its grave, our comrades will be imprisoned for helping to bury it. NYC

Antifa will keep updating the list of anti-fascist prisoners, in order to facilitate solidarity with antifa prisoners year round. We thank everyone who participated in the July 25th Day of Solidarity, and urge all people to not only write these prisoners, but to also continue their work.

No Pasaran!
Until all are free!

6 Aug - The Ecology of a Police State

WHAT: Prison Ecology Project

WHEN: 7:30-9:30pm, Thursday, August 6

WHERE: The Commons - 388 Atlantic Avenue, Brooklyn, New York 11217 (Directions below)

COST: \$6 \$10 \$15 sliding scale for event (no one turned away for inability to pay.) Money raised will support the Prison Ecology Project.

MORE:

Come find out about the intersections of mass incarceration, criminal justice and the environment.

An organizer with the Prison Ecology Project will be discussing the Project's effort to get the Environmental Protection Agency (EPA) to recognize environmental justice impacts on prisoners, and an effort to stop the construction of a new maximum security federal prison on 700 acres of endangered species habitat in eastern Kentucky.

We'll also be showing an excerpt from Up The Ridge, a documentary about the prison-building boom in Appalachia's coal country, and other short films on the prison/ecology connection.

Directions: THE COMMONS is near the Hoyt-Schermerhorn subway stop in downtown Brooklyn, at 388 Atlantic Avenue, Between Hoyt and Bond.

For more info: PrisonEcology.org

Check out the PEP crowdfunding campaign: <http://igg.me/at/prisonecology>

Event co-sponsored by the National Lawyers Guild, Prison Legal News/Human Rights Defense Center, New York Environmental Law and Justice Project, National Police Accountability Project, Sylvia Rivera Law Project, Hudson Valley Earth First!, Marxist Education Project, NYC Anarchist Black Cross, Movement Media, and Prison Project of Sante Fe

16-21 Aug - Fight the Good Fight

WHAT: 4th annual day of rejuvenation in honor of Dr. Mutulu Shakur

WHEN: 11:30am-5:30pm, Sunday, August 16th; 5:00-10:00pm, Friday, August 21st

WHERE: 40 Exchange Place, 3rd Floor, Manhattan; 582 Halsey Street, Brooklyn

COST: Suggested donations vary (See below)

MORE:

Book an appointment for acupuncture, massage or a yoga class for yourself or as a gift for someone who deserves it. Through his revolutionary work with Lincoln Detox, Black Advisory Association of North America and the Harlem Institute of Acupuncture, Dr. Shakur utilized acupuncture to not only heal but also empower. In honor of this legacy, Dr. Shakur's former student Dr. Shadidi Kinsey and licensed acupuncturist Margie Navarro will provide acupuncture for sliding scale donations of \$20- \$60. Licensed massage therapist Sherley Accime will provide Kan'Yah Afro-Caribbean Bodywork also for \$20 – \$60

sliding scale. Licensed yoga instructor Regina Rocke will teach a yoga class from 11:30am – 12:30 pm for \$10 – \$30. Donations are tax-deductible & support Dr. Shakur’s legal defense, commissary essentials, and projects promoting justice for the Black community. Since space is limited, follow the link to register for the yoga class or schedule an acupuncture or massage appointment: <http://goo.gl/forms/A947IV1cbx>

Birthday Party for Dr. Mutulu Shakur at PEACE Health Center

Please join us for an evening of live jazz by the Donald Smith trio, plus a 70s set by DJ Jah Medicine, and dancing in celebration of the birth and struggle of Dr. Mutulu Shakur. Food (vegetarian options) and beverages (alcoholic and non) available by donation. Brief presentations will be made by Family & Friends of Mutulu Shakur and the PEACE Health Center.

29 Aug - Punk Rock Karaoke For Arrested Animal Activists

WHAT: Benefit for Nicole and Joseph

WHEN: 8:00pm, Saturday, August 29

WHERE: The Silent Barn - 603 Bushwick Avenue, Brooklyn, New York 11206

COST: \$8

MORE:

Well, we are headed back to The Silent Barn in Brooklyn for another night of raucous sing-a-longs for a cause. Silent Barn was wonderful to us last time and we couldn't be happier to be returning.

As always, this is a benefit. This time we are raising money for the legal defense/support fund of two recently arrested animal rights activists who have been indicted under the controversial Animal Enterprise Terrorism Act (AETA) for allegedly releasing thousands of animals from fur farms and destroying breeding records in Idaho, Iowa, Minnesota, Montana, Wisconsin, and Pennsylvania. . So come out, have fun, and give some much needed support to Nicole and Joseph.

It's been a while since we have been on our home turf and as always, we have some new tracks for y'all. Trust us, this is going to be a blast. See you there.

Punk Rock Karaoke is a DIY, fund-raising event that benefits a different community group each time.